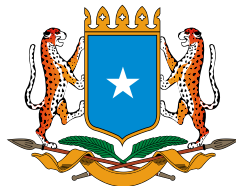


# VOLUNTARY REPATRIATION OF SOMALI REFUGEES FROM KENYA

**OPERATIONS STRATEGY 2015-2019**





This document presents the strategy of the Tripartite Commission for the Voluntary Repatriation of Somali refugees in Kenya, adopted on 29 July 2015

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# 1. Population overview

UNHCR in Kenya assists 420,711 registered refugees from Somalia.<sup>1</sup> They are currently residing in Dadaab refugee camps (332,455 people); Kakuma refugee camp (55,092) and urban areas (33,164). Female refugees represent half of the total population and 58 per cent of the population are children. The majority of Somali refugees in Dadaab originate from South Central regions of Somalia, particularly Bakool, Shabelle-Hoose, Gedo, Middle Juba, Luuq, Lower Juba, Bay and Benadir. Below is a table showing the general distribution of the population:

Somali refugees in Kenya by area of origin:

Area of origin	Alinjugur	Dadaab	Kakuma	Nairobi	Total
Lower Juba	59,110	91,381	13,194	2,159	165,844
Middle Juba	22,255	44,579	3,502	115	70,451
Benadir	24,180	25,049	27,056	24,616	100,901
Gedo	9,851	20,716	1,392	587	32,546
Bay	4,112	21,091	1,478	497	27,178
Lower Shabelle	1,572	2,517	1,579	1,276	6,944
Bakool	410	1,005	42	90	1,547
Hiran	370	570	420	394	1,754
Galgadud	362	285	383	238	1,268
Middle Shabelle	312	208	126	192	838
Mudug	259	158	196	269	882
Sool	123	86	124	48	381
Others	514	1,380	5,600	2,683	10,177
<b>Total</b>	<b>123,430</b>	<b>209,025</b>	<b>55,092</b>	<b>33,164</b>	<b>420,711</b>

It is important to note that the majority (approximately 175,000 refugees) of some 200,000 Somali refugees in the Dollo Ado camps in Ethiopia also originate from the Gedo and Bay regions, while an estimated 96,000 (40 per cent) of Somali refugees in Yemen originate from Benadir, including Mogadishu.

## Somali refugee population trends in Kenya

At the height of the humanitarian crisis in 2011, the number of Somali refugees in Kenya was 519,411. This figure is now 420,711 – a decrease of 98,700 – indicating that a significant number may have spontaneously returned to Somalia. In this regard, tracking of refugee assistance trends by UNHCR and WFP Kenya during 2014 revealed that 50,000 Somali refugees were reported as being absent at the end of the year. UNHCR Kenya considers that a significant majority of these people may have spontaneously returned to Somalia, although this could not be verified fully by UNHCR and partners in Somalia. It is important to note, however, that some in-

<sup>1</sup> UNHCR Kenya Operation August 2015 Statistics



dividuals who spontaneously returned to Somalia prior to 8 December 2014 (when a pilot return phase began) approached UNHCR Somalia (and some returned to Dadaab) to ask for reintegration assistance. Accordingly, UNHCR Somalia plans to assist 1,000 households that fall under this category.

According to the population verification exercise undertaken in the Dadaab refugee camps from September 2012 to July 2013, 82 per cent of refugee respondents informed that they would like to return to Somalia if peaceful conditions prevailed. In addition, the joint UNHCR/IOM Return Intention Survey undertaken in 2014, found that some 10,000 were willing to return under the prevailing conditions in Somalia, to areas in South-Central regions, if UNHCR could assist them.

Recently, UNHCR Dadaab has noted increasing numbers of refugees making inquiries about return to Somalia. Since November 2013, Return Help-Desks in Dadaab refugee camps recorded more than 10,000 refugees who made return-related inquiries. By August 2015, 4,912 had expressed the intention to return to Somalia and may confirm their intention at any time.<sup>2</sup> Given that all the returnees under the pilot arrived at their final destination in safety and dignity, and very few are reported to have entered a situation of internal displacement, it is envisaged that the number of people deciding to return to Somalia will steadily increase.

<sup>2</sup> Figures updated on 9 September 2015

## 2. Situation analysis

Governments of Kenya and Somalia, and UNHCR signed a Tripartite Agreement on 10 November 2013 for the voluntary repatriation of Somali refugees. Subsequently, UNHCR and partners drafted an operations plan for a pilot project to support the return process under the auspices of the Tripartite Commission, established under the Tripartite Agreement.

Since 8 December 2014, UNHCR has been supporting the return of Somali refugees in Kenya to selected destinations in the Juba Valley under the aforementioned pilot project<sup>3</sup>. At the moment, however, conditions in Somalia are not yet conducive for safe, dignified and sustainable mass refugee returns to Central/South Somalia. The pilot project had a planning figure of 10,000 returns over a six-month period until June 2015. By the end of the pilot project on 30 June 2015, UNHCR had supported the return of 2,589 people to Somalia, including 1,873 to Kismayo, 667 to Baidoa and 49 to Luuq. It is important to note that between March and 9 June 2015, return movements to these three areas were disrupted by heavy rainfall which made the roads impassable due to rain water and mud. The suspension due to waterlogged roads was compounded by the fragile security situation in South Central Somalia.

In supporting the pilot project, UNHCR provided the returning refugees in Kenya with cash grants and core relief items to use during the journey home. Upon return in Somalia, the returnees were provided with reintegration assistance comprising of cash grants, food and community-based support. UNHCR Somalia also engaged with resilience and development partners in a coordinated effort to mobilize support and funding for their reintegration to help ensure the sustainability of returns. In parallel, UNHCR is also leading the humanitarian components of a comprehensive solutions strategy for Somalia's displaced populations under the overall leadership of the Resident Coordinator/Humanitarian Coordinator.

