

UNHCR's MANAGEMENT RESPONSE

For each Recommendation, an indication of whether the Office “Accepts”, “Partially Accepts”, or “Does Not Accept” should be provided. “Accepted” indicates that the office considers this Recommendation should be implemented and outlines its intended actions. “Partially Accepted” means that the office considers part of the Recommendation is incorrect and will not be responding to it but accepts and will act upon the other part of it. To that end, it should outline its intended actions. “Not accepted” indicates that the office views the Recommendations as being inappropriate, based on inaccurate or incomplete findings or that it has not interpreted the findings correctly. The reasons for non-acceptance should be provided.

The Management Response is only required to cover one year after the initial submission of the report. This allows time for those Recommendations that are accepted to be addressed substantively. It also permits the opportunity for a certain amount of preparation and design work should these be required prior to implementation. After one year, PDES will request the Offices for an update. This will conclude the evaluation management cycle and will form part of our own quality control and performance self-assessment to determine the utility of the evaluation and its recommendations.

Recommendations of the Formative Evaluation of the Refugee Status Determination (RSD) Transition Process in Kenya

Title	Formative Evaluation of the Refugee Status Determination (RSD) Transition Process in Kenya
Reference	PDES / 2015/01
Overall response to the evaluation	<p>[In a couple of paragraphs please explain whether you agree with the broad conclusions of the review/evaluation and if you found it of good or poor quality in terms of methodology, clarity, usefulness of the key findings and recommendations]</p> <p>The document is deemed very useful for Operations not yet engaged in a transition process as it is very comprehensive and addresses broader capacity building issues. It is positive to see that the PDES evaluations team fully understood that the transition process may be extended based on a joint-evaluation by mid-2015.</p> <p>The Kenya Operation considers that certain recommendations are based on the existing work plan and are already being implemented as well as related activities. Although the Evaluation helped identify certain gaps in the transition, highlight best practises, set benchmarks, and devise relevant tools, the operation hoped to be able to benefit from more guidance and advice relating to these points. We understand that some of the tools developed, including those by Science Po Enumerators, are still subject to further review by DIP and may result in the formulation of revised RSD policies. Once this has been done they could be very useful for other Operations involved in RSD transitions. Some colleagues were of the opinion that some recommendations did not match the findings, whilst others expressed the view that the “formative” nature of this evaluation could have benefited from more concrete directions and examples of lessons-learned.</p> <p>The report should be read on the premises that the current transition process is happening without additional resources for capacity building. The answers to each recommendation detailed below have been thought anticipating that UNHCR Kenya OL increase request will be responded positively by HQ, so that UNHCR Kenya staffing capacity will be enhanced especially with regards to the capacity building activities. While awaiting for such additional resources, the timeframes envisaged below may need to be reviewed and pushed back to a later stage. If capacity building positions are not created, UNHCR Kenya may have to put the capacity development activities on hold in order to not jeopardise existing core protection functions (inc. RSD decision making and RSD backlog eradication). In this regard a column challenges and constraints should have been added.</p>

	<p>The Operation considers that the Bureau and DRRM should be tasked to highlight the plight of the Kenya Operation in order to secure more support and more resources. Recommendation 10 should come first as the resources issue is one of the most critical of the overall transition.</p> <p>Next steps of the PDES team with regards to following-up with the Kenyan operation on the RSD transition process to be clarified.</p> <p>Finally, the length of the document could be shortened as it is quite discouraging the read the entire report. .</p>
<p>Planned use of the evaluation</p>	<p>[In a couple of paragraphs please outline what actions you will take as a result of this review/evaluation such as 1) improvement of a programme or policy; 2) generating knowledge</p>

RECOMMENDATIONS REGARDING KEY TRANSITION AND PROTECTION OBJECTIVES FOR THE UNHCR REPRESENTATION IN KENYA.

Recommendation 1: RSD as a route to comprehensive solutions.

