

Voluntary return and reintegration of Somali refugees from Kenya

Pilot phase (8 December 2014 - 30 June 2015)

EVALUATION REPORT

I. BACKGROUND

One year after the signing of the 2013 Tripartite Agreement between UNHCR and the Governments of Kenya and Somalia, a pilot project was launched as an initial learning phase and integral part of an overall plan to pioneer support to the voluntary repatriation of Somali refugees from Kenya. Three areas in South-Central regions were identified as a testing ground to support voluntary refugee return and reintegration during the pilot phase, namely Luuq, Baidoa and Kismayo districts.

Intended to begin in January 2014 for a period of six months, the pilot phase was eventually launched on 8 December 2014. The main cause of the delay in starting the operation was the joint military operations undertaken by the Somali National Armed Forces (SNAF) and the African Union Mission in Somalia (AMISOM) against Al Shabaab in Juba and southern regions of Somalia, which sought to establish Government control in the territory.¹ In addition, the seasonal 'Gu' rains made return routes to Kismayo, Baidoa and Luuq impassable and caused the suspension of return movements from 20 March until 9 June 2015. The pilot phase ended on 30 June 2015.

From a security perspective, analysis of conditions on the ground in 2014 recognized that timid signs of improvement in a few emerging areas of stability coincided with continued conflict and insurgency involving Al Shabaab, militia groups and inter-clan disputes in many other areas.² This, coupled with political instability at federal and regional levels, negatively impacted the operating environment.

Many rural areas remained in the effective control of Al Shabaab, who maintained the ability to infiltrate and conduct asymmetric attacks along the major supply routes and in major urban centres. Consequently, humanitarian access in South-Central regions remained hampered, challenging the potential to pursue sustainable, safe and dignified repatriation from Kenya to Somalia.

II. KEY ACTIVITIES

a. Coordination

Starting in December 2014, UNHCR operations in Kenya and Somalia organised senior level discussions with both Governments and the respective Refugee Commissioners to review progress of the pilot project. The Tripartite Commission met at ministerial level in April 2015, and again in June. The Commission also established a Technical Committee to undertake specific tasks and report back to the Commission on outcomes.

At the technical level, UNHCR operations in Kenya and Somalia established a cross-border coordination meeting as an operational platform of the Tripartite Agreement to monitor and guide implementation of protection and assistance under the voluntary repatriation and reintegration pilot. Monthly meetings were organized on a rotating chair basis. Meetings were held in Dadaab until May, after which Mogadishu was chosen as a complementary venue and participation was extended to the Governments and key partners. In

¹ Operations Eagle and Indian Ocean

² UNHCR Somalia Year-end Report 2014

June 2015, the cross-border meeting was held in Nairobi over two days, the first dedicated to reintegration in light of the identified need to scale up engagement and investment in key sectors.

Teams in both countries remained vigilant with regard to protection and security conditions as well as the delivery of assistance and maintained a constant exchange of information between offices in Dadaab, Mogadishu, Dhobley, Kismayo, Luuq and Nairobi.

UNHCR also maintained constant and effective links with central and regional authorities at field level, particularly the Department of Refugee Affairs (DRA) in Kenya and the National Commission for Refugees and IDPs (NCRI) and regional authorities in Kismayo, Dhobley and Baidoa, in Somalia. UNHCR in Somalia also strengthened its engagement with the Somali Return Consortium to operationalize support to the pilot phase and to advocate for broader engagement by resilience and development actors on increasing absorption capacity in areas of return. In parallel, the Office strengthened cooperation and collaboration with the Solutions Alliance of Somalia to generate support for voluntary repatriation from Kenya in the framework of a broader-solutions approach for Somalia's displaced.

b. Return Help-Desks and country of origin information

Return Help-Desks in Kenya were established in all five camps in Dadaab and were managed jointly by UNHCR, NRC and DRA staff. They serve as refugee outreach units offering detailed information about the security and protection situation en route and in areas of return in Somalia, and the actual voluntary repatriation process, including the support and assistance provided to facilitate the return journey and initial reintegration.