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<sup>3</sup> Namely Baidoa, Luuq and Kismayo. 2589 were assisted to return under this project. Unassisted returns have however also been taking place, for which different figures have been given. 50,000 is a commonly-cited figure. This figure however more accurately relates to the number of refugees that have been de-activated from the UNHCR database in Dadaab for "no-show". Whether all of them will have gone back to Somalia, as compared with an also well-establishment pattern of self-dissemination further into Kenya cannot be confirmed.

# 3. Recent developments

On 2 April 2015, Al-Shabaab militants launched an attack on the University College of Garissa in Kenya, killing 148 Kenyan students. In the aftermath of the attack, the political leaders of Kenya's North Eastern Region called for the closure of the Dadaab camps, and a number of senior Government officials called for UNHCR to repatriate all Somali refugees in Dadaab to Somalia. However, after a series of démarches reaffirming the voluntariness of the repatriation process, Kenya, Somalia and UNHCR jointly reaffirmed their commitment to a coordinated and humane return process in accordance with the Tripartite Agreement. To this end, the Tripartite Commission was formally launched on 21 April 2015 to oversee the implementation of the Agreement.

In addition, the Government of Kenya reiterated its continued commitment to provide international protection to refugees, including Somalis, in Kenya. The generosity of the Government of Kenya towards refugees, and the combination of the efforts mentioned above, have helped to preserve the asylum space in Kenya and allowed for the continuation of voluntary returns of Somali refugees to their country of origin, in conditions of safety and dignity.

In Somalia, all districts of Somaliland and Puntland are areas where internally displaced persons (IDPs) have been returning with the support of humanitarian actors. In South Central regions, there has been a progressive emergence of areas of relative stability as the Peace Building and State Building Goals (PSGs) of the Somali Compact take hold. This strategy identifies nine such areas as where humanitarian access exists<sup>4</sup> (Afgooye, Baidoa, Balcad/Balad, Belet Weyne, Jowar, Kismayo, Luuq, Mogadishu and Wanla Weyn). However, conditions in some parts of South Central regions are still not conducive for immediate mass returns, particularly as Al-Shabaab continues to exercise effective control over significant parts of the territory. The extremist group also uses a strategy of asymmetric attacks on major urban centres against the Federal Government of Somalia (FGS) as well as the targeting of political, military and humanitarian actors. In this regard, the fundamental factors in creating conditions for safe and dignified refugee and IDP returns in more areas of South Central regions are, in part, reliant on the ability of the African Union Mission in Somalia (AMISOM) and the Somali National Armed Forces (SNAF) to establish FGS control in areas now controlled by Al-Shabaab, as well as the ability of the FGS to establish and maintain effective rule of law and administration in these areas.

Despite these challenges, the United Nations Assistance Mission in Somalia (UNSOM) is providing robust support and encouragement to the FGS and the regions as they progress with constitutional reform and the organization of elections in 2016. In parallel, a broad coalition of humanitarian, resilience and development actors are actively supporting early recovery, political and socio-economic stabilization and progress. However, further commitment by the international community is urgently needed to better channel, coordinate and focus these efforts for maximum impact on the absorption capacities in areas of return. Refocusing these efforts will also contribute to the sustainable return and reintegration of refugees.

In the immediate aftermath of the attack on the Garissa university college, UNHCR outlined a set of approaches in Kenya and Somalia to strengthen the voluntary return process and support the development of conditions that will be conducive for sustainable reintegration.

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<sup>4</sup> Humanitarian access in this context needs to be understood in a context of High Security Phases – ranging from 4 to 5.

In Kenya, UNHCR is proposing a four-pillar approach as follows: 1) full respect of the voluntary repatriation tripartite agreement of 10 November 2013, and strengthening of the voluntary return process; 2) strengthening of the security partnership project, including advocating with donor partners to provide bilateral security assistance to the government of Kenya; 3) provision of additional durable solutions oriented assistance to refugees and the refugee host community; and 4) convening a resource mobilisation donor conference in October 2015.

Similarly, in Somalia, UNHCR is suggesting a multi-sector approach to improve reintegration of refugees and IDPs, and to provide assistance to host communities affected by displacement. This involves expanding UNHCR's operational footprint and capacity in nine areas of return in South Central regions, including Mogadishu, and leading a process to mobilize humanitarian, resilience and development action to create conditions for sustainable return. This approach is aligned with initiatives under the Somalia Compact currently in place for the period 2014-2016, the emerging Interim Poverty Reduction Strategy (IPRS 2016-2019), and the eventual National Development Plan from 2019 and beyond. It also takes into account the results chain elaborated by the Solutions Alliance Somalia.<sup>5</sup>

Furthermore, UNHCR underlines that focus is urgently needed on economic and social development in Somalia. In this regard, UNHCR is committed to assist in the mobilization of support for investment in the country's socio-economic recovery.

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<sup>5</sup> Solutions Alliance Somalia is a network for providing a common platform for data analysis and exchanging information, as well as creating operational synergies and a common vision to address Somali displacement productively, safely and sustainably within the region. SAS membership comprises of; World Bank, UNHCR, Danish Embassy-Kenya, UNDP and ReDSS (DRC, IRC, NRC, WV, Acted, InteSoS, Oxfam, RCK, Mercy Corps, Care).



