

The Refugees Act, 2021

Popular Version



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Popular Version



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Acknowledgement

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It's content can be reproduced for the purpose of training and advocating for social justice.

Executive Summary

The Refugee Act No 10 of 2021 was assented to on the 17th of November 2021. The provisions of the Refugee Act 2021 include the administrative and the institutional which are important on the management of asylum seekers and refugees in Kenya. The Act establishes institutions which includes the Department of Refugee Services (DRS), the Refugee Advisory Committee and the Refugee Status Appeals Committee. Further to this, the Act provides for; the refugees status application process; appeals process; institution of proceedings for unlawful presence in Kenya; cancellation and revocation of refugee status; the place of refugees and children; care for persons with disabilities and persons who have suffered trauma; rights and responsibilities of refugees; the reception for refugees and asylum seekers; how designated areas should be controlled and the integration, voluntary repatriation and resettlement of refugees to third countries.

This production is a summary of the Refugee Act 2021 and publication has been made possible through collaboration between Pamoja Trust and the International Rescue Committee in the RE-BUILD Program. The program seeks to provide a facilitative role in changing policies and systems that would contribute to strong markets and enhance access to services by refugees and the host communities in Nairobi Kenya and Kampala Uganda . Ultimately, this program will contribute to the global policies practices and investments being inclusive to enable refugees achieve economic self-reliance for sustainability.

Acronyms

DRS	Department of Refugee Services
UNHCR	United Nations High Commissioner for Refugees
UN	United Nations
OAU	Organization of African Union
MRC	Mandate Refugee Certificate
ID	Identification
RSD	Refugee Status Determination
CTD	Convention Travel Document
eCTD	Electronic Convention Travel Document
GoK	Government of Kenya
KNEC	Kenya National Education Commission
KCPE	Kenya Certificate of Primary Education
KCSE	Kenya Certificate of Secondary Education
NEMIS	National Education Management Information System

1 Introduction



1.1 Who is a refugee?

A person who is outside his or her country of nationality for fear of being persecuted based on their

- a. race;
- b. religion;
- c. nationality;
- d. membership of particularly social group;
- e. political opinion; or
- f. events due to external aggression, occupation, foreign domination or events which seriously disturb public order.

1.2 Grounds in which a person may be excluded from refugee status (Section 4 (1))

- a. Has committed crime against peace, war crime or crime against humanity;
- b. Has committed a serious non-political crime outside Kenya prior to admission to Kenya as a refugee;
- c. Is guilty of acts contrary to principles of the United Nations and the African Union; or
- d. Is determined to be a threat to national security.

1.3 Grounds in which a person may be disqualified from refugee status (Section 4 (2))

- a. Having more than one nationality and has not sought asylum first in the other country.
- b. Has been granted refugee status in another country before entering Kenya; or
- c. He or she is recognized as a resident in another country and has rights and obligation similar to nationals of that country and has no fear of persecution in that country.



2.GROUNDS IN WHICH AN INDIVIDUAL CAN BE EXCLUDED FROM REFUGEE STATUS

1.4 Circumstances to which one can cease to be a refugee (Section 5)

- Voluntarily re-avails himself or herself to the country of nationality;
- Voluntarily re-acquirers his or her nationality;
- Acquirers nationality of some other country and enjoys its protection;
- Voluntarily re-establishes himself or herself in the country he or she left owing to fear of prosecution; or
- When circumstances to which one is recognized as a refugee ceases to exist



3.CIRCUMSTANCES UNDER WHICH ONE CEASES TO BE A REFUGEE

2 Administrative Institutions

2.1 The role of the Department of Refugee Services (Section 7(2))

- a. Responsible for all administrative matters concerning asylum seeker;
- b. Coordinate activities and programmes relating to asylum seekers and refugees; and
- c. Handle all operational aspects of protection and assistance of refugees.

2.2 Functions of Commissioner for Refugee Affairs (Section 8 (2))

- a. Convenes and chairs the Refugee Advisory Committee;
- b. Receive, register and maintain a register for all refugees in Kenya;
- c. Receives and processes applications for refugee status;
- d. Issues refugee's identification documents and facilitate issuance of civil registration;
- e. Coordination of measures for promoting the welfare and protection of refugees and asylum seekers and advise the cabinet secretary and the committee (Refugee Advisory Committee);
- f. Liaise with other relevant agencies for the provision of adequate facilities and services for the protection, reception and care of asylum seekers and refugees within Kenya;
- g. Promote possible durable solutions for refugees granted asylum in Kenya;
- h. Liaise with relevant departments, state actors and relevant stakeholders. Responsible for capacity, sensitization and information on new developments and policy;
- i. Liaise with Director on Immigration in the process and issue conventional travel documents;
- j. In liaison with the police, arrest any person suspected of committing an offence under the Refugee Act of 2021;
- k. Manage refugee designated areas and other related facilities;
- l. Form sub-committees and assign functions to be exercised in relation to the reception, treatment and welfare of asylum seekers;
- m. Coordinate provision of overall security, protection and assistance for asylum seekers and refugees in designated areas;
- n. Coordinate activities to ensure civilian and humanitarian character of the designated areas is maintained;
- o. Issue movement passes to refugees and asylum seekers wishing to travel outside the designated areas within Kenya;
- p. Exempt asylum seekers and refugees from residing in designated areas where there are compelling reasons;
- q. Ensure treatment of asylum seekers and refugees in compliance with national law;
- r. Issue visitor permits for entry into refugee camps;
- s. Establish structures and mechanisms for the management of refugee humanitarian emergencies in consultation with Cabinet Secretary;

- t. Initiate projects that promote peaceful and harmonious co-existence between hosts community and refugees;
- u. Coordinate all services and activities provided to refugees and asylum seekers by implementing agencies;
- v. Ensure that refugee economic and productive activities do not have negative impacts to host communities, natural resources or the local environment;
- w. Ensure sustainable use of resources in designated refugee hosting areas; and
- x. Promote the procurement or purchase of local products and services in support of refugee intervention and support programmes.

2.3 Issuance of Asylum Seekers Pass

- a. An individual who has submitted an application for a refugee status shall be issued with a temporary pass valid for 90 days.
- b. Every member of the family of the applicant shall be issued with a similar document.
- c. The applicant with this pass is entitled to remain in Kenya:
 - i. Until his or her application is granted or rejected and no appeals filed at the appeals committee.
 - ii. Until that person has exhausted his/her right of appeal.
- d. The temporary pass issued under this act shall be renewed after the expiry of ninety days until all rights concerned with the application for refugee status have been exhausted.

