HACETTEPE UNIVERSITY
INSTITUTE OF POPULATION STUDIES

**FROM REFUGE TO WAR ZONE: POLICY FAILURE IN THE
INVOLUNTARY RETURN OF SOMALI REFUGEES TO WAR-TORN
SOMALIA BY THE GOVERNMENT OF KENYA**

George Mwatata MWACHIRO

Department of Demography
Master's Thesis

Ankara
June, 2019

APPROVAL PAGE

From Refuge to War Zone: Policy Failure in the Involuntary Return of Somali Refugees to war-torn Somalia by the Government of Kenya

George Mwatata, MWACHIRO

This is to certify that we have read and examined this thesis and in our opinion it fulfills the requirements in scope and quality of a thesis for the degree of Master of Arts in Demography
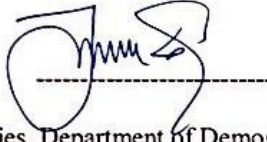
Jury Members:

Doç. Dr. Saime Özçürümez (Chair)

Bilkent University, Faculty of Economics, Administrative and Social Sciences, Department of Political Science and Public Administration

Prof. Dr. İsmet Koç (Supervisor)

Hacettepe University, Institute of Population Studies, Department of Demography

Prof. Dr. A. Banu Ergöçmen (Member)

Hacettepe University, Institute of Population Studies, Department of Demography

This thesis has been accepted by the above-signed members of the jury and has been confirmed by the Administrative Board of the Institute of Population Studies, Hacettepe University.

..../....2019

Prof. Dr. A. Banu Ergöçmen
Director

HACETTEPE UNIVERSITY
INSTITUTE OF POPULATION STUDIES
THESIS/DISSERTATION ORIGINALITY REPORT

HACETTEPE UNIVERSITY
INSTITUTE OF POPULATION STUDIES
TO THE DEPARTMENT OF DEMOGRAPHY

Date: 17/06/2019

Thesis Title / Topic *From Refuge to War Zone: Policy Failure in The Involuntary Return of Somali Refugees to War-Torn Somalia by the Government of Kenya*

According to the originality report obtained by myself/my thesis advisor by using the *TURNITIN.* plagiarism detection software and by applying the filtering options stated below on 17/06/2019 for the total of 89 pages including the a) Title Page, b) Introduction, c) Main Chapters, and d) Conclusion sections of my thesis entitled as above, the similarity index of my thesis is 9 %.

Filtering options applied:
1. Bibliography/Works Cited excluded
2. Quotes excluded
3. Match size up to 5 words excluded

I declare that I have carefully read Hacettepe University Institute of Population Studies Guidelines for Obtaining and Using Thesis Originality Reports; that according to the maximum similarity index values specified in the Guidelines, my thesis does not include any form of plagiarism; that in any future detection of possible infringement of the regulations I accept all legal responsibility; and that all the information I have provided is correct to the best of my knowledge.

I respectfully submit this for approval.

Date and Signature

Name Surname:	George Mwatata Mwachiro
Student No:	N17125461
Department:	Demography
Program:	Demography M.A. Program
Status:	☒ Masters ☐ Ph.D. ☐ Integrated Ph.D.

ADVISOR APPROVAL

APPROVED.

Prof. Dr. İsmet Koç

_____
(Title, Name Surname, Signature)

FROM REFUGE TO WAR ZONE: POLICY FAILURE IN THE INVOLUNTARY RETURN OF SOMALI REFUGEES TO WAR-TORN SOMALIA BY THE GOVERNMENT OF KENYA

Yazar George Mwatata Mwachiro

FROM REFUGE TO WAR ZONE: POLICY FAILURE IN THE INVOLUNTARY RETURN OF SOMALI REFUGEES TO WAR-TORN SOMALIA BY THE GOVERNMENT OF KENYA

ETHICAL DECLARATION

In this thesis study, I declare that all the information and documents have been obtained in the base of the academic rules and all audio-visual and written information and results have been presented according to the rules of scientific ethics. I did not do any distortion in data set. In cases of using other people's works, related studies have been fully cited in accordance with the scientific standards. I also declare that my thesis study is original except cited references. It was produced by myself in consultation with supervisor Prof. Dr. İsmet Koç and written according to the rules of thesis writing of Hacettepe University Institute of Population Studies.

....

