



Policy Brief

October 2024

Refugee Integration in Kenya: Navigating the Interaction Between National and Local Governance Structures.

Overview

This policy brief outlines the key governance structures and frameworks in refugee management in Kenya, highlighting the interaction between national, subnational, and community levels. It offers actionable policy recommendations to address gaps and enhance service delivery for refugees across the country.

Kenya has been a significant host for refugees for decades, with its governance structures evolving to manage this responsibility. This policy brief analyses the refugee governance frameworks in Kenya, particularly focusing on the interaction between national, subnational, and community levels.

It will highlight existing governance structures and provide policy recommendations to improve refugee management.

Key Facts on Refugee Management



Department of Refugee Services (DRS), established in 2007, plays a central role in managing refugee services and coordinating efforts among various government bodies, NGOs, and international agencies.



The Refugees Act of 2021 is Kenya's primary legal framework for refugee governance, ensuring refugee rights and outlining government responsibilities. It replaces the earlier 2006 Act. Aligns with CRRF (2017).



By mid-2024, Garissa had the largest number of refugees, hosting 382,639 individuals, Turkana; 285,238 and Nairobi; 102,378.



County governments in Turkana and Garissa, face resource limitations and capacity challenges, hindering effective service delivery to refugee populations



Legal restrictions limit refugees' ability to engage in formal employment and access to property ownership, contributing to marginalization and economic instability.



Despite some progress in de facto socio-economic integration, in areas like Nairobi and Kakuma, barriers remain regarding access to formal employment and business support mechanisms.



Governance Structures and Levels of Interaction

National Level:

The Government of Kenya, through the **Ministry of Interior** and the **DRS**, holds the central role in refugee management. The DRS is responsible for coordinating national policies and collaborating with international bodies such as the **UNHCR**. At this level, national strategies such as the **Shirika Plan** is the most recent strategic roadmap for refugee integration in Kenya, focusing on service integration, socio-economic inclusion, and durable solutions. While promising, its implementation is still in its early stages. It aims to transition from refugee camps to integrated settlements.

Subnational Level:

County governments, particularly those hosting large refugee populations (e.g., Garissa, Turkana), are responsible for implementing refugee policies. **County Integrated Development Plans (CIDPs)** integrate refugee services to ensure access to healthcare, education, and livelihoods. Recent policy shifts have included refugees within **CIDPs**, aiming for integrated service delivery rather than parallel humanitarian efforts. However, actual resource allocation for refugee services in county budgets remains limited, raising concerns that their inclusion in CIDPs may be symbolic unless more substantive financial commitment follows.

Kenya's devolution has transferred significant responsibilities to county governments, including areas relevant to refugee integration such as health, water, and early education. The shift to a more localized governance model creates opportunities for county administrations to directly address refugee and host community needs within integrated frameworks. Nonetheless, refugee services are still primarily managed through national mechanisms and agencies like the Department of Refugee Services (DRS) and

UNHCR, causing occasional friction and role confusion between national and county stakeholders. Effective devolution requires stronger intergovernmental coordination and capacity building for county governments to fulfil their new roles adequately. The interaction between national and county governments is often fragmented, leading to inconsistencies in service delivery. Municipalities such as Kakuma and Dadaab are central to this process but face challenges in aligning national and local strategies.

Municipalization, especially for areas like Kakuma and Dadaab, intends to enhance local infrastructure and services through upgraded municipal status. This transition supports socio-economic inclusion of refugees within designated municipalities and aims to foster equitable service provision. However, challenges exist in translating policy into practice; for example, the lack of clarity around the extent of refugees' rights and participation in local governance. Successful municipalization is also closely tied to international financial support needed for infrastructure and service enhancements.

Community Level:

At the community level, **Community-Based Organizations (CBOs)** and local leaders are pivotal in bridging the gap between refugees and governance structures. These actors ensure refugees' needs are represented in local decision-making processes. However, lack of formal recognition and resources hinders their ability to advocate effectively for refugee rights.

Despite progress in the Refugee Act 2021 and the Shirika Plan, challenges remain in fully institutionalizing these policies at the local level, where county governments must balance refugee support with the demands of marginalized local communities.

Challenges in the Current Governance Structures

1 Fragmented Coordination across Actors

Kenya's refugee governance involves numerous actors: government agencies, UN bodies, NGOs, and county governments; which often leads to overlapping roles, duplication of efforts, and inefficiencies in service delivery. The lack of a unified approach hampers policy implementation at both the national and local levels.



Issue: Refugee governance is primarily centralized through the national government (DRS), but the involvement of multiple actors, including international agencies, creates confusion and inefficiency in operations. Local authorities lack the capacity and resources to manage refugee affairs effectively. Lack of coordination within and across national ministries, departments, multiple non-governmental actors and county structures continue to weigh down integration efforts.

