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Comprehensive Refugee Responses in the Horn of Africa: Regional Leadership on Education, Livelihoods and Durable Solutions: summary of findings

By Laura Hammond, Caitlin Sturridge, Kalyango Ronald Sebba, Michael Owiso, Mohamed Mahdi, Farah Manji, and Abdinasir Ali Osman

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Introduction and review of study objectives

In support of the delivery of the Comprehensive Refugee Response Framework (CRRF) in the Horn of Africa, the Intergovernmental Authority on Development (IGAD) has been playing a central role. IGAD took the lead in bringing together its 7 members' heads of state in March 2017 to agree a Comprehensive Approach to Durable Solutions on the Somali Refugee Situation. This agreement was subsequently expanded to encompass all refugees in the region, regardless of their country of origin. Following this, two technical meetings and ministerial summits brought member states together on the themes of Education (held in Djibouti in December 2017) and Jobs and Livelihoods (held in Kampala in March 2019). The Declarations that resulted from these two summits have sought to establish principles of best practice and concrete commitments on the part of hosting countries to taking a common approach to supporting displacement-affected communities. The technical meetings were a first step in turning those political commitments into realities, first through the development of appropriate policy and legislation and then through the elaboration of action plans and localisation processes. These meetings have also helped to foster cross-regional sharing of best practice and provided member states with milestones to aim for. This Summary Report provides the key findings and recommendations of a study carried out in 2019 which considered the implementation of the CRRF and IGAD initiatives in four countries: Djibouti, Kenya, Somalia and Uganda. Interviews were conducted in national capitals and in secondary cities and refugee settlements. We interviewed refugees, host

communities, civil society, district and county officials, national government staff, local and international nongovernmental organisation staff, and UN agency officials.

We argue that IGAD has been vital in helping to mobilise political attention and commitment for action on displacement issues. No other organisation in the region, or globally, has the ability to bring the countries of the Horn of Africa together around such an issue. The 'political peer pressure' that IGAD is able to exert through its regional diplomacy is a significant success story that is often overlooked in single-country studies or cross-country comparisons of CRRF implementation.

We look at the progress made in each of our study countries. While giving credit where it is due, we also critically examine the challenges that have been encountered, what has not worked so well, and what remains to be done in the coming months and years.

Legislative & policy changes in the study countries

Djibouti

Djibouti hosts 30,374 registered refugees plus as many as 100,000 unregistered refugees, settled in two camps (Ali Adeh and Markazi) as well as in the urban centres Djibouti-Ville and Ali Sabieh.

The most significant legislative changes since becoming a CRRF country has been the passing of a new Refugee Law and Action Plan which guarantee refugees a favourable protection environment and for the first time guarantees them access to key social services. Coordination structures have been established to support CRRF programme implementation, including a Steering Committee and Sectoral Cluster Groups. Significant progress has been made towards the inclusion of refugees into the national education and health systems.

Kenya

Kenya currently hosts 485,524 registered refugees, the majority having fled Somalia and South Sudan. Camps at Dadaab and Kakuma/Kalobeyei, located in Garissa and Turkana Counties, respectively, hold 84 per cent of the refugees, while 16 per cent reside in urban areas. The newest camp, Kalobeyei, was established in 2015 as an Integrated Settlement to promote an

integrated and local economic development approach.¹

The 2006 Refugees Act currently governs refugee affairs. However, this legislation limits efforts to promote self-reliance by restricting refugee movement, work, property ownership and other key rights. A revised Refugees Bill has been developed which would provide greater freedom for refugees and a blueprint for CRRF implementation, although it retains Kenya's encampment policy and focuses largely on refugee registration and return. However, it has been stalled in Parliament. More progress has been made at the county government level, where officials are pursuing an integrated development approach involving refugees and host communities.

Somalia

Somalia is one of the top five refugee-producing countries in the world, with 742,681 Somali refugees seeking asylum in the Horn of Africa and Yemen. 2.6 million of the country's estimated 12.3 million people have been internally displaced, fleeing armed conflict and violence, drought, floods and forced evictions. Most have moved from rural areas to informal sites in urban centres. Somalia also hosts 33,270 registered refugees and asylum seekers (and many

¹ All population figures for all countries are from UNHCR 2019.

more unregistered), largely from Ethiopia and Yemen. Finally, 91,101 refugees have repatriated from countries within the region as well as from North Africa.