George Mwatata MWACHIRO

DECLARATION OF PUBLISHING AND INTELLECTUAL PROPERTY RIGHTS

I declare that I give permission to Hacettepe University to archive all or some part of my master/PhD thesis, which is approved by the Institute, in printed (paper) or electronic format and to open to access with the following rules. With this permission, I hold all intellectual property rights, except using rights given to the University, and the rights of use of all or some parts of my thesis in the future studies (article, book, license, and patent).

I declare that the thesis is my original work, I did not violate rights of others and I own all rights of my thesis. I declare that I used texts with the written permit which is taken by owners and I will give copies of these to the University, if needed.

As per the "Regulation on the Online Availability, Arrangement and Open Access of Graduate Theses" of Council of Higher Education, my thesis shall be deposited to National Theses Center of the Council of Higher Education/Open Access System of H.U. libraries, except for the conditions indicated below;

o The access to my thesis has been postponed for 2 years after my graduation as per the decision of the Institute/University board.[4]

o The access to my thesis has been postponed for .... month(s) after my graduation as per the decision of the Institute/University board.[5]

o There is a confidentiality order for my thesis.[6]

17/06/2019

George Mwatata MWACHIRO

ACKNOWLEDGEMENT

DEDICATION

To my mother, whose memory I cherish across the vale of years. For the long arm of fate had it that way, this is for you.

ABSTRACT

In the world's real state of nature, people are forcefully evicted from their homes every other time either because they are targets of their state's persecutions or their state's failure to protect them from violent conflicts and wars that make people's homes inhabitable. They flee to other states in search of safety and because States, the world over, have collectively claimed the territories in form of physical boundaries, autonomy and sovereignty, these subjects of eviction transform to being refugees. Pushed from their homes, coupled with the fact that States continue to erect high border fences and walls and legislate restrictive migration policies aimed to wade off refugee claims, as they portray refugees as a burden and a problem to be addressed, their protection has been of primary concern to the international community. National asylum systems, however, have been inadequate and their procedures ineffective in addressing the plight of refugees. Structured around the following general research question: What are the policy failures in the motivations, interests and strategies by the Kenya Government, Federal Republic of Somalia, UNHCR and other stakeholders in pushing for repatriation of Somali Refugees spontaneously and prematurely?, the study answers the question by tracing the Kenyan asylum procedures over time with respect to the principles of *non-refoulement* and the right to asylum. Following a theoretical evaluation of these two key principles, both at the international and domestically in Kenya, and in the framework of the 1951 Refugee Convention, this study endeavored to show that the Kenyan asylum laws are not independent from the international asylum legal framework, and that Kenya must honour its international obligation to protect refugees. Taking account of Kenya's international obligation, the Federal Republic of Somalia's duty to create conditions of just return for its citizens and UNHCR's mandate to protect refugees, the study continues its analysis by qualitatively investigating the role and motivation of those three parties in promoting return of refugees at a time when Somalia is still not safe and the Federal Government of Somalia has admitted to not being able to accommodate large-scale returns of its nationals. The study concludes that the Government of Kenya's security and sovereignty concerns, the Somali Government's push for legitimacy after decades of war, and UNHCR's battle with host State's pressure to return refugees informed the decision to prematurely evict refugees from Kenya. Moreover, the study reveals the inadequacy of the Kenya's asylum space and advocates for hastening of the repeal of the Refugee Act 2006 by parliament so that refugees can adequately access protection. But before that happens, refugees in Kenya continue to suffer from inadequate protection challenges, and the international community and donor States are strongly encouraged to readapt their practices and align them to the refugee challenges of the 21st century. Top of the chart is the need to support Somalia's demographic security challenge whose picture portrays an outright outlier in the demographic sense, besides fixing the physical security situation in Somalia.