UNHCR BO Nairobi should develop an operational and advocacy strategy to ensure that refugees can exercise their rights under the international conventions to which Kenya is a party, and in accordance with Kenyan law. To this end, UNHCR Nairobi is encouraged to:

- Identify stakeholders, including within and beyond government, civil society and the donor community in Kenya, that could effectively support and champion the successful completion of the transition process and more effective observance of refugees' rights, including through the present recommendations. This strategy should detail how they will be engaged and with what objectives.
- Identify those rights that can be most immediately associated with the completion of the RSD transition (including efficient operation of the RSD process, with fair and accurate decision-making and consistently high decision output; access to valid documentation; recognition of documentation by competent authorities and observance of refugees' rights in practice).
- Establish a time line and benchmarks by which to measure progress.
- Engage in a concerted way with donor and other international community actors to support and promote the development of the capacity of DRA as well as expanding and reinforcing the protection space in Kenya.

Management Response to Recommendation 1.

Agree Partially Agree Disagree

If disagree, explain the reason why:

Bullet point nb 3 is already part of our work plan.

Bullet point nb 2 should read "monitor those rights" rather than identify as all the rights are already known and identified.

In order to engage the donor community and make the GOK more accountable to the RSD transition process, it could be relevant to set-up a board of donors and other external actors with relevant seniority. This board would be kept abreast of the progress made and the challenges met in order to follow up more closely the RSD transition. An advocacy strategy by itself does not seem relevant to our context. The Kenyan operation has an operational strategy that includes advocacy activities.

The initiative of setting up this board would come from Commissioner Komen and UNHCR Representative. The board may be constituted as the transition gets funded. Members of the board could be Inter-agency government entity with donor representatives and NGOs (RCK, HIAS). The Danes who used to fund DRA could be approached and BO would investigate if there would be interest among the EU Delegation in Nairobi.

Actions Planned	Responsible Department / Service / Office	Expected Completion Date	Status (not started, in progress, completed, cancelled)	Actions Taken	Supporting Documents
UNHCR to brief DRA about the need to set an inter-agency entity to follow up on the RSD transition	Joint DRA and UNHCR	July 2015	Not started		
DRA to map all the relevant stakeholders.	DRA	July 2015	Not started		Joint DRA and UNHCR RSD transition Work plan and RSD TF minutes.
Upon agreement of DRA, DRA and UNHCR to set up the entity	UNHCR and DRA	December 2015	Not started		

Briefing of the MPs on the RSD transition in conjunction with the Refugee Bill familiarization visit to KKM camp	UNHCR	August 2015	Not started		
Elaboration and circulation of a Donor Briefing and RSD transition info sheet	UNHCR	Mid-August 2015	Not started		Joint DRA and UNHCR RSD transition Work plan
Refugee Appeals Board mission to Kakuma and Dadaab	UNHCR	August-September 2015	Not started		
				Timeline and benchmarks already exit (Joint evaluation tool to be implemented with a multifunctional team in July/Aug 2015)	Joint DRA and UNHCR RSD transition work plan.

				<p>Legal Aid training on the transition June 2014 and April 2015 have already taken place</p>	
				<p>URPN briefing ongoing. Members meet every month and relevant information on the RSD transition is shared</p>	
				<p>RAB workshop 27-29 May 2015</p>	
				<p>GoK Police and Security training on the transition of RSD (May 2015 and ongoing)</p>	
				<p>RSD transition process is mainstreamed in all capacity building activities with all actors.</p>	

				<p>A Donor Appeal document was drafted in Dec 2013 and Dec 2014. It is to b/has been submitted to the Budget committee requesting an OL increase.</p>	
				<p>Repeated request from UNHCR to the Judicial Training Institute to organise relevant RSD training for Judges and Magistrates.</p>	<p>Minutes to the two meeting with JTI, letters to JTI and RSD TF Minutes indicating that DRA is taking up the role to liaise with JTI</p>

Recommendation 2: Transitional Period

UNHCR BO Nairobi and the DRA should review the progress of the Transition Work Plan in mid-2015 with a view to its possible extension. More specifically, this should involve:

- Prioritising assessment of progress on appeals, registration, and data sharing.
- Assessing the progress of institutional strengthening and capacity building against the anticipated results.
- Formulating measurable progress indicators for any proposed extension.
- Completing a Memorandum of Understanding between UNHCR and the Government of Kenya that should set out UNHCR's role and responsibilities for RSD in the post transition phase before the end of 2015.