Reception For Refugees And Asylum Seekers



RECEPTION FOR REFUGEES & ASSYLUM SEEKERS

2.4 Entry into Kenya

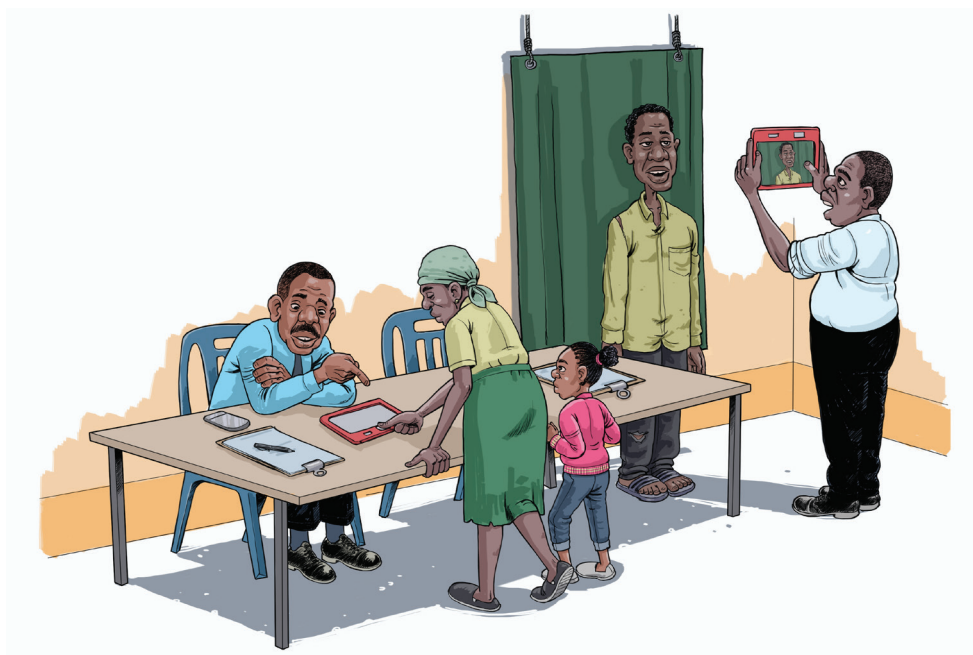
Notification of Intention to seek asylum; Any person entering Kenya to seek asylum is to make his or her intention known immediately upon entry or within 30 days by reporting to the nearest government administrative office. In instances of Influx of refugees, emergency measures to be taken by the Commissioner include:

- a. Designation of areas for reception, transit and residence for refugees.
- b. Provision of appropriate facilities and services with particular reference given to women, children, victims of trauma, persons of old age and persons with disability.
- c. The areas designated must have civilian and humanitarian character
- d. This should also include sensitization of the local population for their reception.

Designation of refugee reception officers

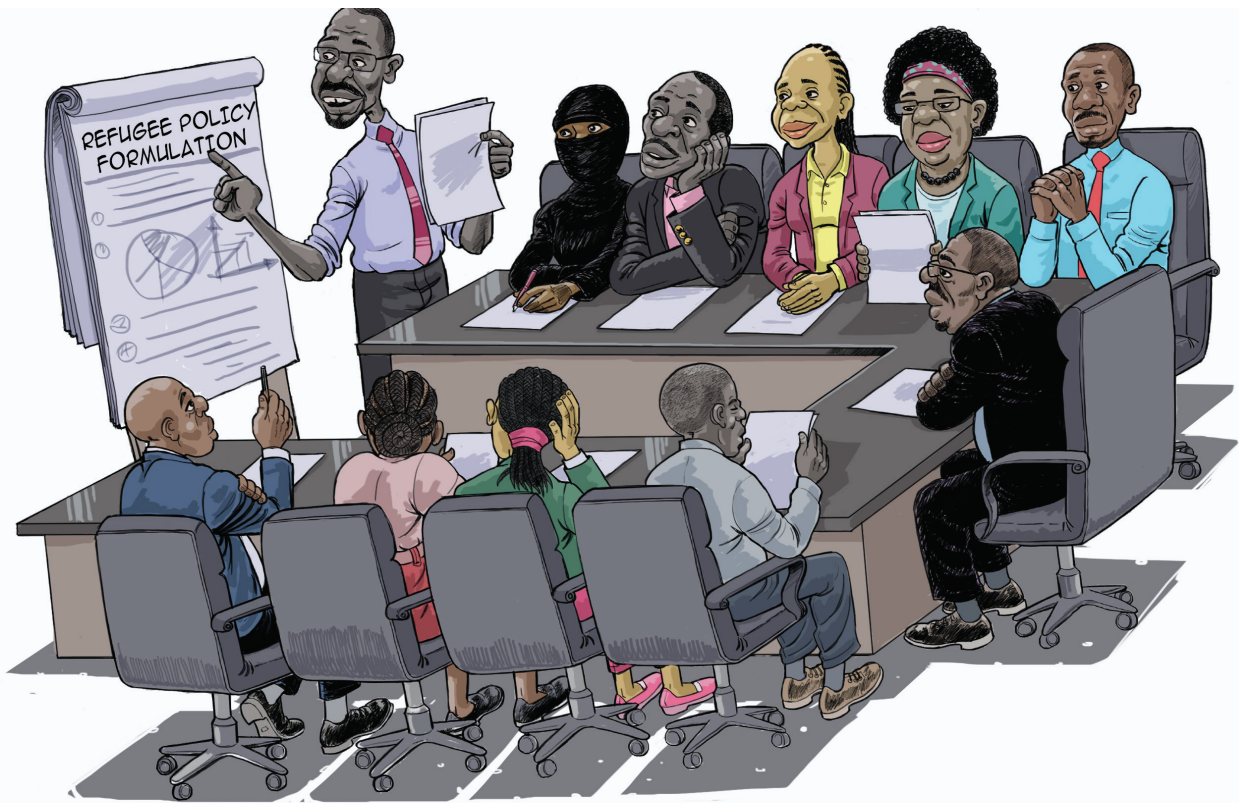
The Commissioner shall ensure availability of reception officers at designated entry points provided that where there are no designate reception officers, the immigration officers or other government officers stationed at the entry points shall act as reception officers

Duty of Reception Officers



- a. Give guidelines for refugee status to persons who wishes to apply for refugee status at the point of entry.
- b. Receive persons who have applied for refugee status or wish to apply for refugee status.
- c. Take biometric data and photographs of asylum seekers and members of their families.
- d. Question and search persons and or property provided this is done in a dignified manner and which protects the dignity and the decency of the person.
- e. Screen asylum seekers to ensure that they do not pose any public health hazard to the local population.
- f. Ensure that asylum seekers who may pose health hazard to the local population are isolated and provided with the necessary medical attention.

2.5 The Refugee Advisory Committee (Section 9 & 10)



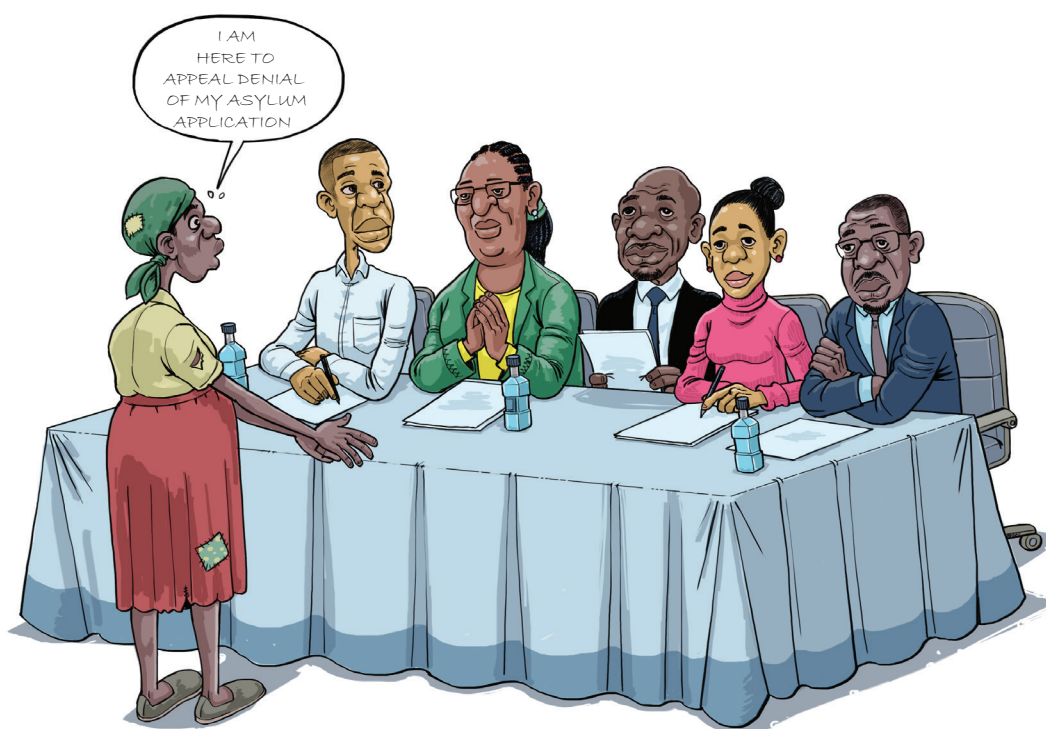
a. Functions of the Committee.