Impact: Service delivery remains fragmented, with gaps in essential services such as health, education, and social protection. Refugees and host communities often experience delays in accessing services, and local actors are not fully engaged in the governance process.



2 Fragmented Coordination across Actors

Despite the growing role of county governments, there is inadequate participation of local communities and refugees in decision-making processes. Refugees are often seen as passive beneficiaries rather than active participants in governance structures, and local communities hosting refugees are not sufficiently engaged in shaping policies that affect them.

Drawing from "Seizing the Moment: Stakeholder Perspectives on Future Approaches to Hosting Refugees in Kenya". ReDSS (2023) Report,

The **Shirika Plan** itself currently lacks mechanisms to ensure refugees have a voice within municipal boards and local governance structures. Although the **Kakuma municipality** reserves a single seat for a refugee representative, this limited representation fails to address broader participatory needs.

Many stakeholders, including refugees, express concerns that the plan's implementation might sideline refugee interests, treating them as non-citizens without genuine decision-making power. This exclusion risks undermining the plan's effectiveness and the very integration goals it seeks to achieve.

Issue: Refugees, particularly those living in camps, are largely excluded from governance and policy development processes, which are often driven by external actors. County governments also struggle with integrating refugee needs into their development planning due to limited resources and capacity.

Impact: The exclusion of refugees and local communities limits the effectiveness of policies and leads to missed opportunities for improving refugee self-reliance and fostering social cohesion between refugees and host communities. This is because refugees' insights and contributions are critical to fostering sustainable integration into the local communities, local and national governments for service delivery.

3 Resource Constraints and Capacity Gaps

Both national and local actors face significant resource constraints in managing refugee populations. The DRS and county governments, in particular, are underfunded and lack the capacity to fully implement refugee-related policies and frameworks.

Issue: Budgetary limitations hinder the ability to provide adequate services, build infrastructure, and address emerging challenges in refugee-hosting areas. The reliance on international donor funding, which is often unpredictable, exacerbates these challenges. County governments and CBOs often lack the capacity and resources to effectively manage refugee populations, particularly in regions like Turkana and Garissa.

Impact: Insufficient funding and technical expertise lead to overcrowded shelters, inadequate health and education facilities, and poor integration of refugees into local economies. This not only affects refugees but also strains host communities who share resources.



4 Inadequacies in the implementation of the Refugee Act, 2021

The implementation of the Refugee Act of 2021 has been hindered by several factors:



Ambiguity in Legal Provisions: The Act contains vague language in critical areas, such as land use rights and the definition of “designated areas” for refugee movement. This lack of specificity hinders practical enforcement and creates confusion about refugees’ freedom of movement and property rights.

Institutional and Financial Constraints: The Department of Refugee Services (DRS), the primary agency for implementing the Act, is under-resourced

and dependent on external funding, primarily from the UNHCR. This dependency undermines its autonomy and limits its capacity to execute responsibilities effectively.

Coordination Challenges: The absence of a comprehensive policy framework to guide coordination between national, county governments, and external actors has led to fragmented responsibilities. A comprehensive refugee policy could clarify roles across various ministries and agencies, reducing overlaps and enhancing collaboration.

Inconsistent Refugee Documentation: Refugees require multiple forms of documentation to access services, complicating their interactions with government systems. Harmonizing documentation procedures could improve their access to essential services and reduce identity-related issues.

Lack of Effective Stakeholder Engagement: Although refugee policies, like the Shirika Plan, promise refugee participation, in practice, the level of engagement has been inadequate. Limited consultation with refugees and local actors has resulted in plans that may not fully address the actual needs and concerns of these communities.

The highlighted obstacles underscore the need for clarified policies (*discussed further under recommendations*).

While policies like the Refugees Act 2021 and the Shirika Plan provide a strong legal and strategic foundation, there is a significant gap between national-level frameworks and their implementation at the local level.

Issue: County governments, though tasked with service delivery, often lack the capacity or guidance to align with national frameworks. Additionally, the municipalization of refugee services in urban areas adds another layer of complexity, leading to inconsistent policy application.

Impact: This results in regional disparities in refugee protection and service delivery. For instance, urban refugees in Nairobi face different challenges than those in camps, but there is little adaptation of governance frameworks to these varied contexts.



Policy Recommendations:



Enhance Coordination Among Governance Actors

To reduce fragmentation and improve service delivery, there is a need for stronger coordination mechanisms among national, county, and local actors, as well as international organizations and NGOs. There's a need to establish clear frameworks for collaboration between the national government and counties.