Management Response to Recommendations 2.

Agree Partially Agree Disagree

If disagree, explain the reason why:

BO Nairobi disagrees with the timing. The MoU will be signed at the end of the transition not at the end of 2015. In the meaning the Letter of Intent will be signed

Bullet point nb 2 is already in the work plan. The data sharing and registration is part of the work plan. The Refugee Appeal Board has been constituted in April 2015 and familiarization with RSD and refugee issues is ongoing, the actual commencement of the work of the RAB is depending on resources is depending on the RAB.

Actions Planned	Responsible Department / Service / Office	Expected Completion Date	Status (not started, in progress, completed, cancelled)	Actions Taken	Supporting Documents	Constraints and Challenges

Finalisation of the joint evaluation tool	DRA and UNHCR	Early July 2015	Not started			
Joint Evaluation tool to include an evaluation of the progress of the implementation of the Safari Park Hotel agreement reached in March 2015 in terms of retention and staffing level recruitment practises of DRA staff	DRA and UNHCR	Early July 2015	Not started		Safari Park Hotel Agreement and UNHCR's letter to the PS.	
Joint evaluation tool to evaluate the progress of the training of DRA RSD staff against the anticipated results	DRA and UNHCR		Not started	Training plan of RSD caseworkers The competency based evaluation tool of RSD caseworkers will be administered on quarterly basis including an indication of whether the caseworker is developing at the level envisaged by the training plan and if not why not.		Limited capacity of UNHCR currently to devote itself adequately to that training. Retention of DRA RSD staff to allow development of RSD review capacity/competency

Implementation of the Joint evaluation tool	DRA and UNHCR	July/August 2015	Not started			
Validation of the joint evaluation recommendations regarding the length of the RSD transition	Inter-agency entity		Not started			The inter-agency entity has to be agreed upon by DRA
RAB to become operational			Not started			Lack of RAB budget currently impairs the RAB's operationalization
Data sharing agreement	UNHCR and GoK			MoU on data sharing has been finalised.		UNHCR proposed method of data sharing is being contested by GoK IPRS (Integrated Population registration System)
Joint-Registration by UNHCR and DRA	UNHCR to advise DRA		Not started			Lack of willingness on the part of DRA to conduct Joint-registration. DAR is adamant to develop and maintain its own registration system

LOI to be finalised and signed by the Principals	UNHCR and DRA	End of July	In progress		Joint DRA and UNHCR RSD transition Work plan	
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Recommendation 3: Legal and institutional framework for RSD

UNHCR BO Nairobi should prioritise its operational engagement in support of the effective implementation of the Refugees Act 2006. The activities in support of this include the following:

- Continued advocacy for swift establishment of an appeal process, the clearest legal basis for which is found in section 9 of the current Refugees Act.
- Ongoing support to the RSD process, including all stages at first instance up to decision-making by the Commissioner, as well as subsequent issuance of documentation.
- Further advocacy and engagement with governmental, parliamentary and other state representatives, in close coordination with partners, to support maintenance of legislation, as well as its effective implementation, in conformity with international law, fundamental rights, procedural fairness and natural justice.

Management Response to Recommendation 3

Agree Partially Agree Disagree

If disagree, explain the reason why:

These are elements the Kenyan Operation already does.

Actions Planned	Responsible Department / Service / Office	Expected Completion Date	Status (not started, in progress, completed, cancelled)	Actions Taken	Supporting Documents
				RAB gazetted following UNHCR advocacy	
				DRA RSD staff on-the-job training at UNHCR since 2012	
				Regular Technical Advisory Committee meetings since 1 st July 2014	
				Regular RSD Taskforce meetings since 2014	

				<p>Joint decision issuance exercises has been taking place on weekly basis since August 2014. The production of the refugee documents is done by and through UNHCR's database.</p>	
				<p>Regular meetings of the Refugee Act and Policy Taskforce since early 2014.</p>	
				<p>Engagement with the MPs and Senators on the draft Refugee Bill and Policy formulation process</p>	
				<p>Joint DRA and UNHCR RSD teams in all locations are under the technical supervision of UNHCR RSD Officers.</p>	

Recommendation 4: Refugee Status Determination process.