- i. Advise the Cabinet Secretary on policy formulation related to refugees.
- ii. Advise the Cabinet Secretary on matters relating to refugees.
- iii. Advise to the Cabinet Secretary in respect to declaration, amendment and revocation of the prima facie determinations.
- iv. In liaison with the government authorities, ensure adequate and appropriate facilities and services are provided for the reception and care of refugees during emergency situation.

b. Composition of the Refugee Advisory Committee

- i. Commissioner-Chairperson.
- ii. Principal Secretary from the Ministry responsible for refugee Affairs.
- iii. Principal Secretary or representative nominated from the ministry of foreign affairs.
- iv. Principal secretary or representative from the ministry of devolution.
- v. Principal secretary or representative nominated from the ministry of health.
- vi. Principal secretary or a representative nominated from the ministry responsible for finance.
- vii. Principal secretary or a representative nominated from the ministry for education.
- viii. Attorney General or representative nominated.
- ix. Director of the Department of Immigration or a representative.
- x. Inspector General or representative.
- xi. Representative from the council of governors.

2.6 Refugee Status Appeals Committee (Section 11)



- a. Function of the appeals committee is to hear and determine appeals against the decision of the Commissioner with regard to;
 - i. Rejection of and individual application for refugee status; and
 - ii. Cancellation, revocation and termination of refugee status.
- b. Composition of the Refugee Appeals Committee.
 - i. Representative of the principal secretary responsible for refugee matters - Chairperson of the committee.
 - ii. Representative of the Kenya National Commission on Human Rights.
 - iii. Representative of the State Department responsible for Immigration.
 - iv. One person nominated by the Attorney General.
 - v. Three persons with the knowledge and experience on refugee matters.
- c. Appeals committee convenes when appeals have been filed against the decisions of the Commissioner.
- d. Persons aggrieved by the decisions of the Appeals Committee may appeal to the High Court within 30 days of being notified.

Application For Refugee Status

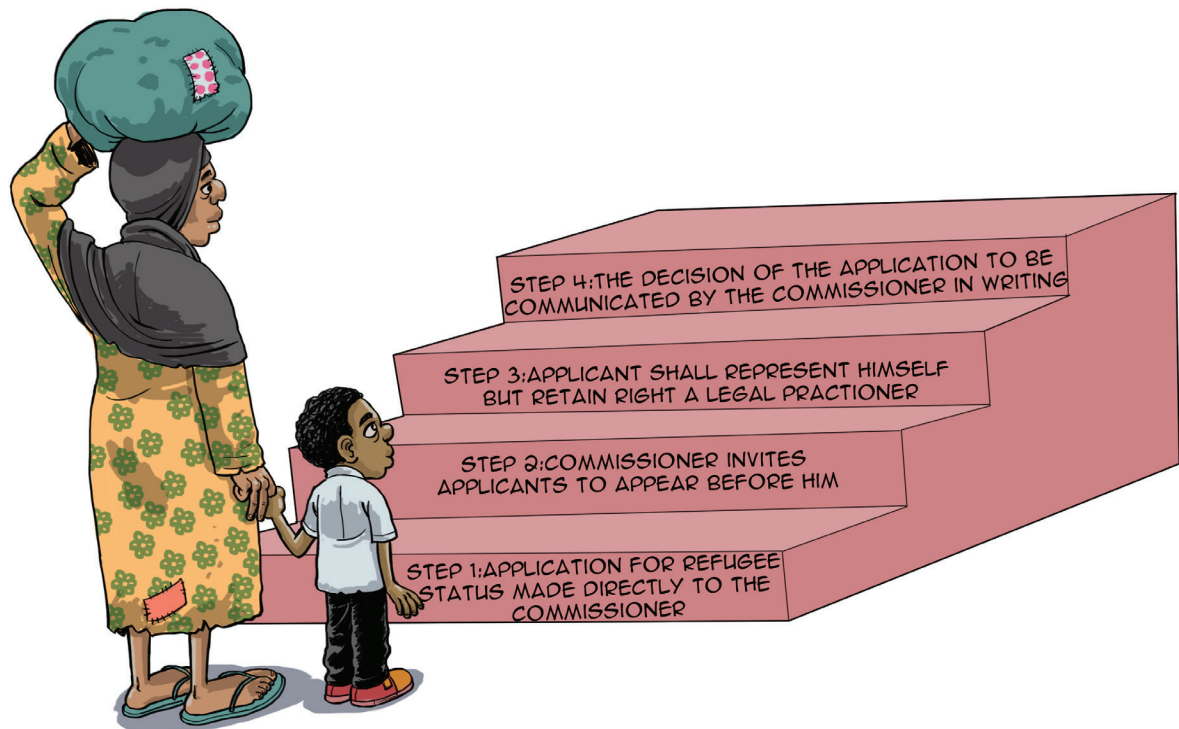
1.7 The Process of Application for Refugee Status (Section 12).

Step 1: -Application for refugee status made to the Commissioner or through an authorized officer.

Step 2: -Commissioner on receiving the application invites the applicant to appear before him or her to provide oral or documentary evidence in support of the claim for asylum.

Step3: - The applicant shall represent himself in person but retains the right to be accompanied by a legal practitioner at his or her cost.

Step 4: - The decision of the application shall be communicated by the Commissioner to the applicant in writing. Where there is refusal, the commissioner shall give reasons.



THE PROCESS OF APPLICATION FOR REFUGEE STATUS

On receiving an application for status, the commissioner shall issue a temporary pass to an applicant pending the determination of the application.

The commissioner shall make a determination for status application within ninety day from the date of receiving the application. However, this time line may be extended depending of the circumstances of the cases.