## 4. Regional and domestic elements which impact this Strategy

While the scope of this strategy is limited to the return of refugees from Kenya, it fits within the broader regional framework as established in the *Addis Ababa Commitment towards Somali Refugees*. The Commitment, which was adopted unanimously by the Governments of Djibouti, Ethiopia, Kenya, Somalia, Uganda and Yemen in a ministerial meeting in August 2014, held under the United Nations High Commissioner for Refugees' Global Initiative on Somali Refugees, affirms a consensus on six central aspects of the protracted situation facing Somali refugees. The Governments agreed to:

- i) Maintain asylum space while needed;
- ii) Create conditions within Somalia to enable large-scale return;
- iii) Increase the self-reliance and resilience of host communities and refugees;
- iv) Combat xenophobia;
- v) Explore alternative stay arrangements; and
- vi) Work towards engaging humanitarian and development approaches to address the protraction.

This strategy on voluntary repatriation addresses one part of the holistic approach set out in the *Addis Ababa Commitment towards Somali Refugees*, and it is crucial that the other elements are equally and concurrently pursued through other avenues.

Somali refugee returns from other countries in the region will also impact and influence UNHCR's approach to sustainable reintegration in areas of return, notably in South Central regions. In this regard, 21,267 or 90 per cent of all arrivals in Puntland and Somaliland, as a result of the crisis in Yemen, are returning Somali refugees, *prima facie*, as recognized by the Yemen Government and UNHCR. More than 70 per cent of those registered upon arrival are returning to the same regions in South Central Somalia as the refugee returns from Kenya, the majority to the greater Mogadishu area.

UNHCR Somalia has led the development of an Inter-agency Response Plan for the Yemen Situation, based on a planning figure of 36,000 arrivals up to September 2015, the majority of whom originate from and are expected to return to South-Central regions. In addition, preliminary discussions with UNHCR Ethiopia have taken place on potential voluntary returns of Somali refugees from the Dollo Ado camps to the South-Central regions of Gedo (including Luuq), Bay (including Baidoa) and Benadir (including Mogadishu).

This strategy also has important links to IDP return and reintegration, in particular in South-Central regions where approximately 60,000 IDPs have been assisted to return to their areas of origin by the Somalia Return Consortium since 2012. The provision of return and reintegration packages has been key in facilitating sustainable IDP returns and avoiding further displacement. The approach also includes assisting receiving communities and encourages investment by resilience and development actors in community development programming. In this regard, reintegration activities (e.g livelihood support) under this strategy will follow a community-based and co-existence approach to ensure that the assistance provided benefits IDP and refugee returnees, and the receiving population. This will help avoid conflict over resources and seek to address the needs of entire communities in unison, in close coordination with development actors. UNHCR will play a catalyst role in this, working with the United Nations Country Team and Humanitarian Country Team (UNCT/HCT).



In specific relation to Mogadishu, UNHCR will work with inter-agency partners to progressively develop a comprehensive plan of action for transitional support and durable solutions for returnees and IDP returns to the city, and for Mogadishu's 369,000 IDPs. This poses challenges for all stakeholders due to the prevailing protection environment, characterized by mass forced evictions of IDPs and insecurity, and due to the large number of refugees in Kenya, Yemen and Ethiopia who may choose to return there.

Therefore, while this strategy focuses on Somali refugee returns from Kenya, it also acknowledges that significant parallel and simultaneous returns are likely to take place from Yemen and Ethiopia over the next few years. It also acknowledges that their return and reintegration will need to be harmonized with that of IDPs to the same locations and with addressing the resilience and development needs of receiving communities.

## 5. Planning figures

This strategy is designed to support the voluntary repatriation of some 215,000 Somali refugees from Kenya and their reintegration in Somalia over the period from July 2015 to December 2019.

It envisages a gradual and progressive expansion of UNHCR's operational footprint and capacity to additional return areas in Somalia, in accordance with a projected stabilization of more territory in south and central regions by the FSG and supported by UNSOM and AMISOM.

To date, the implementation of the voluntary return pilot project has allowed a managed approach to returns while providing valuable information on the existing obstacles to repatriation and yielding lessons as to how those obstacles might be overcome. Taking into consideration that the pilot phase planned to support the return of 10,000 refugees within six months, and that only 2,589 of this number returned to Somalia up to June 2015, UNHCR will retain the planning figure of 10,000 returns for 2015. However, planning figures will increase significantly in 2016 and beyond, as per the following chart:

2015	2016	2017	2018	2019
10,000	50,000 (100,000) <sup>6</sup>	75,000 (150,000)	65,000 (130,000)	15,000 (30,000) <sup>7</sup>

In 2016, the planning figure for voluntary returns to Somalia will be revised to 50,000 (100,000). The first phase will comprise 25,000 refugee returns using resources made available by UNHCR for its Kenya and Somalia operations in January 2016. The second phase will plan for 25,000 refugee returns and commence in May 2016, when UNHCR allocates additional resources. Phase two will depend on the sustainability of returns achieved in the initial phase. Thereafter, the planning figure will be increased to 75,000 (150,000) returns in 2017, to 65,000 (130,000) in 2018 and 15,000 (30,000) returns are planned to take place in 2019. Initially, UNHCR will present, at the Ministerial Pledging Conference in October 2015, budget cost estimates for 2016 and 2017 (two years).

<sup>6</sup> Figures in brackets denote the comprehensive planning figure which will be outside the operating level.

<sup>7</sup> Updated figures of September 2015

## 6. Factors in Kenya and Somalia impacting on voluntary return and reintegration

The factors that have an impact on a voluntary return process in Kenya are: (1) continued insecurity in the country, caused by sporadic terror attacks by Al-Shabaab, especially including in the Dadaab operational area; (2) limited support to durable solutions-oriented activities, especially with regard to education and livelihoods support; (3) limited developmental and environmental rehabilitation support to the host community and; 4) limited funding for voluntary return support.