Over the last two years, refugee and IDP issues have been dealt with at the federal level through an overlapping and sometimes competing administrative structure involving the office of the National Commissioner for Refugees and IDPs (NCRI), the Ministry of Planning (which has overall coordination responsibility for the National Development Plan), and the Special Envoy for Forced Migration. During 2018 and 2019 effort has been focused on developing a single coordination system and a National Policy on Refugees, Returnees and IDPs to set out the respective roles and responsibilities of all stakeholders. The National Policy, which is at the time of writing awaiting ratification by the Prime Minister's Cabinet, is an ambitious instrument that sets out the rights and entitlements of displacement-affected communities.

In the absence of a ratified policy, the IGAD Plan of Action for Durable Solutions for Somali Refugees and Reintegration of Returnees, together with the National Development Plan, have guided the operationalisation of the CRRF for Somalia at the federal level. At the federal state

level, regional durable solutions plans are being elaborated.

Uganda

Uganda presently hosts more than 1.3 million refugees, of which 63 per cent are South Sudanese and 29 per cent are from the Democratic Republic of Congo. Twenty-eight per cent of the country's refugees live in the capital, Kampala; the rest reside in smaller towns or in the refugee settlements in the north, west and southwest of the country.

Uganda arguably has one of the most progressive refugee protection policies in the world, with refugees afforded relative freedom of movement, the right to work, to establish businesses and access public services such as education and to obtain identity cards and birth, marriage, and education certificates. Until recently, refugee families in gazetted settlements have been allocated small plots of farmland. This practice has been jeopardised by the sheer number of new arrivals in recent years.

Since adopting the CRRF, Uganda has established a CRRF Secretariat and Steering Group. It has also benefited from the World Bank-supported Development Response to Displacement Impacts Project (DRDIP), which aims to improve access to basic social services, expand economic opportunities, and enhance environmental management for communities hosting refugees.

Key Findings

Perceptions of CRRF vary from country to country and while it is premature to measure most results, it is important to consider each country in terms of its own pathway rather than in comparative terms

Perceptions of the CRRF vary significantly with differing views about what it should entail and who should be involved in it. CRRF implementation needs to be understood according to the contextual specificities of each country. While measurement and evaluation of the CRRF are challenging at this early stage, there is a sense that it is contributing to a gradual change in government and partner perspectives, with the challenges of responding to refugee needs understood within broader development context of hosting communities, nations and regions.

Perceptions of the CRRF are strongly influenced by political economy

Interpretations of the CRRF are often underpinned by the political agendas of IGAD members and donors. Some view the CRRF as a way for host governments to ensure that they maintain control, consolidate their own agenda, and align refugee responses with national development planning and priorities. For others, the CRRF is seen as a tool for promoting repatriation, while still others see it as representing an international agenda by western governments to stem migration to their own countries. As these examples suggest, the major underlying factor determining the approach to refugee-affected communities is the political

‘CRRF is not the determinant factor. The determinant will always be political economy.’
(Donor)

economy – the network of political and economic interests that shape a country’s, an organisation’s, or a community’s approach. These are dynamics that in many cases originated prior to the CRRF and IGAD-led declarations, but they have found focus and attracted support by these recent initiatives.

IGAD is playing a key role in mobilising political support, sharing best practice, and measuring progress within the Horn of Africa region

The majority of respondents were optimistic about IGAD’s role in convening and coordinating comprehensive refugee responses. They acknowledge that IGAD has been instrumental in creating the political space to build consensus around refugee issues, has highlighted the contributions that refugees make to host economies, and put the CRRF on the regional political agenda. The advocacy component of the IGAD process has been particularly beneficial to raise awareness of refugee needs and lobby different actors, including non-traditional government line ministries, to adopt a whole of government and whole of society approach. IGAD should continue to play to its strengths by maintaining the focus on soft diplomacy rather than seeking to force member states to implement their commitments. IGAD should strengthen its impact by adopting an approach that is more consultative and that proceeds at a pace (perhaps slower in some instances) that reflects the challenges of member states’ legislative and policy processes.

The next major challenges to address are in the areas of localisation, promotion of participation and consultation, and establishment of secure, adequate and reliable funding streams

While the shape and structure of CRRF implementation is taking shape in terms of policy and coordination and implementation arrangements, the major challenge now is to roll implementation out to subnational and local levels. So far a focus at the central government level and a relatively 'top-down' approach has resulted in low ownership at the local level, particularly among the civil society and local government actors that will be responsible for implementing the CRRF on the ground. With some exceptions, refugee and host community representatives said

'You don't have another inter-governmental entity that has pushed for such a liberal approach for refugee management.'
(UN staff member)

they did not feel that they had been

consulted or were involved in planning as much as they should be. Building commitment to the process at the local levels will involve meaningful processes of participation involving refugees and host communities, municipal actors, and local NGOs and community-based organisations.