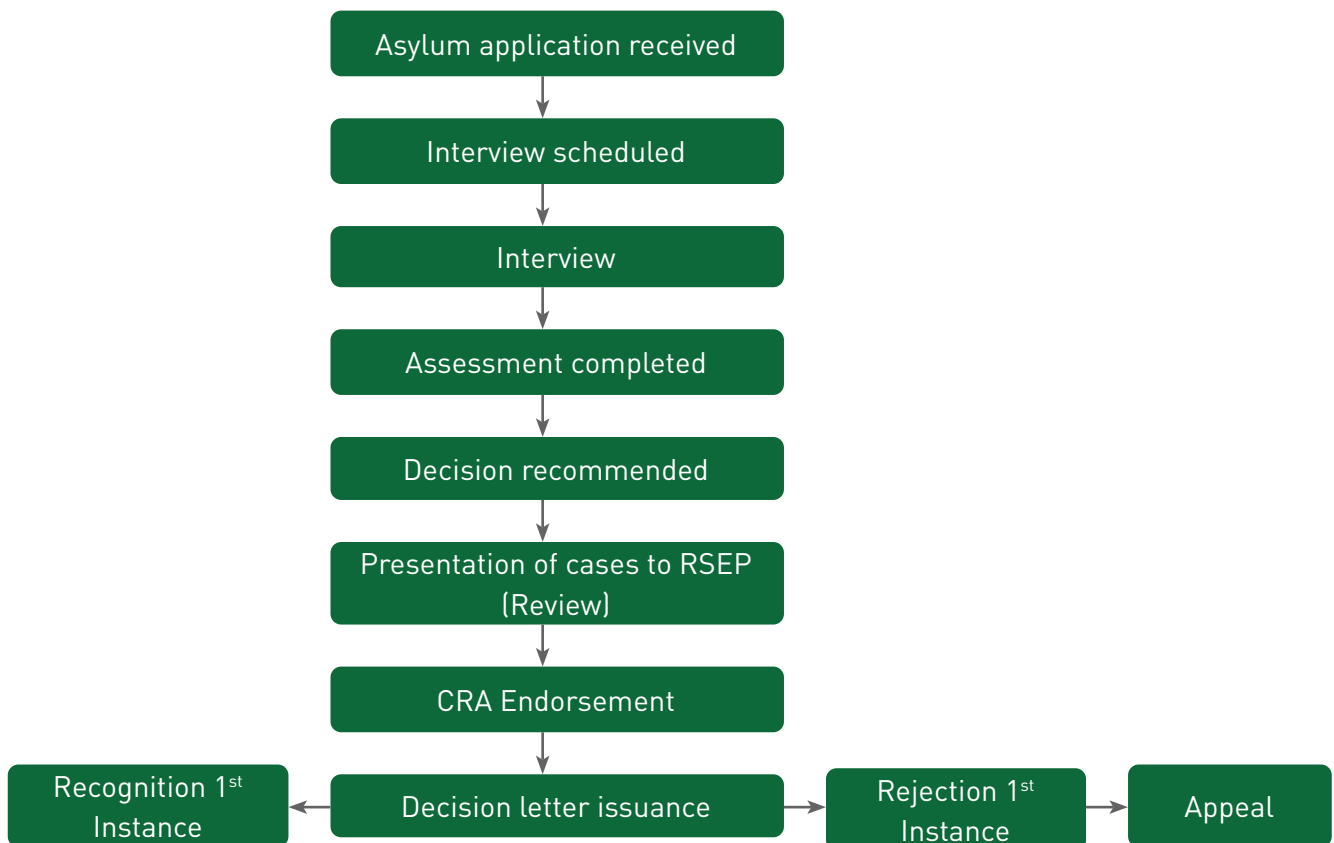
2.8 Establishment of the Refugee Status Eligibility Panel (Section 13 (2))

The function of the panels is to review recommendations made on refugee status determination.

Composition of the Eligibility Panel.

- Chairperson-Appointed by the Commissioner from the department (Department of Refugee Services) who has knowledge and experience in matters of refugee status determination.
- Four or more members appointed by the Commissioner who are drawn from the department with knowledge on refugee affairs and refugee law.
- The Panel may co-opt a representative of United Nations High Commissioner for Refugee (UNHCR) or other agencies to provide technical advice.

DRS RSD Process



2.9 Appeals

A person aggrieved by the decision of the Commissioner may;

- The first appeal level is to the Appeals Committee which should be done within 30 days of receiving the decision.
- A person aggrieved with the decision of the Appeals Committee may appeal to the High Court within 30 days of being notified.
- If the High Court agrees with the Commissioners decision, the Commissioner is to notify the Director of Immigration within 60 days of the notification after which the law on immigration shall apply to the applicant.
- No fees are charged on filing of applications.

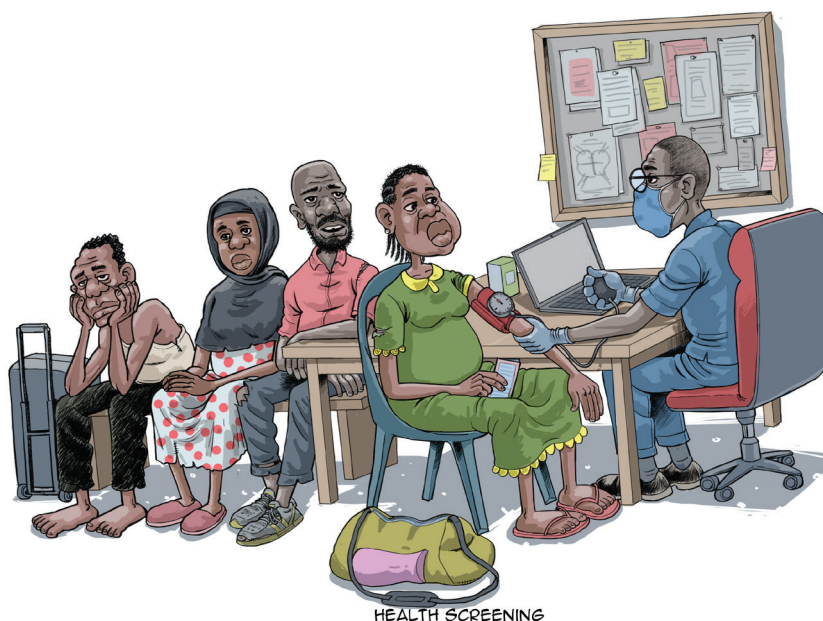
2.10 Unlawful presence in Kenya (Section 15)

No proceedings of unlawful entry or presence within Kenya shall be instituted against any person or a member of his or her family if that person has;

- Made an application for recognition as a refugee until a decision had been made and such a person has had an opportunity to exhaust his or her right to appeal.
- Become a refugee.

2.11 Medical screening (Section 16)

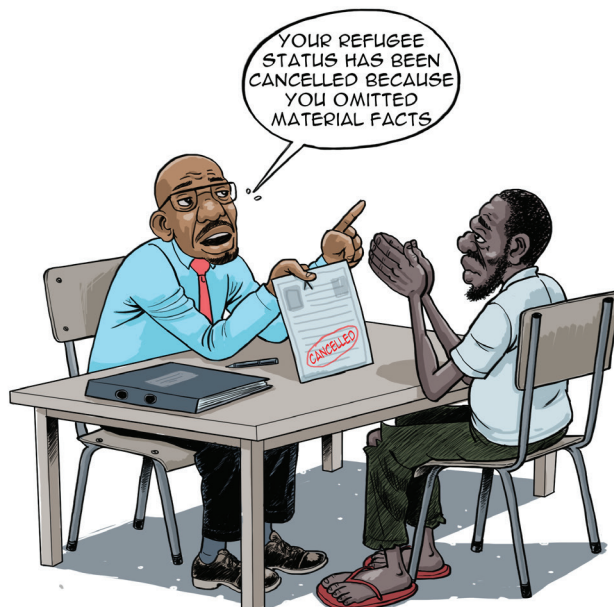
Refugees and Asylum seekers who have entered Kenya shall be subjected to health screening upon entry in accordance with the provisions of the Health Act.