The issues which continue to overshadow large-scale voluntary return and reintegration in Somalia are: (1) continuing insecurity and control of territory by Al Shabaab in many parts of the country, particularly in South Central regions; (2) limited presence and capacities of government institutions in many areas; (3) limited access by humanitarian and development actors; (4) lack of a clear multi-year national or regional development framework within which sustained investment in economic recovery can take place; (5) limited livelihood opportunities; (6) lack of basic services such as health and education; (7) poor infrastructure; and (8) low levels of international funding focused on early recovery and development.

In order to address the issues mentioned above, a more comprehensive humanitarian response has to be put in place to address the most immediate needs of families upon arrival in areas of return, as well as providing for well-defined development interventions on a medium and longer-term basis to address security, rule of law and socio-economic needs of returnee families and their receiving communities. These initiatives are being linked with the Somalia Compact currently in place for the period 2014-2016, the emerging IPRS 2016-2019, and the eventual National Development Plan from 2019 and beyond.

In this context, the voluntary return of Somali refugees will continue to be regulated by the Tripartite Agreement between Kenya, Somalia and UNHCR, while the medium to longer term reintegration interventions will be linked to the Somalia Compact, the IPRS and the Somali National Development Plan. United Nations development actors will play an important role in establishing these linkages and must be involved in the planning process from the outset. These linkages will align investments and achievements of humanitarian actors to medium and longer-term development-related interventions in the areas of inclusive politics, security, justice and rule of law, and social and economic recovery. Such initiatives will increase the absorption capacity inside Somalia and contribute to creating a protective environment conducive to return.

In the framework of the Tripartite Agreement, the Federal Government of Somalia will engage with the Government of Kenya in sustaining dialogue and exchanges on the absorption capacities in areas of potential return inside Somalia. With this approach, it is important that the yearly planning figures for voluntary return have been agreed upon between Governments of Kenya and Somalia as well as UNHCR, to allow the FGS, UNHCR and its partners to mobilize the resources necessary for sustainable reintegration.

## 7. Return support modalities

On account of the continued precarious security situation in Somalia, including along the route to the Kenya-Somalia border, UNHCR is providing support to refugees who voluntarily decide to return. UNHCR is also monitoring the return process very closely. With due regard to protection prerequisites and prevailing standards, the decision of refugees to return to Somalia is assessed and verified by UNHCR at the Return Helpdesks in Kenya, after a counselling process to ensure that the decision is voluntary and based on an informed choice with regard to conditions in Somalia. The concerned refugees also confirm in writing, through the completion of a Voluntary Repatriation Form, that they are returning entirely of their own volition. After the confirmation of the voluntariness of the decision to return, UNHCR provides repatriation assistance comprising a cash grant and safe and secure transportation. Refugees travelling from Kakuma and Nairobi will be transported by air to Kismayo or Mogadishu. Refugees travelling from Dadaab will be transported by road to the Somalia border town of Dhobley; air transportation will only be available to those travelling to Mogadishu if the road between Dhobley and the Capital City is impassable for any reason or if the specific needs of refugees prevent long distance movement by road. In addition, a package of core relief items will be provided for each individual. Returning refugees only have access to this assistance upon the presentation of a duly completed Voluntary Repatriation Form.

The following return modalities have been put in place by UNHCR in Kenya:

► **Confirmation of the voluntariness of the decision to return:**

UNHCR and its partners underline the voluntary nature of return to refugees during a counseling process undertaken at Integrated Return Help Desks located in the refugee camps in Dadaab. These Help Desks are staffed by UNHCR, the Department of Refugee Affairs (DRA) and Norwegian Refugee Council (NRC). The UNHCR Help Desk informs refugees that it will support return to any part of Somalia provided the decision by refugees to return is taken freely and voluntarily in the exercise of an informed decision. UNHCR confirms and verifies this voluntariness and all adult returning refugees complete and sign a Voluntary Repatriation Form (VRF). The NRC Return Help Desk provides refugees with country of origin information relevant to conditions in designated return areas, including available assistance and services. The refugees also receive initial mine risk education. In addition, NRC during departure procedures distributes the core relief items, hygiene kits and high energy biscuits to returning refugees.<sup>8</sup> The DRA Return Help Desk issues Government of Kenya movement passes and gives final clearance to refugees to depart. Immigration formalities are completed in Dadaab one day before departure. The DRA Return Help Desk also maintains a database for the Government of Kenya on returns. Similar mechanisms are being established in Kakuma refugee camp and Nairobi.

► **Ensuring a safe and dignified return journey:**

After the confirmation of the voluntariness of the decision to return, UNHCR provides return assistance comprising pre-paid transportation, a cash grant of USD 120 per individual (USD 150 for persons with special needs) to refugees travelling by road or USD 60 per individual (75 USD for persons with special needs) to those travelling by air from Dadaab and Kakuma. Urban-based refugees travelling through Nairobi receive USD 80 (USD 100 for persons with special needs). Refugees also receive a package of

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<sup>8</sup> The High Energy Biscuits are provided by the World Food Programme under agreement with UNHCR to those travelling by road

core relief items and a hygiene kit for their journey.<sup>9</sup> This approach aims at ensuring that UNHCR supports the right of return for refugees who decide to go back to Somalia and ameliorates the associated logistical and financial burden on returning refugees, thereby ensuring that the decision is realised and does not render them destitute. In addition, it enables refugees, in view of the high levels of insecurity in the Dadaab area, to access safe and secure transportation from Kenya. Similarly, the core relief items and hygiene kit provided in Kenya are essential necessities, for use during the journey home, to ensure that basic standards of human dignity are met. It is considered that this support will form the nucleus of durable and sustainable returns to Somalia and set the foundation for facilitated group returns. The assistance being provided is a direct response to the expressed requests from some refugees, who present themselves at the UNHCR Return Help Desks. During the return movements, the Kenya Police Service provides area and route security inside Kenya to ensure the safety of the refugees.