Border and home way stations were set up by UNHCR and partners in Somalia along the return routes to receive and support refugee returnees. They also provide counselling services in much the same manner as Help-Desks in addition to their functions of providing transit and reintegration assistance.

c. Pre-departure formalities

Refugees interested to return voluntarily to Somalia underwent extensive counselling at the Return Help-Desks in Dadaab to ensure that decisions regarding voluntary repatriation were informed through a series of awareness sessions on the conditions in the areas of return in Somalia and the return process itself. Potential returnees were also assisted to complete the voluntary repatriation formalities, which include a comprehensive medical screening, signing a voluntary repatriation form (VRF), vacating the plots of land assigned to families in the camp, returning ration cards, and undertaking a fit-to-travel test. Once formalities were completed, each refugee preparing to return received USD 80 as an unconditional cash grant (+20% for vulnerable individuals). Transport was made available from the Dadaab camps to Dhobley border way station in Somalia. The road from Dadaab to the border was secured by the Kenyan authorities, allowing for a safe and dignified crossing into Somalia.

To facilitate the sharing and conveying of country of origin information to returning refugees, UNHCR designed and implemented a series of initiatives to provide a customized, comprehensive and user-friendly base of information for refugees to consider when evaluating the option of voluntary repatriation, and to help them validate their decisions. These initiatives took account of the fact that Somali communication culture is largely oral and visual, and recognized the need to formulate information in a manner which could be easily conveyed to and understood by a refugee community with high illiteracy rates.

In addition to information leaflets, district profiles, maps and updates, an animation (video) depicting the return process, explaining the steps involved was developed and screened in Dadaab and at all reception points en route in Somalia.

English version: <https://www.youtube.com/watch?v=i6DRAFWzik>

Combined Somali/Maay version: <https://www.youtube.com/watch?v=Y7zoDZSguhw>

d. Formalities upon arrival

Upon arrival in Somalia at the way station in Dhobley, managed by IOM, and after identity checks by UNHCR staff using biometric verification and validating the VRF as a travel document, returnees are provided with a

hot meal, access to water, sanitation and lodging for one night. Sensitization on mine risk awareness is conducted by UNMAS, and the Norwegian Refugee Council (NRC) provides advice and counselling on housing, land and property rights and documentation. Protection and health screening are conducted and vulnerable individuals are identified and assisted when needed. The UNHCR border way station in Dhobley and home way stations in Luuq, Baidoa and Kismayo are all managed for UNHCR by Somalia Return Consortium members - IOM, Intersos, the Danish Refugee Council (DRC) and Mercy Corps - and provide standardized, comprehensive return and reintegration assistance en route and in the three areas of return. Assessments of the reception, protection and assistance support provided to returnees undertaken during the first month of the operation showed encouraging results: the reception capacity was fully functional with protection and assistance services provided at all four way stations; reintegration assistance was distributed in accordance with agreed standard operating procedures; and protection assessments were conducted for each group of arrivals. This positive feedback was mirrored throughout the pilot phase. In addition, returnee monitoring has been ongoing and dialogue with all groups of returnees was maintained through a toll-free phone feedback system and emergency intervention capacity operated by the UNHCR-led Somalia Return Consortium. Sensitization materials on mine risk awareness was provided by UNMAS and shared by partners with returning refugees at way stations in Somalia.

On the second day, the returnees left the border way station in Dhobley to continue to their areas of return. Transport from Dhobley is self-organized using public transport. The returnees were then received at the home way stations located centrally in Luuq, Baidoa, and Kismayo. Once more identity was verified using biometrics before the returnees were assisted with a hot meal, access to water and sanitation and lodging. The following day, a return assistance package consisting of core relief items, the first of three monthly standard dry-food rations provided on a monthly basis (by WFP), a cash grant of USD 100 per family member above 5 years old as livelihood start-up grant, and a mobile phone with SIM card, was provided. All phone numbers were registered to facilitate continued dialogue and a targeted outreach for follow up protection and assistance.