Institutionalising the CRRF approach at local level requires commitment of funding by governments, as well as donors. Host governments argue that they do not have the necessary financial resources to fully extend the CRRF to the local levels. Local government officials are demanding greater inclusion through devolved budgets and a say in decision-making. This approach must go beyond project-based support or humanitarian relief to take the form of multi-year development financing that can be relied upon. For their part, many donors argue that they want to see results from the CRRF process thus far before they will be willing to commit more funds, and these results are not yet clearly documented.

The following sections on Education, Jobs and Livelihoods and Durable Solutions document the main achievements in each sector and may go some way in helping CRRF implementing states to demonstrate both the achievements and challenges so far encountered in implementation of the CRRF.

Spotlight 1: Education

Among the key features of the March 2017 Djibouti Declaration are commitments to ensure that refugees, returnees and hosts all have the same rights to quality education, and that these rights should be enshrined in policy and law.

Each IGAD member state has committed to uphold the Djibouti Declaration as well as the Regional Education Policy Framework, the Regional TVET Strategy, and the Consultative Process on the Regional Education Qualification Framework. They have also pledged to develop a costed National Education Response Plan to guide implementation, establish procedures for tracking progress, generate data for national and regional lessons learned, and to serve as a basis for securing multi-year, predictable funding. So far these costed plans are still not developed in any of the study countries.

A follow up technical experts meeting was held in July 2019 to report on progress made in the implementation of the Djibouti Declaration. Unusually for such a technical meeting, this event was attended by refugee teachers from the member states, who spoke about on-the-ground implementation of the Declaration, and more broadly about making national education systems more inclusive of refugee and returnee communities.

Significant policy changes have been implemented throughout the region

Throughout the sub-region, steps have been taken towards promoting refugee inclusion and a whole-of-society approach to education. Given that, at the time the Djibouti Declaration was agreed, the individual countries of the IGAD region had quite different positions on refugee

education, it is perhaps not surprising that progress has been somewhat uneven. Nonetheless, each country has reported legislative and/or policy changes in the education sector that have been made or are in the process of being finalised.

In Djibouti the right to education for all registered refugees has for the first time been recognised. In Kenya, the Refugee Education Inclusion Policy seeks to include refugees and asylum seekers in the national education system, although the policy is awaiting final ratification and financing. Somalia is struggling to establish a national curriculum and educational system, but the Federal Ministry of Education is developing a National Education Strategic Plan for Refugees, IDPs and Returnees and the National Commission for Refugees and IDPs has established an Education Unit. Uganda enacted a National Refugee Education Response Plan (ERP) in 2018. Despite funding shortfalls, efforts have also been renewed to deliver the ERP implementation to district level.

Steps have been taken towards refugee inclusion but quality of education remains a problem

In all countries, steps towards greater refugee inclusion and harmonisation of educational opportunities available to the displaced and host communities have been taken. New schools have been built in and near refugee-hosting communities.

However, efforts to promote inclusion are hampered by an inadequate number and capacity of schools to meet the current demand, inadequate teaching materials, overcrowding of classrooms, reluctance of many people to register as refugees rendering them ineligible for inclusion, and lack of accelerated learning programmes for

adult students. In all of the study countries, there is also a dearth of educational opportunities at secondary and tertiary levels.

Despite efforts to promote inclusion, socio-economic and cultural barriers persist

Access to education is also constrained by socio-economic factors, including inability to afford school fees, transport, or school supplies; lack of commitment by families to their children pursuing secondary or tertiary education (including due to early marriage of girls), language difficulties, and lack of sanitary facilities. In some cases people said that they worried that if they registered for refugee status they would be obliged to remain resident in the camps or be returned to their country of origin.

Certification of refugees' educational attainment is complicated and expensive

In all of the study countries, there are difficulties with refugee students' past record of educational attainment from their country

of origin being recognised in the country of asylum. Certification systems are either too expensive, non-existent, or too complicated for refugees to be able to navigate. South Sudanese refugee children have arrived in Kenya and Uganda unable to get their class 8 certificates recognised due to the complicated and bureaucratic application process and therefore have to repeat levels. An innovative collaboration involved Djiboutian and Kenyan officials working together to approve the administration and marking of the English-language pre-national examination tests for refugee students in Djibouti.

Psychosocial support, as well as support for disabled students is needed as part of the educational sector's reach

There is a need to integrate psychosocial support with education. Many refugees suffer from mental illness, especially trauma and depression. Educational facilities are unable to address the needs of students suffering from these conditions or from other mental or physical illnesses.