2.12 Cancellation of Refugee Status (Section 17 (1))

The commissioner has the power to cancel a refugee status where a person recognized as a refugee had fraudulently misrepresented or omitted material facts which if known, it could change the decision to recognize that person as a refugee.

Where there is new evidence that a person should not have been recognized as a refugee.



2.13 Before cancellation of refugee status, a written notice to be served upon the refugee (Section 17 (1))

- Informing him or her of the fact that his/her status is to be reconsidered.
- Inviting him or her to make written representations to the Commissioner within the period of fourteen days from the date of service of notice.
- Inviting him or her to an interview in order to state his or her case with the Department. This may be done in person or accompanied by a legal representative.

The person whose status has been cancelled and does not appeal or exhaust the appeal

mechanism shall leave the country within 30 days failure to which the Cabinet Secretary shall order his or her immediate removal.

Where refugee status has been cancelled, that person and any member of his or her family deriving refugee status from him or her, shall cease to be a refugee but members deriving status have right to reapply

2.14 Revocation of refugee status (Section 18)

The status may be revoked if ;

- a. Refugee has committed war crime.
- b. Refugee has committed crime against humanity

2.15 Expulsion of refugees or members of their families (Section 19)

Cabinet secretary may order expulsion from Kenya any refugee or member of his family if the grounds of expulsion is on national security or public order or breach of public morality.

The expulsion shall be done according to the law.

2.16 Refugee women and children

- a. Commissioner shall ensure that specific measures are taken to ensure dignity and safety of women and children at all times during their stay in designated areas.
- b. The Commissioner shall ensure that a child in need of refugee status or who is considered a refugee receives appropriate protection and assistance whether with parents or another person.
- c. The Commissioner shall as far as possible assist a child to reunite with their families.
- d. Where the parents or other members of the family cannot be found, the child shall be accorded the same protection as any child permanently or temporarily deprived of his or her family.



REFUGEE WOMEN & CHILDREN

2.17 Care of Persons with Disability and Persons who have suffered trauma

Commissioner shall ensure that appropriate measures are taken to ensure safety of asylum seekers and refugees who suffer from disability or are of old age and persons or groups of persons who have been traumatized or otherwise require special protection at all times during admission into and stay in Kenya.

2.18 Right to remain in Kenya during status

Person who has made an application for recognition as a refugee and every member of his/her family shall have the right to remain within Kenya;

- a. Until such a person has been recognized as a refugee.
- b. If the application is unsuccessful, then until such a person has exhausted the appeals process.
- c. Where an appeal is successful, until the person has been allowed reasonable time not exceeding sixty days to seek admission to a country of his or her choice.

2.19 Rights And Duties Of Refugees And Asylum Seekers In Kenya



Refugees entitled to rights and duties contained.

- a. in the UN Convention, its Protocol and the OAU Convention; and
- b. all the laws in force in Kenya.

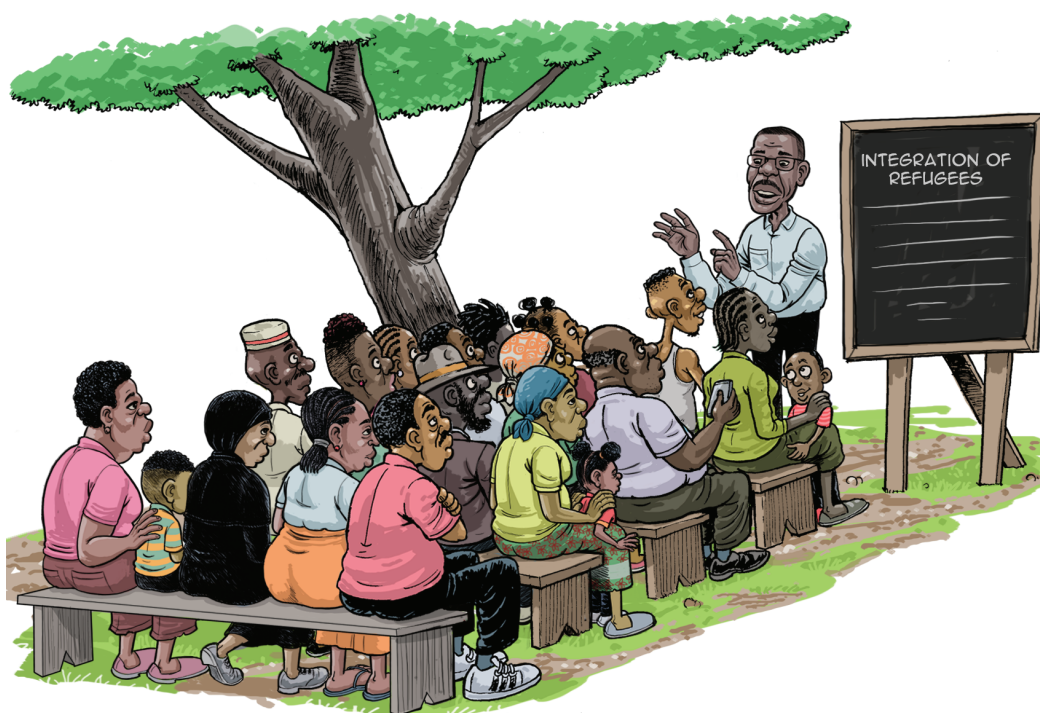
Obligation: A person who has submitted an application for refugee status shall be under obligation to abide by all the laws of Kenya

- a. **Designated Counties:** The Cabinet Secretary may designate through gazette notice and in consultation with the County Government Specific counties to host refugees.
- b. The cabinet secretary through a gazette notice designate specific places and areas in Kenya to be transit centers for purposes of temporarily accommodating refugees.
- c. **Economic and social Inclusion;** Refugees are to be enabled to contribute to the economic and social development of Kenya by facilitating access to and issuance of the required documentation at both levels of government.
- d. **Right to work;** Refugees recognized under the Refugee Act have the right to engage individually or in a group in a gainful employment or enterprise, or to practice a profession or trade where he holds qualifications recognized by competent

authorities in Kenya.

- e. **Right to Documentation;** Refugee and asylum seeker have the right to identification and civil registration documents. These documents shall be sufficient for purposes of accessing services and rights under the Refugee Act and other applicable law.
- f. **Refugee Identity Card Status;** The refugee identity card shall at a minimum have similar status to the Foreign National Registration Certificate for purposes of accessing rights and fulfilling obligations under the law.
- g. **East African Refugees;** a person from the East African Community who has been recognized as a refugee may opt to voluntarily give up his refugee status for purposes of enjoying any of the benefits due to him under the Treaty for the Establishment of the East African Community, the Protocol for the Establishment of the East African Community Common Market, and any other relevant written law. Regulation on the process, change of documents and protection safeguards would need to be in place
- h. **Non refoulement;** No person shall be refused entry into Kenya, expelled, extradited from Kenya or returned.

2.20 Integration, Repatriation And Resettlement Of Refugees



INTEGRATION, REPATRIATION AND RESETTLEMENT OF REFUGEES

Integration

- a. **Shared Resources:** The commissioner is mandated as practicable as possible to ensure shared use of public institutions, facilities and spaces between refugees and host communities.
- b. **Peaceful Coexistence:** The commissioner is mandated to sensitize host communities about the presence of refugees and any other matter relating to their co-existence with each other.
- c. **Inclusive planning:** The commissioner is mandated to liaise with the national and county governments for purposes of ensuring that refugee matters are taken into

consideration in the initiation and formulation of sustainable development and environmental plans.