e. Main achievements/improvements during the pilot phase

1. During the pilot phase, and against a planning figure of 10,000, a total of 2,589 people were supported to return to Somalia, with 1,873 to Kismayo, 667 to Baidoa and 49 to Luuq.
2. UNHCR in Somalia conducted country of origin information training in Dadaab and provided regular information updates to the Return Help-Desks. This included feedback from returnee monitoring on safety and security conditions en route and advise on items not to carry (identity documents, branded NFI, smartphones, etc. A comprehensive list has been developed.).
3. UNHCR in Kenya instituted a rigorous pre-departure health and fitness to travel screening to identify people with specific needs and provide them with appropriate protection and assistance support for their return journey.
4. Facilities for people with specific needs were improved at way stations. This included the provision of wheelchairs and adapted hot meals in Dhobley for children and the elderly.
5. The distribution of the WFP food ration at home way stations was changed from three consecutive monthly distributions to one, covering the full three month period.
6. UNHCR in Kenya increased the unconditional cash grant from USD 100 (120 for people with specific needs) to USD 120 (150 for people with specific needs).
7. The age limit of 5 years was removed as a criterion to be eligible for the livelihoods (reinstallation) grant. However the 'Cap of 6' rule, whereby a maximum of 6 individuals per household are assisted, was maintained.
8. UNHCR in Somalia increased the reception capacity at the Dhobley home way station from 120 to 250 people.

Summary observations

- Despite that many returnees say they are pleased to have returned home, access to shelter, livelihood opportunities and to basic services remain limited. Security is also an ongoing concern.
- There were no serious protection incidents reported during the pilot phase either en route or in areas of return. This despite the often volatile security environment into which people are returning.
- There is a need to scale up livelihood initiatives, reintegration support and infrastructure development.
- Basic services also need to be extended to rural areas in order to anchor returns.
- The approach to providing temporary shelter (UNHCR plastic sheeting, ropes and nails) needs further analysis to ensure it is adapted to larger scale returns to both urban and rural contexts. A formula needs to be found that allows returnees to use their livelihood grants for their intended purpose, and not to have to spend them on renting accommodation.

III. JOINT EVALUATION OF DELIVERABLES DURING THE PILOT PHASE (OUTLINED IN THE OPERATIONAL PLAN)

This evaluation matrix was developed on 21 July 2015 at a cross-border meeting in Mogadishu, Somalia. Deliverables are drawn from the pilot plan.

Deliverables	Progress	Recommendations
1. Sensitize the refugee population on voluntary return	<ul style="list-style-type: none"> • Interagency Return Help-Desks (5) • Focus group discussions with refugees • Radio programmes on returns • Public service announcements • Country of origin information catalogues on each return area with detailed district profiles, unexploded ordnance (UXO) and explosive remnants of war (ERW) risk maps, 3W on health services, overview of protection services, route maps, updates on agricultural, seasonal and climatic conditions • Animation video of return process in English, Mahatri and Maay • Country of origin information training by UNHCR Somalia in Dadaab 	<ul style="list-style-type: none"> • Review design and dissemination of country of origin information used to counsel Somali refugees • Regular Go and See / Come and Tell visits to be undertaken which should include youth, elders, and women. (Visit to be recorded on video for dissemination) • Objective return case stories to help inform refugees in Dadaab (video) • Need for new country of origin information approaches and cross-border (refugee/returnee) dialogue • Update and sharing of voluntary repatriation animation, including at Return Help-Desks • Produce and disseminate Tripartite Agreement booklet in English and Somali • Additional workshops for Somali journalists in Kenya in line with 2013 workshop for Nairobi-based Somali refugee journalists on Tripartite Agreement, durable solutions, sensitization on international human rights and humanitarian law, and humanitarian reporting.
2. Facilitate access by UNHCR and partners to refugees in Kenya and to returnees in	<ul style="list-style-type: none"> • Access to refugees in Kenya is acceptable • Access by UNHCR and partners in the 3 pilot areas is restricted to way stations and areas nearby with 	<ul style="list-style-type: none"> • Humanitarian / government access is directly related to SNAF / AMISOM / Federal Government of Somalia and allies securing and stabilizing the territory and establishing rule of law.