UNHCR BO Nairobi, working together with DRA, should:

- Encourage the use of national legislation on the granting of status to refugees on a prima facie basis in appropriate cases, as the most efficient and swift means, through the exercise of sovereign power by the Kenyan state in a legal process, to provide protection to refugees who are entitled thereto, and to address pending backlogs.
- Prioritise finalisation of SOPs, as foreseen in the Work Plan, on all relevant aspects of RSD for country-wide use, in order to promote consistent approaches to RSD throughout Kenya.
- Invest continued efforts in the development and updating of guidance, strengthening of training and other steps as necessary to ensure consistency in assessment of claims from applicants with similar profiles across the country.
- Continue to develop and use streamlined procedural approaches, as referred to in the Work Plan, for asylum claims that can be dealt with swiftly and seek other ways to improve the efficiency of the RSD process without compromising procedural safeguards or consistency.
- Advocate for and take other steps as necessary to ensure that the status granted to refugees by UNHCR under its mandate prior to 1 July 2014 is recognised, and the entitled people granted status, under national law, as has occurred in other transitional contexts in the past.

UNHCR BO Nairobi should be assisted in these endeavours by:

- DIP, which should provide continued operational support to the rapid processing of all refugees eligible for protection on a prima facie basis and the swift issuance of documentation to them.
- DIP, which is encouraged to finalise and issue publicly as soon as practicable in 2015 the revised Guidelines on International Protection No. 11 on prima facie recognition of refugee status.
- DPSM, which should improve the technical functionality of RSD interview and decision template software to enable the automatic population of forms and templates.
- DPSM, which is urged to send on mission and otherwise make available staff with the relevant expertise to support UNHCR Kenya and DRA in this process.

Management Response to Recommendation 4

Agree Partially Agree Disagree

If disagree, explain the reason why:

BO considers that all the suggested actions are already being implementer and/or pursued

Actions Planned	Responsible Department / Service / Office	Expected Completion Date	Status (not started, in progress, completed, cancelled)	Actions Taken	Supporting Documents	Constraints and challenges
				Gazettement of South Sudanese Prima Facie recognition in August 2014		

				Tacit agreement and implementation of Prima Facie recognition of Somalis from Southern Central Somalia		
				Interim UNHCR and DRA RSD SOPs exist and regularly updated		
Drafting of DRA RSD SOPs	DRA and UNHCR	By the end of the transition period	Not started			pending clarity on Government RSD procedure
Re-invigorate discussion with DRA of pragmatic approaches in the RSD TF	UNHCR	Asap				Current position of the GoK on Congolese asylum seekers (should seek asylum in 1st COA) Insufficient DRA protection management capacity results in delays in decision making on the approaches to implement.

				Simplified RSD approach is being applied for majority of the caseloads and templates have been drafted and are in use		
				Provision for GoK to grant refugee status to those recognised prior to July 2014 under UNHCR Mandate is included in the LOI		
Ensure technological support to speed up RSD process (automatically generated forms)	UNHCR DMU		ongoing	RSD template for Eastern DRC caseload are automated		
Automated performance monitoring tool through proGres	UNHCR DMU		Ongoing	RSD and DMU are working closely in order for the tool to be generated in an automated/accelerated fashion.		

Recommendation 5: Capacity-building

In accordance with the Work Plan, UNHCR BO Nairobi should continue to invest in capacity-building of DRA personnel, based on the current training plan agreed between the two organisations, which should be adjusted and updated periodically as necessary.