► **Ensuring protection safeguards:**

In accordance with the Tripartite Agreement as well as UNHCR's guidelines and policies, the voluntary nature of the return is strictly observed. In addition, the return process will ensure that all international protection standards are observed, especially with regard to the protection of children, older persons, persons with disabilities and other categories of persons with special needs. To this end, inter-agency protection working groups have developed action-oriented standard operating procedures for the protection of refugees deciding to return to Somalia. Specifically, cross-border protection, repatriation and reintegration coordination mechanisms have been established to support a sustainable return and reintegration process in an orderly and humane manner.

N.B.: Throughout the process, age, gender and diversity imperatives have been mainstreamed. Protection standards are also mainstreamed in the provision of assistance to ensure that the support that UNHCR provides is delivered according to the individual's needs.

► **Standard operating procedures:**

Standard operating procedures and modalities for the provision of return support packages to returning refugees were developed to ensure that ineligible persons, including returnees who come back to Kenya to seek asylum (recyclers) do not have access to such assistance. Whereas Somalis are granted *prima facie* refugee status, recyclers are required to undergo individual refugee status determination and a needs assessment before facilitating their re-registration. These mechanisms have been designed to ensure that eligible refugees only collect the support package one time.

► **Strategic protection partnerships:**

In Kenya, UNHCR has established strategic partnerships with the Danish Refugee Council (DRC), the International Rescue Committee (IRC), the Norwegian Refugee Council (NRC), the Refugee Consortium of Kenya (RCK), Kenya Red Cross Society (KRCS), Islamic Relief Kenya (IRK), the International Organisation for Migration (IOM) and the World Food Programme (WFP). DRC provides refugees with the cash grant. NRC provides core relief items, country of origin information and initial mine-risk education. IRC, KRCS and IRK provide pre-departure health screening to all departing refugees. RCK provides an independent and objective monitoring capacity of the return process in Kenya.<sup>10</sup> IOM supports participatory assessments processes. WFP provides high energy biscuits and assists UNHCR with the arrangements of return air transportation.

<sup>9</sup> The detailed description of the return support package and its financial implications fully appears in the attachment on return support packages available in Kenya and Somalia.

<sup>10</sup> RCK has deployed 15 monitors to border areas and another 15 in other key locations in the Dadaab operational area. This is an important capacity as UNHCR does not have a permanent presence in the border area due to the current precarious security situation.

► **Renovation of transit centres:**

In Kenya, the returning refugees will require safe and secure transit centre facilities as they stay overnight in a collective centre location before embarking on the journey home the following morning. Accordingly, the two transit centre facilities require renovation in Dagahaley and Hagadera refugee camps of Dadaab.

► **Increase in the cash grant and enhancement of return assistance:**

In the cross-border coordination meeting held on 30 April 2015, the UNHCR Representation in Somalia informed that the cash grant provided was not sufficient as returning refugees were finding it difficult to afford transportation costs to reach their final destinations. The lesson learned during the pilot project is that refugees are using the cash grant mainly for transportation costs and supplementary food, in particular for children. Therefore, in Kenya, the cash grant for road transportation was increased to 120 USD (150 USD for persons with special needs).

► **Increase livelihood support in Kenya:**

In order to invest in the right livelihood skills development, in support of durable solutions, livelihood projects in Kenya will be more aligned with the skills needs and livelihood opportunities in Somalia. Accordingly, skills and livelihoods opportunities in Somalia will be mapped and projects in Kenya realigned to the prevailing reality in that country. It is envisaged that additional resources will be required once this mapping exercise is completed and cost estimates produced.

► **Participatory approach:**

Refugees in Kenya will continue to be engaged in the decision making on the returns process. Focus group discussions have been held in order for refugees to be fully informed about the voluntary nature of the return and the assistance available from UNHCR and partners. Go and See visits will also be arranged as was the case in 2014, when one such visit to Kismayo was arranged. Return intention surveys will also be undertaken in Dadaab, Kakuma and Nairobi.

► **Communication strategy:**

A communication strategy and plan will be developed to support the process. Public service announcements, posters, public place materials and radio talk shows are in place to alert refugees on the existence of the return support and to ensure that their decision to return is free and voluntary.

► **Leadership and coordination:**

The Tripartite Commission for the voluntary repatriation of Somali refugees from Kenya to Somalia will lead and coordinate the return process. To this end, a technical committee and secretariat of the Commission have been established. UNHCR is the convener of the joint Secretariat of the Tripartite Commission and its Technical Committee. The roles and responsibilities of the Commission, Committee and Secretariat will be facilitated by UNHCR. In the field, the inter-agency return forums will be the mechanism under which the return process will be coordinated. There is also an inter-agency cross-border coordination mechanism, which meets monthly.

In Kenya, the approach outlined above will continue to ensure a positive protection impact of the return process. This is because it will support the realization of the right of the refugees to return to their country. In addition, the support will ensure an orderly and dignified departure from Kenya for refugees.

# 8. Plan of action

Below is a brief outline of the plan of action that UNHCR will implement in order to further strengthen the voluntary return process. Further details of the plan of action, for easy reference purposes, are contained in the operational plan. The items outlined below are in addition to the aforementioned existing return support modalities. The following actions will be undertaken by the two Governments, UNHCR and its partners in Kenya and Somalia in order to strengthen the implementation of the voluntary returns from Kenya.