Somalia	limited or no access beyond – including en route and in areas of return	<ul style="list-style-type: none"> Strengthen partnership with the Organization of Islamic Cooperation Strengthen community-based partnerships and approaches Dialogue with civil society needs to be strengthened
3. Support the confirmation and verification of the voluntariness of the decision to return of Somali refugees wishing to return from Kenya, and of Somali returnees once arrived in Somalia	<ul style="list-style-type: none"> In Dadaab, refugees are counselled on country of origin information and given time to reflect (7 days) on their decisions to voluntarily return to Somalia. Those who decide to return sign the voluntary repatriation form (VRF) In Somalia, VRF are verified at border and home way stations Each way station was provided with a laptop and a biometric scanner which are in use. Usage defined in registration /verification standard operating procedures 	<ul style="list-style-type: none"> Update required on the use of biometrics at all way stations Internet essential at all way stations VRFs to be stamped by immigration authorities at border-crossing points in Somalia
4. Simplify immigration formalities to facilitate exit procedures from Kenya and entry procedures in Somalia Issue 'voluntary return movements passes' to Somali refugees in Kenya who have voluntarily elected to return to Somalia	<ul style="list-style-type: none"> The Government of Kenya issues Movement Passes to all returnees as part of exit procedures from Kenya – reference Tripartite Agreement, Art 24 (vii) The VRF is the recognized identity and travel document by parties to the Tripartite Agreement. It allows formal entry to Somalia. 	<ul style="list-style-type: none"> Note taken that no official documentation, VRF or governmental, may be safely carried by returnees during their journey in Somalia – due to Al Shabaab intolerance. In Somalia, decisions need to be taken by the Federal Government on the duration of the validity of the VRF, and modalities of future documentation to be issued by the Government to returnees Immigration formalities to be determined for future air transport. Recommendation is to use VRF with clearance in Dadaab/Kenya.
5. Provide essential return travel assistance and unconditional cash grant to ensure a safe and dignified return journey	<ul style="list-style-type: none"> Unconditional cash grant and travel kit given in Kenya upon departure. Note taken that USD 20/person is deducted as a bus-fare between Dadaab and Dhobley. Unconditional cash grants increased to USD 120 (USD 150 for people with specific needs). Provision of transport and security escort up to border town Unbranded core relief items being purchased 	<ul style="list-style-type: none"> Level of cash grant is still subject to debate – further away destinations cost more, and prices fluctuate depending on seasons. The cross-border meetings alternatively recommended a standard grant regardless of destination – for administrative reasons, and a variable grant depending on destination. It was agreed that a quarterly review of unconditional cash grant amount (transport and associated needs) be conducted and the cash grant amount to be aligned accordingly.
6. Enhance area security on the exit routes from Kenya	<ul style="list-style-type: none"> UNHCR provided capacity support to Kenyan police and border authorities to secure route from 	<ul style="list-style-type: none"> Five official exit points gazetted by GoK, but only one (Dhobley) is in use. .

and the entry routes to Somalia both for returnees, staff of UNHCR and implementing partners	<p>Dadaab to Dhobley and facilitate ease of exit</p> <ul style="list-style-type: none"> • UNHCR Somalia provided capacity support to the Federal Government of Somalia border authorities in Dhobley to facilitate entry and safe passage of returnees • No incidents reported during the pilot phase 	<ul style="list-style-type: none"> • Status and security analysis on remaining four gazetted exit points pending and to be provided by the Government of Kenya. • Need for formal reception of returnees on behalf of the Federal Government of Somalia (immigration)
7. Issue and/or validate civil documentation and education and skill certificates acquired by the refugees while in Kenya, and recognize them in Somalia	<ul style="list-style-type: none"> • Kenya: UNHCR issues all relevant civil status and education certificates. • Practice shows that public services can be accessed in Somalia without civil/personal documentation. Civil status, education and vocational documentation is only available in Mogadishu, and at a cost. There currently is no decentralised system of equivalency in Somalia for education, skills and vocational training undertaken in Kenya. • UNHCR in Somalia initiated efforts to undertake public consultations on the Citizenship Amendment Bill 	<ul style="list-style-type: none"> • Capacity building required at central and regional levels for Somali authorities in order to issue civil status, education and vocational documentation at no or reduced cost. • Government of Kenya promise that immigration facilities can be put in place in Dadaab one day – to facilitate departures by air. • UNHCR Somalia plans to complete the first public consultations on the Citizenship Amendment Bill in the second half of 2015
8. Facilitate 'Go and See' and 'Come and Tell' visits if requested by the refugee communities during the implementation of the pilot	<ul style="list-style-type: none"> • No Go and See or Come and Tell visits organized during the pilot. One Go and See visit took place before the pilot, in August 2014, to Kismayo involving 25 people 	<ul style="list-style-type: none"> • Regular Go and See / Come and Tell visits to be scheduled and undertaken to different locations for the remainder of 2015, and 2016
9. Exempt all goods of the returnees from custom and duties or taxes while exiting Kenya and entering Somalia	<ul style="list-style-type: none"> • Achieved 	<ul style="list-style-type: none"> • Existing practice to continue in the post pilot phase
10. Issue fit-to-travel medical certificates to returning Somali refugees; simplify and expedite health exit and entry formalities	<ul style="list-style-type: none"> • Three cases of advanced pregnant women arriving at border way stations and cases of separated children 	<ul style="list-style-type: none"> • Maintain rigorous medical screening of refugees with specific needs in advance of traveling
11. Continue to provide protection and assistance to all Somali refugees living in Kenya until	<ul style="list-style-type: none"> • The Government of Kenya continues to demonstrate commitment to protect the asylum space according to international law, and as outlined in the 	Recognition of the hospitality of Kenya, and of host communities (Garissa, Dadaab, Kakuma and areas in Nairobi) through investment in development projects and improved livelihoods opportunities