Repatriation

- a. An asylum seeker or a refugee have the right at any time to return voluntarily to the country of his/her nationality or from the country in which they entered Kenya.
- b. A refugee who leaves Kenya on voluntary repatriation or who ceases to be a refugee is to surrender all the travel documents, identity cards, permits and any other documents which were acquired by the virtue of being a refugee.

Resettlements

- a. Refugee residing in Kenya may access resettlement in any other country outside Kenya except their country of origin.
- b. The commissioner is mandated to liaise with other relevant government ministries to seek more resettlement quarters in addition to the ones allocated through other agencies.

Refugee Data Base

- a. The Department of refugee services shall keep and maintain a register of all persons who have been granted refugee status and persons seeking asylum in Kenya.
- b. The Commissioner shall register and keep records of all asylum seekers and refugees present and the designated areas established in Kenya and for this purpose shall be deemed to be the Registrar of the asylum seekers and refugees provided that he or she may delegate this function in writing to a Settlement officer or refugee officer.

3 Refugee Management framework in Kenya and Refugee Documentation



Department Of Refugees Affairs
Website: www.refugees.go.ke
Tel: +254-020-2093675
Fax: +254-020-8047923

GOK PROOF OF REGISTRATION

Case No	DRA-990-123456	File No	GOA	Rift Valley Nakuru	Date of Registration 10-Nov-15
Size 1		RFL/ELD/2015/123	COO:	South Sudan, The Republic of	


Seq Full Name	Gender	Date of Birth	Relationship to HR1	Individual Number	GOK Serial Number	GOK 101R Number
01 JOHN DOE	Male	15 Jan 89	Household Representative 1	990-123456789	987654321	23454321



3.1 Asylum Seeker Pass

- Asylum Seeker pass with a one year validity period is issued to all persons of concern who registered with DRS from 1st March 2011.
- The earlier versions had a passport photo glued to the document, later the photo was printed on to the form to reduce cases of fraud. (generated from DRS database)
- Every member of the family receives this documentation.

Sample - Asylum Seekers Pass


Ministry of State for Immigration and Registration of Persons
Department of Refugee Affairs


Website: www.refugees.go.ke
Tel: +254-020-2093675
Fax: +254-020-8047923

Jurgottin, James Ochieng RO
P. O. Box 42227-00100
Nairobi, Kenya

FORM 2

ASYLUM SEEKER PASS

Name of Applicant: [REDACTED]
Registration No.: 111-120014501
Date of Birth: [REDACTED]
Place of Birth: WABER
Nationality: Somali
Date of Entry (in Kenya): 10-Jan-09
Place of Entry: MANDERA
Date of Issuance: 02-Jul-2012





TO WHOM IT MAY CONCERN

This is to certify that the above named person, national of Somalia is an asylum seeker whose claim for refugee status is being examined by the Commissioner for refugee status.

As an Asylum Seeker, he is a person of concern to the Office of the Commissioner for Refugees, and should, in particular, be protected from forcible return to a country where he claims to face threats to his life or freedom, pending final decision on his refugee status.

Questions regarding the information contained in this document may be directed to the Office of the Commissioner for Refugees at the address above.

This document is valid until: 2/7/2012

(Signature of designated officer) (Signature/Thumb print of Asylum Seeker)

This document is only valid in the original when bearing official stamp.

3.2 GoK Proof Of Registration

- This is a new referral form introduced by the DRS offices in Nairobi, Dadaab and Kakuma since 2012 in place of a referral slip.
- It shows family composition of the person of concern and it is formal proof that the person has been registered.
- It is issued to a household and not an individual.
- Currently used for registration referral process.

Sample - GoK Proof of Registration

Department Of Refugees Affairs
Website: www.refugees.go.ke
Tel: +254-020-2093675
Fax: +254-020-8047923

GOK PROOF OF REGISTRATION

Case No: DRA-150-120040168 File No: NBI/12/11587 COA: Nairobi Nairobi Date of Registration: 03-Dec-12
Size: 3 NBI/12/11587 COO: Somalia

Seq	Full Name	Gender	Date of Birth	Relationship to HR1	Individual Number	GOK Serial Number	GOK 101R Number
01	[Redacted]	Female	15-Feb-93	Household Representative 1	150-120040168	5013293993	2344949
02	[Redacted]	Male	03-Jul-95	Brother	150-120040168		2344950
03	[Redacted]	Female	08-Oct-97	Sister	150-120040168		2344951

01 02 03

Registration 7th Jan 2013

105027932

3.3 Letter Of Recognition

- DRS's 'Letters of Recognition' replace UNHCR Mandate Refugee Certificates (MRCs) for cases finalized after 01/JUL/2014.
- Existing MRCs remain valid. Renewal of MRCs stopped in 2016.
- LoR is valid for one year.

Sample - Letter of Recognition

OFFICE OF THE PRESIDENT
MINISTRY OF INTERIOR AND CO-ORDINATION OF NATIONAL GOVERNMENT
DEPARTMENT OF REFUGEE AFFAIRS

P.O. Box 42227-00100
The Castle, James Gichuru
Road, Lavington, Nairobi

Rat: RFG/OPS/15/14(99999) 22 September 2014

TO WHOM IT MAY CONCERN

Name: John DOE
Case number: 823-05C01586
Nationality: Somali Sex: Male
Date of birth: 29/Dec/1977 Place of birth: KISMAYU

This is to certify that the bearer of this letter and the five persons whose names and photos are shown overleaf are recognised as refugees by the Commissioner for Refugee Affairs under Section 3(1)(a) of the Refugees Act of Kenya 2006. These persons are of concern to the Office of the Department of Refugee Affairs and should in particular be protected from forcible return to a country where they face threats to their lives or freedom, pending issuance of a Refugee ID card as per Sections 14(a), 15(1)(a) of the Refugees Act of Kenya 2006 and Section 33(1) of The Refugees (Reception, Registration and Adjudication) Regulations, 2009.

This recognition letter expires on 21 September 2015 and may be renewed upon request.

Should you have any queries regarding this case, please do not hesitate to contact the Office of the Department of Refugee Affairs at the above address.

Thank you for your kind cooperation.

Yours Sincerely,
Haron Komen
Commissioner For Refugee Affairs

823-05C01586

01 02 03 04 05

06

SAMPLE

3.4 Waiting Slip

- This document is issued immediately to prima facie refugees upon registration at any DRS registration centre.
- Non prima facie refugees have to undergo RSD with DRS and when recognized they would receive the ID waiting slip.
- The document contains a 10-digit serial number which serves as a main reference during verification with the DRS and which is concurrently reflected in the Refugee Identity Card.