ÖZET

Dünyanın gerçek doğasında, insanlar sürekli olarak devletlerinin zulmünün hedefi oldukları için ya da devletlerinin onları, evlerini yaşanmaz hale getirecek şiddetli çatışmalardan ve savaşlardan koruyamaması nedeniyle evlerinden zorla tahliye edilmektedirler. Güvenlik arayışı içinde diğer devletlere kaçmaktadırlar ve dünya üzerindeki devletlerin ortaklaşa bir biçimde toprak parçalarını fiziksel sınırlar, özerklik ve egemenlik şeklinde talep etmesi nedeniyle, tahliye edilen bu kişiler mülteci haline dönüşmektedirler. Evlerinden atılan ve bununla birlikte devletlerin yüksek sınır çitleri ve duvarları kurmaya devam etmeleri, mültecileri bir yük ve ele alınması gereken bir sorun olarak gösteren, mülteci iddialarını durdurmayı amaçlayan kısıtlayıcı göç politikalarını yasalaştırmaları nedeniyle, mültecilerin korunmaları uluslararası toplum için birincil endişe kaynağını oluşturmaktadır. Bununla birlikte, ulusal sığınma sistemleri yetersiz ve prosedürleri de mültecilerin kötü durumunun ele alınmasında etkisiz kalmaktadır. Bu tez aşağıdaki genel araştırma sorusu etrafında yapılandırılmıştır: Kenya Hükümeti, Federal Somali Cumhuriyeti, Birleşmiş Milletler Mülteciler Yüksek Komiserliği (BMMYK) ve diğer paydaşların motivasyonları, menfaatleri ve stratejileri içerisinde, Somali mültecilerini kendiliğinden ve zamanından önce ülkelerine geri göndermelerini zorlamadaki politika başarısızlıkları nelerdir? Çalışma bu soruya *geri göndermeme* ve iltica hakkı ilkeleri hususunda, zaman içerisindeki Kenya iltica prosedürlerinin izini sürerek cevap vermektedir. Bu iki temel ilkenin hem uluslararası hem de Kenya içerisinde ve 1951 Mülteci Sözleşmesi çerçevesinde yapılan teorik değerlendirmesinin ardından, bu çalışma Kenya iltica yasalarının uluslararası iltica yasal çerçevesinden bağımsız olmadığını ve Kenya'nın mültecileri koruma konusundaki uluslararası yükümlülüğünü yerine getirmesi gerektiğini göstermeye çalışmıştır. Kenya'nın uluslararası yükümlülüğü, Federal Somali Cumhuriyeti'nin vatandaşları için olumlu geri dönüş şartlarını oluşturma görevi ve BMMYK'nın mültecileri koruma yetkisini göz önünde bulunduran bu çalışma, Somali'nin hala güvende olmadığı ve Federal Somali Hükümeti'nin geri dönen vatandaşlarının büyük bir bölümüne barınacak bir yer temin edemediğini itiraf ettiği bir zamanda, bu üç grubun, mültecilerin geri dönüşünü teşvik etmedeki rollerini ve motivasyonlarını niteliksel olarak inceleyerek analizine devam etmektedir. Çalışma, Kenya Hükümeti'nin güvenlik ve egemenlik endişelerinin, Somali Hükümeti'nin yıllarca süren savaşın ardından meşruiyete itilmesi ve BMMYK'nın ev sahibi devletin mültecileri iade etme konusundaki baskısı ile ilgili savaşıyla, mültecilerin zamanından önce Kenya'dan tahliye etmesiyle ilgili bildirilen karar ile sonuçlanmaktadır. Ayrıca, bu çalışma Kenya'daki iltica alanlarının yetersizliğini ortaya koymakta ve mültecilerin korumaya yeterince erişebilmeleri için 2006 tarihli Mülteci Yasası'nın mecliste yürürlükten kaldırılmasını savunmaktadır. Ancak, bu gerçekleşene kadar, Kenya'daki mülteciler yetersiz koruma zorluklarından muzdarip olmaya devam etmektedirler ve uluslararası toplum ve bağışçı devletlerin uygulamalarını yeniden uyarlamaları ve bunları 21. yüzyılın mülteci zorluklarına göre hizaya sokma konusunda şiddetle teşvik edillmektedirler. Bu listenin en üstünde, Somali'deki fiziksel güvenlik durumunu düzeltmenin yanı sıra, demografik açıdan tamamen aykırı bir şekilde tasvir edilen Somali'nin demografik güvenlik sorununu destekleme ihtiyacı bulunmaktadır.

TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES

LIST OF ABBREVIATIONS

CVT   Centers of Victims of Torture

IMR   Infant Mortality Rate

MMR   Maternal Mortality Ratio

NGO   Non-Governmental Organization

SPSS   Statistical Package for Social Sciences

Std. Deviation   Standard Deviation

TFR   Total Fertility Rate

UN   United Nations

UNHCR   United Nations High Commission for Refugees

VRF   Voluntary Repatriation Form

CHAPTER I

INTRODUCTION

1.1 Background

The international refugee system is operating at a very unprecedented and trying time as the world is faced with record surges of refugee numbers, while at the same time the refugee regime is battled with protection and assistance challenges(Aleinikoff,2018). Hosts states, such as Kenya, are increasingly protectionists, adopting restrictive refugee policies and serving self-interest at the expense of honoring international protection obligations, (Loescher, 1994).The international community does not offer dependable processes of responsibility sharing and donor states are non-committal in terms of financial support and expanded refugee settlement places (Aleinikoff, 2018). According to Hammond (2014), for countries of origins the push for premature returns of their citizens even when conditions are not yet suitable for large-scale returns has emerged as a key tool to enhance their legitimacy in post-conflict situation, as well as a statement that their state is free from any fear of persecutions, (Bradley, 2014). Bradley (2013) sees the push for refugee returns by countries of origin as a way to promote peace building and accountability for human rights violations and facilitate reconstitution of broken relationships between abusive states-the perpetrators of atrocities and refugees who represent victims of injustices.

In the process, genuine refugees are denied the right to protection provided for in the 1951 refugee statutes as more and more refugees across the world are holed up in lengthy protracted situations with no hope of reconstructing their lives or meaningfully contribute to the host societies. The humanitarian system responsible for emergency care is overstretched as a result. The *Daadab* situation is one such example of a protracted refugee case. *Daadab*, a complex of

camps situated in the North Eastern part of Kenya, has accommodated generations of refugees for decades, and remains the biggest refugee hosting settlement in the world, (Stanley, 2015). Started in 1992 when refugees first started flocking into Kenya due to civil unrest in Somalia, (UNHCR, 2017), the camps are now overly stretched and their management is far beyond the capacity with which they were originally built, (Hammond, 2014).According to UNHCR (2018), *Daadab* refugee camp was originally meant to accommodate only 90,000 refugees, a number that has since more than tripled, (UNHCR, 2018). By April 2017, an estimated 245,126 refugees were being hosted in the camp, 98% of them being of the Somali population, (Alfred, 2018). With limited space to expand and resistance from the Kenyan authorities (Clottey, 2018), the refugee crisis in the camps keeps on compounding with every passing day. Sanitation conditions have deteriorated as the numbers of refugees keep on increasing (Abdi, 2015). The camp being only a temporal sanctuary for those fleeing the Somalia civil war has now, 28 years later, turned out to be a city.

In May 2016, the Horn of Africa was on top of world's breaking news of the Government of Kenyan's declaration to close the *Daadab* refugee camp within a year and send the thousands of refugees back to Somali. For decades, *Daadab*, the world's largest refugee camp, has been home to over 330,000 refugees most of whom are of Somali origin, driven from their homes by violent conflicts (UHNCR, 2016). Majority of them are products of the refugees' second, third and fourth generations having been born in the camp, and do not know any other homes apart from the camp (Migiro, 2018).

In making that loose and dangerous announcement, the Kenya government was clear on its intent to send the refugees to their war-torn country, citing economic burden and insecurity as the camp serves as a breeding ground for terror groups (Kenya Daily Nation, 2017). This decision came hot on the heels after the Somali based Al- Shabab militia group launched a

string of terrorist attacks in Kenya including the heinous massacre of more than 150 students in a Kenyan University in the summer of 2015. The militia group is also responsible for the Westgate mall siege in the heart of the city of Nairobi among other deadly attacks, (Harrison, 2016).

While the push for closure of the camps and policy decisions on repatriation have been piling in Kenya over the years, the recent pronouncement and policy decision taken by the government regarding refugees marks a shift from its historical approach towards refugees and demonstrates a solid stance by the government to make good of the threat, (Mutambo, 2016). Lack of viable options available for refugees coupled with the extremely tight deadline, welcomes the possibilities of massive forced returns to Somalia for the vulnerable refugees. While the Government of Kenya has held that the returns will be humane, safe and dignified in accordance with the Tripartite agreement signed by UNHCR, Kenya and Somali officials in 2013, Amnesty International, (2017) maintains that the returns are far from being voluntary and in contravention of the 1951 Refugee Convention to which Kenya is a signatory.

This study, therefore, traces the policy challenges in the recent promotion of repatriation and the twist and manipulations of the standards of voluntary repatriation to justify involuntary returns of Somali refugees by the Government of Kenya and Federal Government of Somalia, and UNHCR. Specifically, the study focusses on returns as part of a new political reality that has seen a formal shift to refugee assistance in Kenya, pointing, in policy terms, to a process that is not as natural as being portrayed by the Tripartite Agreement signed by UNHCR and the governments of Kenya and Somalia. The lack of general preparedness in terms of establishment of proper structures and comprehensive refugee return policies by the host country, Kenya, that could jeopardize the rights of refugees as stipulated in the 1951 Geneva Convention, is the primary focus of this study and the policy failure by the government of

Kenya that is being referred herein. The study endeavoured to show that although the Tripartite Agreement for repatriation requires voluntariness, in reality, the process is politically motivated, self-interested and a premature initiative that compromises refugee safety and therefore needs to be scrutinized from the three perspectives mentioned.