durable solutions are attained	Tripartite Agreement, Art 24.10	
12. Create conditions conducive to sustainable return and reintegration of returnees once in Somalia	<ul style="list-style-type: none"> • UNHCR in Somalia and partners implemented a series of reintegration projects to anchor returns: education, health, livelihoods and shelter • Security in urban centres of the three return areas – Luuq, Baidoa and Kismayo - is acceptable, but situation in rural areas remains largely insecure limiting access • There is equal access to the services that exist. However, the quality and scale of the services is low, failing to attract and anchor returns. • No or weak access to civil documentation in places of return • Local authorities willing to address issues related to access to land, but procedures remain unclear, as does security of tenure • Poor access to employment opportunities 	<ul style="list-style-type: none"> • The scale of reintegration needs in areas of return exceed by far the investments made in the pilot phase. For this reason, a multi-year integrated area and community-based approach addressing the needs of entire communities (including refugee and IDP returnees, and receiving communities) is needed. This requires activation of a comprehensive durable solutions framework for the displaced linked to the New Deal Somalia Compact. • Strategic investments for return and reintegration are required under all Peacebuilding and Statebuilding goals (PSGs: <ul style="list-style-type: none"> • PSG 1 – reconciliation projects / inclusivity • PSG 2 – capacity building for security structures – training on refugee, human rights and international humanitarian law, community-based policing and conflict resolution initiatives. • PSG 3 – Citizenship, civil registration and documentation, housing, land and property, Refugee Act, Sexual Offense Bill, Human Rights Commission Bill, Family code, etc.) • PSG 4 - Livelihoods • PSG 5 - Education, health, shelter • The High Commissioner called for a pledging conference – Global Initiative on Somali Refugees (GISR) and Solutions Alliance to drive this process
13. Issue to the returnees all documents, or replace those which were lost in the course of the displacement, necessary for the exercise and enjoyment of their respective legal	See point 7	See point 7

rights such as passport, personal identification documents, etc.		
14. Take all necessary measures to allow returnees to settle in their areas of origin or any other part of the country of their choice.	<ul style="list-style-type: none"> • See point 12 • The pilot phase focused on return to three areas of origin only – namely Luuq, Baidoa, and Kismayo districts. 	<ul style="list-style-type: none"> • Note is taken that the pilot phase focused exclusively on three areas of return, and limited returns to areas of origin. This is in difference to the Tripartite Agreement which recognizes the right to return to an area of choice. Experience from the pilot shows this will be difficult to implement. Regional authorities do not want people who have no links to the area of return. • Area of origin is the current norm. However, the Tripartite Commission recommends areas of origin or any other part of the country of their choice, in line with the Tripartite Agreement.
15. Establish fair and accessible procedures to settle any claims that the returnees may make for the restitution of land or other property left behind when they were forced to flee	<ul style="list-style-type: none"> • Housing, land and property (HLP) Working Group has been established under the IDP Protection cluster in the course of the pilot phase, allowing for the documentation of the challenges and opportunities. • UNHCR in Somalia committed to conducting two studies on HLP in Kismayo and Baidoa respectively 	<ul style="list-style-type: none"> • Advocacy through PSG 3 • Progressive capacity building of local administrations to address HLP in a systematic manner • Strengthen legal aid partnerships to assist returnees, IDPs and receiving communities resolve HLP challenges

ANNEX 1: Protection monitoring

UNHCR Somalia protection staff and partners conducted protection assessments and post-return monitoring, targeting heads of households arriving in Dhobley, Luuq, Baidoa and Kismayo.