More specifically, UNHCR BO Nairobi:

- Should receive additional resources to reinforce its training capacity and free up current protection staff to concentrate on supporting RSD and backlog reduction.
- Should provide opportunities for experienced DRA representatives to progressively assume a greater role in the provision of training and more interactive learning, including through peer-to-peer or train-the-trainer activities during and after the completion of the transition phase.
- With DRA, should identify outside expertise available in Kenya – potentially from the academic community and legal practitioners – who could, subject to appropriate preparation and coordination, be invited to take part in training. Infrastructure needs associated with DRA’s RSD activities (including office space, accommodation where relevant, access to secure internet and establishment of confidential filing systems) should also be addressed as a priority.
- should encourage the authorities to invest in staffing and resourcing of DRA as a political and budgetary priority, to achieve an effective outcome in the transition process and as part of the country’s wider refugee protection efforts, in line with legal obligations and in Kenya’s long-term interest.
- UNHCR BO Nairobi should continue to support non-governmental organisations in the provision of legal and other services, advice, information and other activities with asylum seeker and refugee communities, as well as developing further their research and advocacy work to monitor promote effective refugee protection in Kenya.

These tasks should be seen as priorities, in light of time and resources lost, due to delays and staff turnover, which will also need to be addressed by investment on the part of the Kenyan authorities, to ensure further timely progress under the Work Plan.

Management Response to Recommendation 5

Agree Partially Agree Disagree

If disagree, explain the reason why:

Bullet point nb. 3 does not seem realistic in the Kenyan context due to lack of RSD expertise within the academic community and legal practitioners. UNHCR remains the best placed in terms of providing training to DRA on RSD issues.

Actions Planned	Responsible Department / Service / Office	Expected Completion Date	Status (not started, in progress, completed, cancelled)	Actions Taken	Supporting Documents	Constraints and Challenges
				Request for OL increase drafted and submitted to HQ in April 2015, awaiting response		
TOT	UNHCR GLC	October 2015				
				Regular peer-to-peer training sessions by and for UNHCR and DRA RSD staff		

Include in the TORs of the P4 Capacity Building Position expertise in GoK change management experience	UNHCR	Following response from HQ on the OL increase request.				
				Training of University students on refugee protection.		
Shauri Moyo (DRA case processing center) rehabilitation and securization works and DDB and KKM additional infrastructures for DRA					Safari Park Hotel Agreement has a table that details all infrastructural needs.	Availability of the budget awaiting response from HQ on the OL increase
				Letter to the Principal Secretary (deputy to the Minister) and Safari Park hotel Agreement encouraged the authorities to invest in staffing and resourcing of DRA.		Proper advertisement of DRA positions Transparent DRA Recruitment process Lack of efficient communication channels between UNHCR and DRA HR
Explore the	UNHCR RSH	asap				

possibility of inviting the Director of the Center for the Study of Forced Migrations in Tanzania to present the concept of the center to the Universities in Kenya						
					Training and sensitization of Legal Aid partners has been taking since June 2014 on the RSD transition	
Meeting of the legal aid partners with the RAB members	UNHCR	August 2015				

<p>Recommendation 6: Quality Assurance</p> <p>Working with DRA, UNHCR BO Nairobi should implement plans for the conduct of joint quality audits of the RSD process, involving DRA and UNHCR Kenya as well as other external experts as both consider useful. Given non-compliance with the Work Plan deadlines, timeframes should be adjusted to ensure this objective can be met in early 2016. More particularly:</p> <ul style="list-style-type: none"> • UNHCR BO Nairobi is encouraged to invite other UNHCR or external experts who have contributed to quality activities in other countries and regions to contribute to the quality audit process, including potentially through missions or other input. • Advice should be sought from these experts, from DIP and other UNHCR regional Bureaux as relevant, on the form and establishment of an internal DRA quality assurance mechanism for the longer term based on proposals that UNHCR and DRA 	
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should develop by November 2015.

Management Response to Recommendation 6

Agree Partially Agree Disagree

If disagree, explain the reason why:

BO Kenya considers that there is no need for experts to come on mission to brief about the quality assurance process as BOK already has the European quality assurance tools. Also, if the evaluation of the transition process needs to happen in 2015, the evaluation of the quality of RSD can only happen by the end of the transition process rather than by the end of 2015. Until the end of the transition process UNHCR ensure the quality of the RSD process as it still undertake the review of all RSD cases drafted.