Spotlight 2: Jobs and Livelihoods

Limited policy and legislative changes, but increased number of jobs and livelihoods programmes

It is too early to be able to see major impacts of the Kampala Declaration on Jobs, Livelihoods and Self-Reliance. Most of the work in the jobs and livelihoods sector has come through implementation of employment or training programmes rather than specific policy. Coordination of activities is complicated by the fact that multiple ministries have overlapping mandates: Labour and Social Affairs, Agriculture, Immigration, etc. IGAD's role in promoting a culture of inclusion through its political advocacy can help to move along stalled policy processes and generate sustained political commitments to pursue greater levels of inclusion, as well as help facilitate improved coordination.

Still, the impact of the Kampala Declaration can be seen in the shift towards providing integrated support to host and refugee communities. In Kenya this was referred to by one interviewee as 'a departure from previous approaches.' County integrated development programmes (CIDPs) have taken this approach. In Djibouti, the National Refugee Law gives refugees the same rights to seek formal wage-employment, self-employment opportunities, financial services and other services as Djiboutian nationals. Under a Livelihoods Strategic Plan 2018-2022, UNHCR is supporting the Djibouti government's promotion of refugee and host livelihoods.

While the policy environment in support of livelihoods has yet to be fully developed

across the four study countries, there are many individual programmes and projects being implemented in all countries to provide vocational training and livelihoods support.

Language and lack of skills equivalency certification systems and documentation prevent labour market absorption of refugees

In all of the study countries, there are language and bureaucratic barriers that prevent refugees from accessing employment, both formal and informal. In Somalia, language barriers are a major challenge for many refugees seeking employment, as well as IDPs and returning refugees who speak Af May or other minority dialects. They also lack the skills and social connections to help them compete with local residents for employment. In Uganda, too, South Sudanese refugees report difficulty in obtaining employment without secondary school certificates, and French-speaking Congolese have difficulty with employment that requires English or Luganda language skills.

In Uganda, getting a work permit is a long, complicated process. Work permits are free, but can only be obtained online, requiring computer literacy, which most refugees do not have. They must be registered as refugees to get a work permit, but many refugees are reluctant to register. Many NGOs hire refugees as assistants (at a lower 'incentive' payment level), where work permits are not required, but refugees complain that the payment is insufficient.

Engagement with the private sector has challenges

Given that the private sector is the major employer in all of the four countries, there is a clear need to engage with them in all aspects of livelihoods support. Vocational training must take into account the demands within the local labour market – based on solid market information – and the likelihood that trainees will be hired by private sector employers. In addition, incentives need to be provided to private sector operators – including would-be employers, financial service providers, and providers of other basic services – to make

**‘Convincing private sector partners to come into refugee areas hasn’t been a walk in the park. You have to provide de-risking for them, incentivise them to come to do business here.’
(Kenyan NGO worker)**

it desirable and feasible to engage in areas where refugees are located.

Perceived discrepancies between opportunities between refugees and hosts often lead to tensions

Tensions between refugees, IDPs and hosts are often exacerbated if there is a feeling that one group has more opportunities for training or employment than another. In Kenya and Uganda, for instance, many host

community leaders expressed the view that refugees benefit from larger and wider assistance, including livelihood support. However, there is also potential for using livelihood support to promote better integration. As a local Kenya government official said, ‘In Dadaab, there is a “silent integration” that takes place between refugees and hosts. We should be looking for mutual opportunities for self-reliance and social cohesion rather than pitting them against each other.’

Self-reliance is linked not only to availability of livelihood opportunities but also to the ability to maintain mobility and to work legally

Restrictions on refugees’ mobility negatively impacts their ability to establish businesses, find employment, and market their skills and goods outside of the camp; limited mobility undermines their ability to achieve self sufficiency and strengthens their dependence on external assistance. Efforts to support county- and district-level engagement to remove administrative barriers, such as those impeding business registration and work permits, may be more effective than pushing for legislative change to permit greater refugee mobility, but there are limits as to how much can be achieved without the latter.

Private sector must overcome significant challenges in order to be more closely involved in the CRRF approach

The CRRF encourages private sector engagement in the promotion of a whole of society approach stimulating economic activity in refugee- and displacement-affected areas. The private sector can take on a variety of roles, including that of employer, service provider, financial service provider and educator. “Convincing private sector partners to come into refugee areas hasn’t been a walk in the

limited access, high levels of risk, lack of market data and low purchasing power of potential customers are the main barriers cited by private sector respondents to doing business with refugees. In addition, business people cited significant administrative and regulatory obstacles that undermine wider private sector engagement. It is often easier and cheaper for the private sector to do business with refugees in urban settings, or not at all.