Sample - Waiting Slip

SERIAL N° 5013580047

ORIGINAL

REPUBLIC OF KENYA

APPLICATION FOR REFUGEE REGISTRATION ACKNOWLEDGEMENT

1 Registration office: DRS

2 Surname: [REDACTED]

3 Date of birth: 05-Feb-91

4 Passport N°: [REDACTED]

5 File N° R: [REDACTED]

6 Name of Registration Officer: [REDACTED]

Signature: [REDACTED]

Date: 02-Jul-12

Signature: [REDACTED]

Left Thumb Print: [REDACTED]

This acknowledgement is not an Refugee card

3.5 Refugee Identity Card


- Issuing authority: Refugee Affairs Secretariat (DRS) offices; though it is produced by the National Registration Bureau
- The name of the document was changed from “Alien certificate” to “Refugee identity card” in 2008 (all other features, including individual numbers etc. remained the same)
- Validity: 5 years,
- Alien cards that expired in 2008 were renewed by a Gazette notice issued by the Government of Kenya (for further 5 years)



3.6 Minors Pass

- It is issued to persons under 18 years whose parents have been recognized as refugees or who have been recognized individually but as minors.
- Validity: Until the person attains 18 years and can apply for a refugee identity card.
- Issuing authority: DRS


Sample - Refugee Identity Pass

REPUBLIC OF KENYA

MINISTRY OF INTERIOR AND CO-ORDINATION OF NATIONAL GOVERNMENT
DEPARTMENT OF REFUGEE AFFAIRS
P. O. Box 42227-00100
Nairobi, Kenya

Reg. No.: 100-1501: Serial No.:

REFUGEE IDENTITY PASS FOR (MINOR) BELOW 18 YEARS OF AGE

Name of Applicant: _____
Date of Birth: 01 - ____ - ____
Place of Birth: _____
Nationality: Somali
Date of Entry (in Kenya): 20-Jan-15
Place of Entry: LTBOI
Date of issuance: 04-Feb-2015
Expiry Date: 04-Feb-2020


Theresa
From 10 years of age

This is to certify that the above named person below 18 years of age is Somalia national, recognized as a refugee in Kenya under Refugee Act.

The holder therefore is a person of concern to the Commissioner for Refugees and should in particular be protected from forcible return to a country where she claims to face threats to her life or freedom.

This pass will expire on attaining 5 years or when the parent's refugee identity card expires. On attaining 18 years the holder becomes eligible to apply for the refugee Identity Card.

Questions regarding the information contained in this document may be directed to the Office of the Commissioner for Refugee Affairs.

For: COMMISSIONER FOR
REFUGEE AFFAIRS
P. O. Box 42227 - 00100

Signature of Designated officer: _____

Minor Identity Pass

3.7 Rejection Letter

These are letters issued to asylum seekers whose refugee status has been denied in the country after undergoing an Refugee Status Determination (RSD) interview for having not met the threshold.

3.8 Convention Travel Document

- a. Convention travel documents are blue in colour and resemble a passport in size and shape, with 'Travel Document (Convention of 28 July 1951)' written in English and French on the cover.
- b. The inside lists personal details and holds a photograph of the bearer and contains visa pages. These documents are issued by the Kenyan government and are valid for two years.
- c. These documents confirm the refugee status of persons. A comparatively small number of refugees are provided with Convention Travel Documents for the purposes of travel abroad.
- d. Kenya is in the process of transitioning from CTDs to eCTDs.

Reasons for issue:

- a. Resettlement;
- b. Education;
- c. Medical;
- d. Employment;
- e. Business;
- f. Family;
- g. Humanitarian;

Requirements:

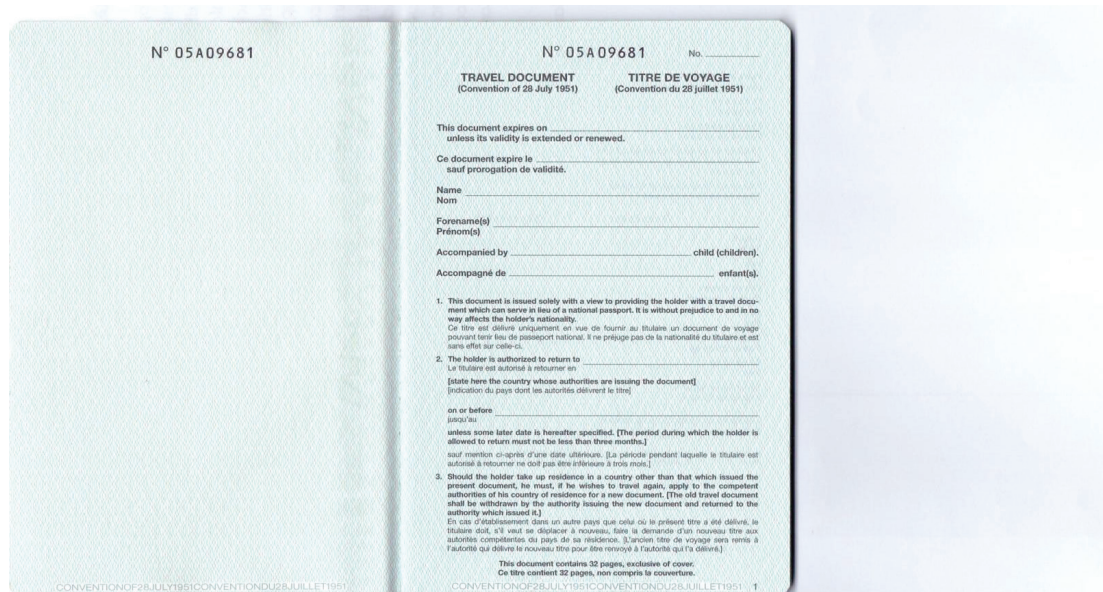
- a. a copy of his refugee identity card or refugee identification pass;
- b. four recent colour passport photographs;
- c. the reason for travel; and
- d. any other relevant document. (E.g Kenyan recommender)

Other CTD requirements

- a. Duly filled application form (issued by DRS or UNHCR).
- b. Recommender's ID card copy (MUST BE A KENYAN).
- c. Telephone number.
- d. An application letter addressed to;

*Department of Refugee Services,
The Corporate Place,
Kiambere Road,
Upper Hill,
P.O Box 42227-00100, Nairobi.*

Sample - CTD




3.9 Movement Pass

- Previously issued to new asylum-seekers in Nairobi to enable them travel to the camp for registration and related assistance.
- Validity of such documents varies between 10 days to 3 months.
- Issuing authority: It was issued by UNHCR from 1 Jan 2005 to 1st Mar 2011 after which DRS took up the issuance of movement passes from Nairobi to camp.
- It is now issued by DRS to all new arrivals.

3.10 Movement Pass For Camp-Based Refugees

- Movement passes are issued to camp-based refugees travelling outside the designated areas (Kakuma camp and Ifo/Dagahaley/Hagadera camps in Dadaab) for various reasons.
- Reasons for travel may include education, medical/health, relocation (to another camp or urban area), resettlement.
- They may have a validity from several days to max. 3 months.
- Movement passes are generated from the DRS's database, signed by the camp authority (Refugee Camp Officer) and stamped by both GoK, and in some cases UNHCR.

Sample Movement Pass


OFFICE OF THE PRESIDENT
MINISTRY OF INTERIOR AND CO-ORDINATION OF
NATIONAL GOVERNMENT
DEPARTMENT OF REFUGEE AFFAIRS

Website: www.dra.go.ke
E-mail: info@dra.go.ke
Tel: +254-020-2030873
Fax: +254-020-2047623

Lavington, James Gichuru Rd
P.O. Box 42227-00100
Nairobi, Kenya

2nd MAY 2016


MOVEMENT PASS

NAME:	ABDI
ID. NO.	ABDI
NATIONALITY:	SOMALI
DATE OF BIRTH:	01/01/2010
PLACE OF BIRTH:	SOMALIA
DATE OF ENTRY IN KENYA:	01/01/2010
PLACE OF ENTRY IN KENYA:	11001
COLOUR:	MALE
DEPENDANTS:	


This is to certify that the above named individual(s) is of concern to the Government of Kenya. Pursuant to section 17(1) of the Refugee Act, 2006, this office hereby authorizes the foregoing individual(s) to travel from Nairobi to Dadaab. Back to camp of residence.