Actions Planned	Responsible Department / Service / Office	Expected Completion Date	Status (not started, in progress, completed, cancelled)	Actions Taken	Supporting Documents
				Quality Assurance Tools from Europe are available to UNHCR BON and have been abundantly consulted	

<p>Develop a RSD decision making quality assurance strategy</p>	<p>UNHCR</p>	<p>By Dec 2015</p>				<p>DIP RSD Section to help UNHCR Kenya to develop relevant strategy</p>
<p>Initiate discussions with DRA with regards to RSD decision making quality assurance</p>	<p>UNHCR</p>	<p>Following completion of the RSD decision making quality assurance strategy (beg. of 2016)</p>				

Recommendation 7: Resources

UNHCR BO Nairobi should review and prioritise resources for capacity building, registration and data management, quality assurance and RSD and link any increase to the implementation of the Work Plan for transition. In the longer term, UNHCR BO Nairobi is encouraged to:

- Consider reconfiguration of its protection staffing for the period after the transition process, to ensure that staff of appropriate profiles and levels are maintained in order to provide ongoing support to DRA, and perform other parts of its post-transition role.
- UNHCR BO Nairobi should also put in place more effective systems for monitoring use of resources in the RSD area, as well as measuring of the impact of expenditure.

Management Response to Recommendation 7

Agree Partially Agree Disagree

If disagree, explain the reason why: We partially agree in the sense that most of the issues raised in the recommendation are being done. For instance, resources have been substantially prioritised in the 4 years since 2012 for capacity building, including the handover process (31%), registration (44%) and RSD implementation, including quality control (14%) against the total budget of US\$ 4.8 million. In addition, bullet point one is something that is already part of the handover process.

With regard to bullet point two, RSD resources are spent by UNHCR and DRA. Effective monitoring systems are in place for use of resources, including for RSD related activities. Impact and performance targets are set for each activity and during financial verification for each quarter, expenditures are linked to achievement of the planned targets, where an audit query is raised with partners, including DRA if expenditure has been incurred without corresponding achievement of the targets.

Actions Planned	Responsible Department / Service / Office	Expected Completion Date	Status (not started, in progress, completed, cancelled)	Actions Taken	Supporting Documents	Constraints and Challenges

				COP 2016 reflects the need to maintain a relevant RSD staffing level in order to support and oversee DRA's capacity building process.		<p>Even though included in 2016 COP UNHCR Kenya may face some staffing cuts.</p> <p>HQ to ensure that UNHCR Kenya maintains a robust RSD staffing capacity in 2016 and thereafter in view of the uncertain timeframe of the transition.</p>
				As part of the OL increase submission, the staff needed for a capacity building unit was requested and HQ's response is awaited.		
Senior Management Stock-taking on the government capacity development objectives with all KKM, DDB and NBI HoO, Protection, Programme and Admin Officers	UNHCR Protection	August 2015				

<p>Mainstream the concept of the government capacity development into the COP and translate the GOK CB process as staff objectives when applicable</p>	<p>UNHCR</p>	<p>At the time of the COP mid-year review (24 July)</p>				
<p>Allocate Ops funds for the RSD capacity development related activities during the mid-year review</p>	<p>UNHCR</p>	<p>At the time of the COP mid-year review (24 July)</p>				
<p>If capacity building positions are not created, UNHCR Kenya may have to put the capacity development activities on hold in order to not jeopardise existing core protection functions (inc. RSD decision making and RSD backlog eradication)</p>						

Recommendation 8: Registration and data-sharing

UNHCR BO Nairobi should implement plans for joint registration with DRA on a Kenya-wide basis, as soon as practicable, including finalisation of a proposed agreement on data-sharing. This should include a 'road map' towards assumption of full responsibility for registration and managing the data of persons of concern by DRA, subject to robust data-protection, confidentiality and purpose limitation safeguards. UNHCR should ensure its continued access to and involvement in the registration and data-management process to enable it to continue to carry out protection and assistance activities. Furthermore, UNHCR BO Nairobi:

- Should seek from UNHCR HQ (DIP, DPSM and other concerned units) the necessary technical advice and support to enable it to design and plan, with DRA, joint registration and data-sharing, with an ultimate view to transferring responsibility for registration of persons of concern to the Kenyan authorities.
- In the immediate future, and before end of 2015 at the latest, advice and/or relevant missions to Kenya from DPSM, DIP and/or other appropriate UNHCR experts should take place to support UNHCR Kenya and DRA in this process.
- A registration officer post should be created to ensure ongoing expertise and support to this activity.