## Expansion of return areas

UNHCR will support returns to any part of Somalia and provide additional reintegration assistance to refugees returning to the following nine designated areas: Afgooye, Baidoa, Balcad/Balad, Belet Weyne, Jowar, Kismayo, Luuq, Mogadishu and Wanla Weyn. In addition, all of Somaliland and Puntland will be included in the expanded areas. These areas have been selected because of the presence of humanitarian and development actors to support the return and reintegration process. Areas of special reintegration focus will be gradually expanded as permitted by the security situation in Somalia and the ability of humanitarian actors to access areas beyond the designated nine. Refugees returning to other parts of Somalia not listed above will only be provided with return assistance in Kenya and upon arrival in Somalia. However, they will not have access to community-based reintegration assistance. Accordingly, the major shift in approach is now that refugees will be advised that they are free to return to any part of Somalia not listed, provided they do so freely and voluntarily in the exercise of an informed decision.

Designated Areas of Return in Somalia with Humanitarian Access		
Puntland	All regions	All districts
Somaliland	All regions	All districts
South-Central Regions	Bay	Baidoa
	Gedo	Luuq
	Lower Juba	Kismayo
	Lower Shabelle	Wanla Weyn, Afgooye
	Middle Shabelle	Balcad, Jowhar
	Hiraan	Belet Weyne
	Benadir	Mogadishu



## Strengthening UNHCR presence in major areas of return

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In order to successfully operationalize the enhanced voluntary return and reintegration activities in the nine designated areas of return of special focus, UNHCR will augment its operational capacity by establishing a new sub-office in Mogadishu and field offices in Kismayo and Baidoa. The sub-office in Mogadishu will be responsible for the overall implementation, monitoring and reporting on the delivery of protection and assistance activities implemented throughout South Central regions. The field office in Kismayo will cover activities implemented within the Kismayo district, including the management of the UNHCR way station and activities in Dhobley, Wanla Weyn, Belet Weyne, Afgooye, Balcad, and Jowhar districts. The field office in Baidoa will cover activities implemented within the districts of Baidoa and Luuq, including management of the UNHCR way stations established in those areas. The existing sub-office in Galkayo will continue to cover activities implemented in Hiran, Mudug and Galgaduud. The presence of national staff in districts where there are no established field offices will be augmented in keeping with, and corresponding to, the need for such presence.

In Baidoa, UNHCR has established an office within the UNICEF compound, where other UN agencies are also located. Baidoa is also the hub of UN agencies aimed to support operations in South Central districts that cannot be easily accessed from Mogadishu due to distance and/or poor road conditions.

## Increase in current staffing levels and enhance security management capacity

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To ensure the operational integrity and viability of the return process, UNHCR and its partners in both Kenya and Somalia will need increases in the current staffing levels and administrative budgetary allocations. It is envisaged that administrative requirements will expand, as will the office space, accommodation, equipment, infrastructure and security coverage needs. In Somalia, the operational capacity of UNHCR and its partners will also increase to strengthen operational capacity throughout South Central regions, and enhance the presence of humanitarian actors in major areas of return, notably Mogadishu, Kismayo and Baidoa.

## Strengthening of protection monitoring and protection services

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Given the impact of the protracted conflict in South-Central regions of Somalia, key protection services will need to be strengthened and, where necessary, developed, in order to ensure viable access to physical, legal and material safety. Interventions in this area will consist of:

- a) The Protection and Returns Monitoring Network (PRNM) system will be strengthened and expanded. Monitoring activities are conducted in partnership with NRC on a nation-wide basis; whereby national NGOs jointly identified by UNHCR and NRC collect, compile and report on protection incidents and population movements. A network of 35 partners has been established, 25 of which are in South Central regions, seven in Puntland and three in Somaliland. NRC makes timely referrals of victims and survivors of abuse to protection and assistance partners of UNHCR and has an emergency fund to undertake direct emergency protection and assistance interventions when needed. To increase the outreach and the effectiveness of this network, the PRNM system will be expanded to include interventions by sub-offices. In this way, networks will be extended to new areas and the local management and analysis of the PRNM information will allow more effective responses to be delivered at points of need. This will be an essential tool to enhance protection and to inform programming for more effective reintegration;

- b) UNHCR Somalia will organise pre-legislative consultations in Mogadishu, Garowe, Kismayo and Baidoa on the Somalia Citizenship (Amendment) Bill in efforts to support its adoption and implementation. In 2014, UNHCR supported the drafting of an amendment of the 1962 Citizenship Law through a review of Law No. 28 of 22 December 1962 on Somali Citizenship. Gaps in the law were identified, including discriminatory provisions on the transmission of nationality on the basis of gender. UNHCR worked closely with the Ministry of Interior and Federal Affairs, UN agencies, NGOs and other stakeholders, notably the National Democratic Institute (NDI), to produce a draft which complies with international law and standards. The consultations began in July 2015 in Mogadishu and will be pursued through to finalization in October. It is envisaged that the Bill will be presented for adoption by the legislative body in Somalia;
- c) Linked to the Citizenship Law is the need to ensure an effective civil registration and documentation system that provides essential legal documentation for identity and civil status. In this regard, UNHCR will focus on advocacy, law and policy development and capacity building of relevant institutions in close cooperation with rule of law partners. This is a major undertaking at both Federal and regional levels, and will require sustained attention over a number of years. However, priority actions will need to be addressed ahead of elections in 2016. UNHCR will work with authorities and partners to ensure that the legitimate concerns of both Somali refugees in asylum countries and Somali returnees be recognized and documented as Somali nationals, and that they be able to exercise the rights and duties associated with that status through participation in political processes and voting;
- d) UNHCR will enhance the provision of information, counselling and legal services on housing, land and property rights (HLP) of returnees and IDPs. An HLP working group (discussion on the formation of an HLP Area of Responsibility are ongoing) has been established in Somalia under the co-leadership of NRC and UNHabitat. UNHCR will conduct two studies, in Kismayo and Baidoa, as a contribution to the efforts of this working group to research HLP issues in these areas to foster durable solutions for the displaced. The results of these studies will also feed district and village level profiles in areas of return to be shared with and counselled to refugees in Kenya and other countries of asylum;
- e) UNHCR will establish and strengthen the quality and access to basic services in areas of return. Health, education, water and sanitation services will be strengthened. UNHCR will support vocational skills training and livelihood opportunities to promote self-reliance and increase capacities for reintegration;
- f) UNHCR's partner UNMAS is providing information and counselling services to refugees on mine-risk awareness in areas of return. This is an effective and complementary operational partnership which enhances the protection of returnees and IDPs alike;
- g) During return movements from Kenya, UNHCR Somalia will maintain effective coordination with UNHCR Kenya to identify persons with special needs and to make appropriate arrangements for their care, wellbeing at the border and at way stations, and during the reintegration process. Persons with special needs include those with disabilities, children at risk including unaccompanied and separated children, older persons including those without care, and survivors of violence. Measures to enhance their wellbeing will range from providing adapted foods and sanitation services at way stations, to strengthening community-based protection in districts and villages of return. UNHCR will continue to demonstrate leadership in the prevention and response to SGBV through fostering better and more systematic management of individual cases to ensure effective and timely assistance is provided to survivors;
- h) UNHCR will strengthen cross-border and in-country family tracing and family reunification mechanisms for unaccompanied and separated refugee returnees and IDP children. Such services will not be limited to refugee/IDP children but be available to all children in the districts of return. Operational linkages with UNICEF and ICRC will be enhanced to ensure a coordinated and collaborated approach. Existing partnerships with Intersos, Mercy Corps and DRC at way stations will be enhanced.