Beyond the sugar-coated Government of Kenya's rhetoric, refugees continue to face harassment from government officials and limited access to assistance. Besides, they are not supplied with accurate facts, neither are they guided on the areas of return to enable them make informed decisions. This serves to increase the pressure for refugees to go back to Somalia, (Amnesty International, 2017). Somalia is still fragile, with more than 20,000 peacekeepers deployed by the African Union to fight Islamic insurgents along with the Somali forces.

However, the move to close the camp has since been condemned by human rights organisations, terming it illegal, impractical and an exercise amounting to serious human rights violation of refugees. The Kenya Government postponed the decision by six months following UNHCR's request, (Kenya Government, 2017). The November 2016 deadline for the closure was, however, extended to May 2017 but a new deadline was not publicly declared after the May deadline elapsed. The government of Kenya, however, is still actively pushing for Somali Refugees to return home, and by appealing for funds to facilitate returns, UNHCR and some donor governments appear to be acceding to the government of Kenya's pressure for closure of camps, (Yarnell, 2015). But with the turmoil in Somali entering its fourth decade, (Aleinikoff and Zamore, 2018) and refugee returns to their homes seemingly not safe at the moment, there is still a long way until the situation in Somalia is good enough for large- scale returns.

1.1.1 Global and Regional Refugee Trends

Today the world is faced with the greatest movement of people of all times, probable one of the greatest after the World War II, (World Bank, 2015). According to the World Bank, close to 70 million people across the world are displaced; either as refugees or internally displaced persons. Forced displacements around the world are usually protracted and unresolved. According to the UN Refugee Agency, approximately 68.5 million people in 2017 were victims of forced migration. This figure represents one person in every 113 people is displaced across the globe, (UNHCR, 2018). If displaced people cross international borders they are referred to as refugees. The world recorded 25.4 million refugees in 2017; an all-time high to date, representing an increase of 2.9 million from 2016. Of these, 19.9 million was the population of concern to UNHCR and 13.4 million were in protracted situations, (UNHCR, 2018). Since 2011, the number of refugees has continued to soar due to persecution, conflict and generalized violence; with a recorded increase of 65% over the five-year period. In 2017 the refugee population increased by 2.9 million representing 12.8%, while in 2016 the figures increased by 1.1 million representing 7%, in 2015 the increase was by 1.7 million representing 12% and by 2.2 million in 2014 representing 23%, (UNHCR, 2018).

In Syria, the over eight-year war and fighting has resulted in forcibly displacement of over 13 million people; the largest by any country in the world, (Care, 2018). Most of them are hosted in Turkey, Jordan and Lebanon, where they freely mix with locals mostly in poor, overcrowded and dangerous neighborhoods of urban settings. However, about 10%, most of which are children, are hosted in camps in Jordan. Turkey hosts approximately 3.5 million Syrian refugees, while others have also sought refuge in Egypt and Iraq, (UNHCR, 2018). Yet millions others have risked their lives all the way to European countries to seek asylum and livelihood

opportunities. They struggle to eke a living as they strain already overstretched basic amenities and infrastructure in the host countries.

The same can be said about Myanmar and Yemen; two other countries that have also endured long standing violent conflicts and turmoil. In Myanmar, the crisis that has resulted from prolonged violence and discrimination has seen over 900,000 Rohingyans flee their home to Bangladesh, most of whom are women, children and the elderly (Care, 2018). The Rohingyan crisis is unique in two ways; it is the fastest growing refugee crisis in terms of arrivals, and the densest in terms of concentration at the Cox Bazar in Bangladesh. Yemen records the greatest global humanitarian situation at the moment that has far reaching impacts on human life, basic services as well as the economy. Care (2018) reported over 2 million people are displaced since the conflict between the government and non-governmental forces begun in 2014. 16 million other people are in need of food aid as families struggle to survive, famine is at its highest, and outbreak of communicable diseases put civilian lives at risk. The US executive order on Syrian and other Muslim allied refugees dimmed the hopes of this disadvantaged group of people to seek assistance as they genuinely run away from government persecutions, conflicts, insecurity and famines.