Management Response to Recommendation 8

Agree Partially Agree Disagree

If disagree, explain the reason why:

Bullet point nb. 1 There is no need for HQ's advised as UNHCR Kenyan operation already received HQ's advised and the operation has already signed a MoU on data sharing.

Bullet point nb 2 Kenyan operation already did this and in case of any further need for advice the Kenyan operation will seek for UNHCR Regional Support Hub.

Actions Planned	Responsible Department / Service / Office	Expected Completion Date	Status (not started, in progress, completed, cancelled)	Actions Taken	Supporting Documents	

				MoU on Data sharing completed May 2015		
Implementation of the MoU on data sharing	UNHCR	asap				UNHCR proposed methodology on data sharing is being contested by GOK IPRS.
Parallel Registration in one location in both Nairobi and KKM pending agreement on joint – registration	UNHCR	Depending on availability of funds for Shauri Moyo rehabilitation and securization works and joint processing center construction in KKM		Parallel registration in DDB in one location is ongoing Registration Officer position already included in the request for OL increase submitted to HQ in April 2015		
The COP mid-year review should allocate funds for one registration officer position to be created	UNHCR	At the time of the COP mid-year review (24 July)				

Recommendation 9: Role of UNHCR post-transition

UNHCR BO Nairobi should complete a draft MoU with the GOK that should set out UNHCR's role and responsibilities for RSD in the post transition phase before the end of 2015.

- This should reflect UNHCR's supervisory role with respect to the Refugee Convention, as acknowledged in Kenyan legislation referring to the Convention.
- Specific activities should include ongoing cooperation with the national authorities and provision of necessary advice and support, monitoring and information-gathering about the processes and conditions relevant to refugees, and other protection-related tasks.
- A potential role for UNHCR as an observer in the RSD process post-transition, at least for an initial period, should be considered between DRA and UNHCR.

Management Response to Recommendation 9

Agree Partially Agree Disagree

If disagree, explain the reason why:

The timeframe of the MoU should be at the end of the transition period rather than at the end of 2015 as already stipulated in the first version of the Work plan. The LoI is the one to be signed in the meantime.

Actions Planned	Responsible Department / Service / Office	Expected Completion Date	Status (not started, in progress, completed, cancelled)	Actions Taken	Supporting Documents
LOI finalisation and signature	UNHCR and DRA	asap	Ongoing		

MoU to be drafted and finalised	UNHCR and DRA	By the end of the transition period			The joint DRA and UNHCR RSD transition Work plan
<p>Recommendation 10: Guidance on RSD transition processes in other national contexts</p> <p>DIP is encouraged to take account of the insights and lessons derived from the experience in Kenya and reflect them in guidance, advice and support provide to RSD transitions in other countries and regions worldwide. This should potentially include, among other elements:</p> <ul style="list-style-type: none"> • The importance of careful planning and setting and adhering to realistic timeframes; • The need to commit and ensure deliver of sufficient resources, on the part of UNHCR and national authorities; • The importance of a strong national legal framework, reflecting international refugee and human rights law, and ensuring that all of the processes and institutions envisaged thereunder are established and become operative in a timely way; and • Clarifying the role of UNHCR before, during and after transition, and enshrining it in clear agreements with national authorities. 					
<p>Management Response to Recommendation 10</p> <p>Agree <input checked="" type="checkbox"/> Partially Agree <input type="checkbox"/> Disagree <input type="checkbox"/></p> <p>If disagree, explain the reason why:</p>					

Actions Planned	Responsible Department / Service / Office	Expected Completion Date	Status (not started, in progress, completed, cancelled)	Actions Taken	Supporting Documents
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