As well as structural issues, private sector respondents also expressed concerns about navigating the humanitarian aid landscape, in particular highlighting



park,” explained an NGO respondent. A combination of high costs of investment, perceived insecurity, poor infrastructure,

complicated procurement processes, unclear intellectual property ownership and differences in language and approach.

Spotlight 3: Durable Solutions

In addition to the focus on supporting refugees in their host countries, the CRRF and the IGAD initiatives strengthen regional efforts to work towards durable solutions. This is done through engaging ‘non-traditional actors’ – including line ministries not typically involved with displacement issues as well as private sector – in working towards local integration of some refugees while also preparing others for eventual repatriation.

Interviewees credit IGAD’s role in elevating durable solutions to the political agenda of regional member states. Says one Nairobi-based actor, ‘The whole solutions agenda had a force from the IGAD process. Even donors and implementing partners started to talk about solutions when IGAD started to talk about the CRRF.’ Another interviewee agreed, saying ‘the discussion on solutions has gained momentum and organisations not [previously] involved in solutions now are part of it.’

‘I can say that the coordination I have seen on durable solutions is the most comprehensive I have seen on any issue in government. Ministries are working together in a new way on this issue.’
(Somalia government official)

IGAD’s leadership has helped shift the political debate

In Kenya, the Nairobi Declaration on Somali Refugees is credited with helping shift the political debate away from repatriation as the only acceptable solution for Somali refugees towards a more nuanced approach, which offers pathways for greater integration (particularly for those with family ties to Kenyan citizens) alongside preparations for repatriation and continued resettlement (even in the face of fewer resettlement places being made available).

Another way of looking at the integration activities in all countries is that if refugees can be trained to acquire skills that they can use in the host country while they wait for safe return to be possible, and also in the country of return, then such training programmes may give refugees more confidence in the economic sustainability of repatriation.

Repatriation

Repatriation is being pursued most strongly from Kenya to Somalia. Since the formal start of the voluntary repatriation programme, an estimated over 90,000 have moved to Somalia. They receive rations and food for only a few months. Refugees from Dadaab, however, say that many people have returned to the camp either because of insecurity or because they were unable to support themselves after the reintegration package had finished.

Making repatriation to Somalia more ‘durable’ will of course take time, as the country works to expand areas of security and build national service systems. At the

same time, some interviewees stressed that even in the current environment more could be done to make return sustainable by focusing more on social safeguards, healthcare, integration of education, protection, and secure livelihoods.

Greater focus on urban displacement and return

In all of the study countries, the challenges facing refugees, returnees, IDPs and hosts are largely urban issues. It is important to build urban development into durable solutions policy and planning. Many

displaced and returnees move into cities and are realistically unlikely to be able to return to their rural homes; many have no desire to do so.

While the urban nature of displacement may be most stark in Somalia, it is also an issue in all of the other study countries. Djibouti's refugees are increasingly leaving the refugee camps and seeking to settle themselves in the capital, but lack most forms of support, and their presence concerns local urban residents. Similar dynamics were also reported in Kenya and Uganda.



Key recommendations

1. IGAD plays a crucial role in promoting the CRRF approach and working towards durable solutions in the region. Its role as political broker is unique and it should be supported to continue to perform this important function. Its coordination and technical support functions should also be supported.
2. Governments in the region have all made important steps towards integrating refugees into their development planning and working to support all who are affected by displacement. Further policy formulation is needed on jobs and livelihoods, and where policy and legislation is not yet enacted these processes should be completed.
3. More donors should commit to multi-year funding, including direct budgetary support, to CRRF countries to support the expansion of activities to the local level.
4. Participation of local level governments, civil society, refugees and host communities should be incorporated into planning, implementation and monitoring of all CRRF activities.
5. The education sector needs urgent attention as the transition from ad hoc projects to national systems takes place: Financing from the international community will be key for the implementation of the education inclusion policy given the acute challenges facing access to education (especially secondary and tertiary education) as well as quality of education for refugees and host communities.
6. Jobs and Livelihoods work needs to be better coordinated and guided by policy that sets out procedures and standards for developing employment opportunities for refugees and hosts based on market demand.
7. A commitment to protecting refugees' rights with respect to documentation, access to services and mobility, all of which maximise the impact of livelihoods initiatives, should be incorporated into livelihoods policy.
8. There is a need to develop policy frameworks and partnership guidelines for the engagement of the private sector at the local level. This could include ownership, revenue sharing, intellectual property, and procurement guidelines.
9. Going forward, there is a need to consolidate and further the gains made with respect to Education and Jobs and Livelihoods, and to use the experiences gained from these sectors in the expansion of the approach to other sectors, most importantly the health sector.



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