Highlights

- Approximately 80% of returnees indicate that they chose to voluntarily return to their places of origin due to perceived improvements of the conditions of security, access to basic services and livelihoods.
- After the first month of the pilot phase, returnees reported that their decision to return was based mainly on information from relatives and friends in Baidoa and Kismayo. The media, in particular BBC and VOA, were referred to as key sources of information. Some referred to feedback received from the Go and See visit which took place before the pilot phase. Comparatively, few regarded UNHCR and international NGOs as key sources of information to enable their decision to return to Somalia.
- UNHCR recommended improving the content and provision of country of origin information at Help-Desks in Dadaab and way stations in Somalia.
- Satisfaction was expressed on the services and assistance provided at way stations. However, there was a call to improve meals provided at the way stations, particularly for children and the elderly.
- A small number of cases of people with specific needs, i.e. pregnant women, separated children, and people with physical and mental disability, were identified in Somalia. There was also one case of an unregistered child. UNHCR in Somalia recommended a strict verification mechanism prior to departure to ensure people with specific needs are systematically identified and appropriate

measures and safeguards are put in place for their protection and assistance needs during the return journey.

- There is a need to adapt the way stations to cater for people with disabilities, including the provision of wheelchairs was identified and addressed.
- The need was highlighted to revise the livelihood start-up grant provided upon arrival in areas of origin, to include children less than 5 years of age in light of their special needs.
- Conditions of security and dignity of travel were stated to be acceptable in the course of the pilot phase (some were postponed for security reasons or because of bad road conditions).
- Returns were on hold for two months (March and April) due to the 'Gu' rains making roads impassable.
- All return routes had checkpoints established and manned by al Shabaab, in addition to Government checkpoints. From Dhobley to Kismayo, there were 5 checkpoints, 2 manned by Al Shabaab at Berhani and Kanjaron. From Dhobley to Baidao there were also 5 checkpoints, two manned by Al Shabaab at Buale and Dinsor. Between Dhobley and Luuq, there were 5 checkpoints, two manned by Al Shabaab.
- Al Shabaab conducts thorough searches of vehicles and travelers on all three return routes. A number of incidents were reported where smartphones were confiscated and destroyed, and where the possession of identity documents (VRF) bearing the UNHCR and other logos led to lengthy questioning of returnees. The same applied to core relief items bearing the UNHCR or other logos. In addition, the possession of Mira (khat) and cigarettes has led to detention, heavy fines and sometimes ill treatment by Al Shabaab. A list of items which returnees should not carry has been developed and shared with refugee to alert them.
- Returnees to Luuq (last 4 months of pilot phase) reported adequate access to social services, but noted challenges in obtaining land and securing affordable accommodation. Some returnees had to use their livelihood start up grant to pay rent. Others noted the plastic sheets provided by UNHCR were insufficient. Two returnee households reported to live with relatives in an IDP settlement in Belet Hawa.
- In Kismayo, 80% of returnees were unreachable by phone because there is no network coverage outside Kismayo. However, contact was established with all returnee families when reporting to the way station to collect their monthly ration. 90% cited difficulties in finding employment and complained of the high cost of living and rents in Kismayo town. This led many to seek accommodation in rural areas where rent is cheaper. One family who stayed with relatives in an IDP settlement was evicted by authorities following an armed attack on a nearby police station.
- All returnee families were contacted in Baidoa. Most families informed that their children were in school. Those who returned to Baidoa city confirmed access to water and health services. In rural areas, access to water and other basic services is more difficult. More than half of the families cited the high cost of rental accommodation, indicating that renting was not a sustainable option. The lack of job opportunities was also raised as an immediate concern. However, despite these challenges, returnees were confident about the sustainability of their return.
- Consolidated feedback from monitoring recommended improved reintegration assistance including shelter.