The authorities are kindly requested to allow him/her/their safe passage in accordance with this travel authorization. This document expires on 15th May, 2016 and should be surrendered to the Camp Manager upon arrival.

This document is issued pursuant to the Government directive that all refugees should go to refugee camps.


COMMISSIONER FOR REFUGEE AFFAIRS
Kenya

+ Commission for Refugees Affairs
P.O. Box 10257-00100
Nairobi


ATTACHMENT

3.11 Exemption Letter

- In Kenya, all refugees are required to stay at the designated camps. Exceptional cases however may be given few consideration.
- It is these exceptional cases that are given exceptional letters as permit to stay outside the designated areas

- c. Exceptional cases include;
 - i. Family reunification
 - ii. Unaccompanied or separated minors
 - iii. Exceptional educational considerations
 - iv. Health and security

3.12 Cessation From Refugee Status Due to Marriage

- a. Passport from the country of origin.
- b. Refugee ID card copy and original.
- c. Marriage certificate copy.
- d. Spouse's copies of Kenyan ID and Kenyan passport.
- e. Dependant pass or the notification from Immigration.
- f. Telephone number.
- g. An application letter addressed to;

*Department of Refugee Services,
The Corporate Place,
Kiambere Road,
Upper Hill,
P.O Box 42227-00100, Nairobi.*

3.13 Appointment Slip

- a. UNHCR/DRS - issued Appointment for Asylum Seekers
- b. It is a document that contains an appointment date for action (RSD interview or issuance of MRC in case if a person is recognized as a refugee)

Sample - Asylum Seeker Certificate

UNHCR
United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les Réfugiés

UNHCR Branch office Nairobi
P. O. BOX 43801-00100
NAIROBI - KENYA
Tel: +254-20-4232020
Fax: +254-20-4232080
Email: ken@unhcr.org

Date Issued: _____


**UNHCR ASYLUM SEEKER CERTIFICATE
TO WHOM IT MAY CONCERN**

Name: _____
File Number: _____ Our code: _____ Dependants: _____
Date of birth: _____ Sex: Male _____ Nationality _____

This is to certify that the bearer of this letter is an asylum seeker whose claim for refugee status is being examined by the office of the United Nations High Commissioner for Refugees. This person is of concern and should, in particular, be protected from forcible return to a country where he/she claims to face threats to her/his life or freedom, pending a final decision on his/her refugee status.

Questions regarding the information contained in this document may be directed to the office of the United Nations High Commissioner for Refugees at the above address.

Appointment Details: -
Appointment Date: _____ Appointment Time: _____
Purpose:
☐ Interview with Eligibility Center: _____ ☒ Camp FP Checked
☐ Decision collection at Eligibility Center: _____

For an Interview please bring the following:
a) Documents that you may have, that would support your claim such as:
☐ ID Documents ☐ Travel Documents ☐ Driving Licence
☐ Educational Certificates ☐ Newspaper clippings ☐ Marriage / Birth Certificates
☐ Medical records ☐ Letters and other documents that are relevant.
b) The following family members whom you have listed as your dependants:


Issued by: _____
Dated: 7 Jan 16, 2017

Printed by: E_RATANGIN

3.14 Ration Card

Its issued to refugees in the camps to enable them access various services ie food.

3.15 Student Pass

- a. Issued to all refugee students studying in Kenya.
- b. The students need a recommendation letter from DRS.
- c. The student pass is processed by the Department of Immigration.

3.16 Student's Pass Recommendation Letter

- a. Refugee ID card copy.
- b. Letter of admission from institution
- c. Student ID copy or a list of requirements from the school.
- d. Telephone number.
- e. Application letter addressed to;

*Department of Refugee Services,
The Corporate Place,
Kiambere Road,
Upper Hill,
P.O Box 42227-00100, Nairobi.*

3.17 KNEC Recommendation Letters For Candidates

This letter is issued to students sitting for national exams both in primary and secondary schools (KCPE and KCSE)

Requirements

- a. Any refugee document issued by DRS or UNHCR (Asylum seekers pass, proof of registration, UNHCR mandate).
- b. Introduction letter from the school addressed to;

*Department of Refugee Services,
The Corporate Place,
Kiambere Road,
Upper Hill,
P.O Box 42227-00100, Nairobi.*

3.18 Work Permit

- a. Issued to refugees who have been recognized (including prima facie refugees) holding valid refugee identity cards
- b. Issued free of charge
- c. Valid for 2 years (renewable)
- d. Issued by the Directorate of Immigration
- e. DRS writes recommendation letter

3.19 Work Permit Recommendation Letter

Employees

- a. Refugee ID card copy.
- b. Telephone number
- c. Introduction letter from the employer addressed to;
*Department of Refugee Services,
The Corporate Place,
Kiambere Road,
Upper Hill,
P.O Box 42227-00100, Nairobi.*

Self-Employment

- a. Refugee ID card copy.
- b. Business registration documents.
- c. Telephone number.
- d. An application letter addressed to;
*Department of Refugee Services,
The Corporate Place,
Kiambere Road,
Upper Hill,
P.O Box 42227-00100, Nairobi.*

3.20 Certificate Of Good Conduct

- a. Refugee ID card copies (2).
- b. Mandate copy (optional).
- c. An official document stating the need for a certificate of good conduct.
- d. Telephone number.
- e. An application letter addressed to;
*Department of Refugee Services,
The Corporate Place,
Kiambere Road,
Upper Hill,
P.O Box 42227-00100, Nairobi.*

3.21 KRA Pin Recommendation Letter

Requirements

- a. Refugee ID card copy.
- b. Class M permit copy.
- c. Introduction letter from the employer in case of employment.
- d. Business registration certificate for individuals and partnerships and certificate of incorporation in case of companies.
- e. Telephone number.
- f. An application letter addressed to;

*Department of Refugee Services,
The Corporate Place,
Kiambere Road,
Upper Hill,
P.O Box 42227-00100, Nairobi.*

3.22 Bank Account Opening Recommendation Letter

- a. Refugee ID card copy.
- b. Business registration certificate copy for partnership accounts and certificate of incorporation copy for company accounts.
- c. Telephone number
- d. Introduction letter from the bank addressed to;

*Department of Refugee Services,
The Corporate Place,
Kiambere Road,
Upper Hill,
P.O Box 42227-00100, Nairobi.*

3.23 Birth Certificate Letters

The letter acts in place of birth certificate for refugees who do not have it. Its mostly issued to all school going children because of the new registration regulations issued by the Ministry of Education (NEMIS)

- a. Any refugee document issued by DRS or UNHCR.
- b. Introduction letter from the school addressed to;

*The Corporate Place,
Kiambere Road,
Upper Hill,
P.O Box 42227-00100, Nairobi.*



P.O Box 10269-00100
Wood Avenue, behind Adlife Plaza
Landline: +254 720 896 025
Email: landrite@pamojatrust.org
Website: www.pamojatrust.org