A single harmonized refugee identification system should be developed to ease access to services and reduce identity fraud.

Action: Establish a **unified service delivery framework** that clearly delineates roles and responsibilities across stakeholders, ensuring that refugee services are streamlined and well-coordinated across levels. An integrated service delivery model where health, education, and social services are coordinated across sectors. The **Integration of Services Framework (2021)** provides a useful model for harmonizing services.

Impact: This will reduce duplication, enhance efficiency, and ensure that refugees and host communities receive consistent support.

Investing in local government capacity is crucial for ensuring that refugee needs are integrated into county-level planning and that local authorities can effectively manage refugee populations.



Strengthen Local Governance Capacity

Action: Provide capacity-building programs for county governments in refugee-hosting areas, focusing on resource management, service delivery, and governance. This should include funding mechanisms that ensure local governments can sustain these services. Adequate technical and financial support to implement refugee policies effectively.

Impact: Enhanced local governance will improve the responsiveness of county governments to the needs of both refugees and host communities, leading to more sustainable integration efforts.



Advancing Municipalization for Inclusive Refugee and Host Community Development

Allocate dedicated funds from national and international sources to municipal governments overseeing refugee-hosting regions.



Increase Refugee and Community Participation

Local communities and refugees must be actively involved in decision-making processes that affect their lives, particularly in areas related to service delivery, integration, and governance. It is key to encourage greater inclusion of refugee voices in county decision-making processes by creating dedicated spaces for refugee representatives.

Action: Promote community-based governance models that empower refugees and host communities to participate in the development and implementation of policies. Create mechanisms for refugee representation in county governance structures. Formalize the role of CBOs and community leaders by providing them with resources and training to effectively participate in refugee governance.

Supporting a National Refugee Advisory Board that facilitates the institutionalization of refugee participation in Kenya. Efforts to this are currently led by Refugees Seeking Equal Access at the Table (R-SEAT)

Impact: Increased community involvement will foster greater accountability, promote social cohesion, and ensure that governance structures reflect the realities on the ground.



Monitor and Evaluate Policy Implementation

To ensure that national frameworks like the Refugees Act 2021 and the Shirika Plan are effectively implemented, regular monitoring and evaluation are necessary.

Action: Create a national monitoring and evaluation framework for refugee governance, with clear indicators to track progress on integration, service delivery, and policy alignment between national and local levels.

Impact: This will help identify gaps in implementation, allow for timely adjustments, and ensure that policies are achieving their intended outcomes.



Address Resource Gaps through Sustainable Funding

A more sustainable and predictable funding model is essential for ensuring the long-term viability of Kenya's refugee governance structures. Donor funding should be better coordinated to avoid duplication and ensure accountability.

According to the Refugee Donor Group in Kenya, a key challenge to managing resource gaps is lack of transparency on actual costs of the overall refugee operation in Kenya and how they are allocated especially with current budget cuts.

Action: Develop a national refugee fund that pools resources from government allocations, international donors, and private sector partnerships to ensure consistent support for refugee services and infrastructure development.

Ensuring that the Refugee Donor Group maintains a focus on humanitarian needs while pushing for a more developmental response through dialogue around the policy structures.

Impact: This will address chronic underfunding, improve service delivery, and ensure that refugee governance frameworks are financially sustainable.



Develop Comprehensive Refugee Management Policy

Draft a comprehensive refugee policy that provides clarity on the roles and responsibilities of various actors, from the national to the community level. This policy should build on the Refugee Act (2021).

It should align the activities of national and county governments, streamline the contributions of the Department of Refugee Services (DRS), and standardize the coordination process with international partners, including the UNHCR. Starting with a comprehensive policy will ensure that refugee regulations are implemented consistently and reduce conflicts across government ministries.

Conclusion:



Kenya's refugee **governance structures** provide a strong foundation for managing one of Africa's largest refugee populations, but significant challenges remain. By **improving coordination, enhancing local governance capacity, increasing community participation,** and addressing resource gaps, Kenya can create a more effective, sustainable system that benefits both refugees and host communities.

The **integration of refugees** into national and local development strategies is key to achieving durable solutions and ensuring the long-term well-being of both refugees and Kenyan citizens.

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[*\(ReDSS - Evidence Mapping Kenya - Draft Report - Version 3 - Google Docs\)*](#)



Kenya Evidence Platform, is funded by the Kingdom of the Netherlands. It aims to drive evidence-based Refugee programming and policymaking in Kenya through locally driven and generated research on the promotion of more durable solutions for refugees. It is implemented by the Regional Durable Solutions Secretariat in partnership with Refugee-Led Research Hub and Maseno University. This is in addition to the support from core group members and other partners.



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