## Strengthening the physical security conditions for returnees

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An important component of UNHCR's approach to fostering sustainable refugee return is through improvements in the physical security of returning refugees, IDPs and receiving communities. UNHCR will seek to address local conditions and risk factors that encourage the penetration and entrenchment of violence and conflict to create a foundation for sustainable co-existence. By enhancing local capacities for preventing and resolving behaviour that contributes to violent conflict in emerging "pockets of stability" in areas of return, UNHCR and partners will seek to strengthen local resilience mechanisms working through a community safety approach, which emphasises participatory visioning, planning and implementation, and focuses at the grass-roots level on bringing members of a community together to identify and develop solutions to their safety and security needs. The aim is to not only improve the immediate security situation, but also to strengthen the target communities' capacity to resist pressures and prevent and resolve behaviour that contributes to violent conflict.

UNHCR will collaborate with the Federal Government of Somalia and regional administrations in the framework of Peacebuilding and Statebuilding Goals (PSG2): Security, to increase capacities of Somali border authorities and the police to monitor and ensure the physical and legal protection of persons of concern. UNHCR will continue direct capacity support to these authorities through, *inter alia*, the provision of vehicles and monthly stipends, and training on Refugee and Human Rights Law and the Guiding Principles on Internal Displacement and the pursuit of durable solutions. In addition, UNHCR will support local administrations to develop outreach networks, working with communities on approaches to improve their own security. This includes the development of prevention and early-warning systems, and the implementation of co-existence and social cohesion initiatives. UNHCR may also fund the rehabilitation of buildings where it will lead to improvement in the protection of refugee returnees and other persons of concern.

## Strengthening information on areas of origin

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To enable refugees to make an informed decision about their voluntary return to Somalia, Somalia-based analysts will generate and provide current information on areas of origin, in particular in the nine areas of return but also other areas. The information will be packaged and shared with the Return Help Desks in Kenya and made immediately available to refugees in counselling sessions ("instant coffee" model).

UNHCR Somalia will continue to work with UNHCR Kenya on the provision of up to date country of origin information for the purposes of informing and counselling refugees on conditions in return areas. This will enable informed decisions to be taken by Somali refugees in Kenya interested to return to Somalia. Cross-border initiatives involving refugees, returnees, journalists and Somali opinion-leaders and authorities will be facilitated by UNHCR using Go and See/Come and Tell visits and radio broadcasts of returnee stories to foster an informed choice of refugees to return and to reaffirm the principles of voluntariness, safety and dignity.

## Introduction of cash voucher assistance in Somalia

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Refugees intending to return have complained that the assistance package in Somalia is too bulky for those travelling long distances and at times does not contain preferred food items. Therefore, it is proposed that a cash voucher option be introduced, especially for those going to places outside the nine areas of Afgooye, Baidoa, Balcad/Balad, Belet Weyne, Jowar, Kismayo, Luuq, Mogadishu and Wanla Weyn.

## Strengthening the return process in Somalia

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All returnees will be received at the border by the Somali border authorities in the presence of UNHCR and partners at officially designated border crossing points. The border way station in Dhobley, with a capacity of 250 persons/day, and other similar interim facilities will be set up by UNHCR along the Kenya/Somalia border where security conditions and access permits. Hot meals and water, basic WASH facilities, access to emergency health care, protection screening and awareness, and the provision of information on the areas of return will be available at entry points in Somalia. Existing Way Stations (Luuq, Baidoa, and Kismayo) will receive returnees for these and other locations such as Wanla Weyn, Afgooye, Balcad, Jowhar and Belet Weyne as part of an expanded, light and flexible operational footprint. A separate way station will be established in Mogadishu to receive returnees there. Returnees will receive assistance packages at border way stations to facilitate their initial reception. Thereafter, returnees will proceed independently to their destinations. Those arriving by air will be met at the Airports and taken to the nearest transit centre or supported to directly go home.

In Somalia, material assistance has been provided to refugees returning to the three pilot areas only. UNHCR will henceforth offer material support to refugees returning to all regions and areas of Somalia. However, the assistance package will differ depending on the area of return.

## Enhancements to address immediate needs in reintegration

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UNHCR will lead humanitarian partners in facilitating reintegration by addressing the immediate and mid-term needs of returnees and receiving (host) communities. In addition to return assistance packages, returnees will be provided additional support for families during the first 12-18 months after return – to help facilitate the re-establishment of their livelihoods, and allow families and communities to benefit from medium and longer-term development interventions.

During the period of initial reintegration, the most vulnerable and needy returnees will be supported in addressing issues related to housing, land and property, and to construct semi-permanent shelters. However, UNHCR will also advocate and mobilize support to help returnees construct permanent shelters. In parallel, cross-border initiatives with UNHCR and partners in Kenya will be enhanced in providing refugees and returnees with the necessary technical skills to help them in accessing employment or self-employment opportunities in Somalia. Livelihoods support programmes will be guided by the results of market surveys and a matching of skills of returning refugees to current and emerging employment opportunities. This may include agricultural, livestock or business inputs and training to needy returnees, as well as to members of local communities. A special “employment agency” with a cross-border scope linking initially with UNHCR Dadaab will be set up in Mogadishu with antennas strategically placed in the regions to facilitate this work. The public sector will be supported through the cross-border recruitment of teachers and government technical advisors whose salaries will be funded for at least one year. Cash-for-work projects will be implemented to construct/rehabilitate community infrastructures, such as water systems, education and health facilities, roads and market places. Food assistance and subsistence allowance will be provided for returnees with specific needs for a period of one year until family members are able to secure jobs or participate in income-generating projects to support their basic needs.

Humanitarian interventions will include the rehabilitation or construction of schools, health facilities and other essential community structures through a cash-for-work approach. Support to the education sector will be done through the provision of primary, secondary and tertiary scholarships, -including through UNHCR's existing Albert Einstein German Academic Refugee Initiative (DAFI) programme.

For medium and longer-term reintegration activities, UNHCR will play a catalytic role in a wide range of humanitarian, resilience and development agencies and NGOs to conduct inter-agency assessments, need analysis and response plans aimed at establishing socio-economic activities in areas of return. Priority actions will be agreed based on capacity, access and resources available to the partners to ensure effective and sustainable reintegration. The engagement of UNHCR and other actors in support of comprehensive and longer-term reintegration activities will be situated in the broader peace-building and state-building framework of the Somali Compact and the New Deal principles leading to the IPRS and National Development Plan. Activities will be selected on the basis of sound analysis of local social and economic dynamics including clan relations. Large-scale development projects will be promoted through strategic partnership with UN and other development agencies. UNHCR will also facilitate UNCT members and development actors to undertake field visits, assessments and feasibility studies in seeking to bridge gaps between humanitarian and longer-term development programming. It will also cultivate and develop strategic partnerships with “resilience” actors to ensure returnee populations are included in ongoing multi-year resilience plans in areas of return. In this regard, UNHCR is supporting the Governments of Kenya and Somalia to develop a portfolio of projects or plan of action for the Somali refugee impacted areas in Kenya as well as the returnee areas in Somalia to cover immediate, medium and longer-term needs of returnees and communities to increase absorption capacities in nine areas of return in Somalia. These projects or actions will form the basis for an international pledging conference to be held in October 2015.

## Support to receiving and host communities in Somalia and Kenya

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Receiving communities play an important role in the reintegration of returning refugees. Co-existence projects will therefore be implemented to promote social cohesion between the receiving communities and the returnee, and IDP populations.

As the refugees return to Somalia, the Dadaab refugee camps and the surrounding areas will need to be rehabilitated and alternative livelihood means found for members of the host community who have become reliant on humanitarian employment opportunities and peaceful co-existence assistance from humanitarian agencies. There will also be a need, in Kenya, to address the issue of Kenyan citizens who have caused themselves to be registered as refugees as well as refugees who have attempted to register themselves on the Kenyan citizen database. Security enhancement support will also be provided to law enforcement services.

## Support to capacity -building activities to Federal authorities and the Somalia National Commission for Refugees and IDPs

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UNHCR will support the capacity-building of national and regional institutions responsible for refugee and IDP affairs. In particular, robust support will be provided to the National Commission for Refugees and IDPs (NCRI), under the Ministry of Interior and Federal Affairs, to be able to partner UNHCR as a facilitator for the Federal Government of Somalia in its engagements under the Tripartite Agreement with Kenya. In parallel, UNHCR Somalia has already begun capacity support to the Interim Juba Administration (IJA) in enhancing border management in Dhobley district and will also build the capacity of the IJA Commission for Refugees and IDPs. These structures will partner UNHCR in creating conditions for return and in increasing absorption capacities in the areas of return in South Central regions and position authorities to effectively assume their functions and responsibility to provide protection and assistance for persons of concern to UNHCR.



## Convening a donor conference and advocacy for sustained support from the international community and donors

To ensure adequate resources for the strengthened voluntary return process as well as to address resilience and security concerns in Kenya, UNHCR and the Governments of Kenya and Somalia will convene a donor conference in October 2015 where the operational strategy, plan and a portfolio of projects or plan of action in Kenya and Somalia will be presented. The main aim is to help ensure that the return process will succeed. The donor conference will facilitate the attendance of partners, donors and experts. A comprehensive return and reintegration strategy and plan will be presented along with a portfolio of projects or plan of action developed by UNHCR and partner agencies responding to the return and reintegration needs of refugees and returnee families.

The support of the international community in the voluntary repatriation of Somali refugees and in creating conditions conducive for return in Somalia is crucial. So far, the level of support since the start of the pilot project on voluntary return of refugees from Kenya in late December 2014 has been relatively limited, and this is directly linked to the lack of access of the international community to many areas of return inside Somalia.

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