Regionally, forced displacements and refugee problem in the Sub Saharan region are pervasive and as old as humanity itself (Rwamatwara, 2014). Crisp (2006) asserts that the post-colonial Africa has been marked by massive displacement of people, with millions of people in Sub Saharan Africa and the continent at large, being forced to abandon their homes to seek refuge in neighbouring countries due to mainly armed conflicts, environmental hardships and poverty. This recurring mass displacement made national governments, as well as regional authorities to go through gradual processes of policy formulation and implementation in response to the

specific incidences of population movements. The responses ranged from open to closed door policies to refugees. Today, four African countries; Ethiopia, Kenya, Uganda and Chad rank among the world's top 10 countries playing host to the highest number of refugees, (Croll, Peter, 2009).

More than two million Somali nationals are displaced due to the armed conflict in their country that has spanned over two decades. An estimated 900,000 are refugees in neighboring countries in the regions; Kenya (308,700), Yemen (255,600), Ethiopia (246,700), and Djibouti (22,100), (UNHCR, 2017). South Sudan, ranking as one of the poorest countries in the world is struggling with brutal wars and deteriorating conditions. The country has degenerated into a full-blown humanitarian and economic crisis with food security one of the biggest challenges throughout the country. Millions are displaced in neighboring Uganda, Kenya and Democratic Republic of Congo, making it the largest and worst humanitarian crisis in the region, just behind Syria and Afghanistan in the world, (UNHCR, 2018). Breaking from the north in 2011 after a historic vote in 2005, the war between the north and south left over 4 million people displaced and score others dead as the country broke into violent conflicts and chaos.

In 2017, the refugee population in Sub Saharan Africa increased by 1.1 million representing 22% of the global refugee population. This was mainly due to the crisis in South Sudan where more than a million are feared to have fled to neighboring countries and hosted as follows, Uganda (1,037,400), Sudan (772,700), Ethiopia (421,400), Kenya (111,500), and the Democratic Republic of Congo (89,000). With a total refugee population of 6.3 million, the region hosted more than a third of the refugee population globally, (UNHCR, 2018).

1.1.2 Involuntary Repatriation of Somali Refugees

Imposed returns of refugees happen when refugees are driven out of the host country back to their own country against their will and mostly to sub- optimal conditions in the country of origin, (Stanley, 2015). Chimni (2004) posit that, pursued as a solution to refugees, involuntary repatriation is a situation where returnees are prematurely repatriated under some form of duress. As one of the three durable solutions advocated by UNHCR, imposed returns often fail to address the needs of refugees. Bradley (2013,) describes the emphasis on involuntary repatriations as signalling a major shift in the international refugee system, not motivated by refugee protection needs, but hosts' and donor states interests as well as countries of origin. According to Lauren (2015), key stakeholders motives are behind most repatriation programs and that standards are usually reconstructed to justify imposed returns and UNHCR'S involvement in these processes. Today, refugee hosting countries especially in the global South are averse to refugee integration and societies in the North are buoyed by lack of domestic support for large scale resettlement programs, (Bradley, 2013). The Northern affluent states' reluctance to honor the principle of burden sharing both in terms of resources as well as at the level of asylum, increases pressure on host countries most of which have a lower Human Development Index (Chimni, 1998). As a result, repatriation which more often than not does not serve refugees when done prematurely is now increasingly being seen as the only realistic way out for the refugee problem.

The imposed returns of Somali refugees from Kenya, for example, can at best be said to be promoted by the host state (Kenya), UNHCR and Somalia authorities due to political, self-centered motives, and a premature initiative that compromises refugee protection. The Kenyan authorities have been the drivers of the repatriation of Somali refugees despite Kenya being a signatory to the 1951 Refugee Convention, (UNHCR, 1951) that prohibits *refoulement.* The

Kenyan government hides behind national security to justify its action as they brand Somali refugees as a burden and a threat to national security.

The security situation in Somalia is far from normal and refugee returns are likely to continue unless donor support and responsibility sharing in hosting refugees is increased (Bradley, 2013),and push factors adequately addressed. The standards of voluntary repatriation are important to uphold, as refoulement risks refugee persecution and jeopardizes their protection. From the reality of involuntary repatriation, refugees are more likely to be internally displaced if they are coerced to return to less than optimal conditions in the country of origin, (Rutinwa, 1996) or worse still re-enter the camps in the host country as lingering insecurity continues (Mutambo, 2013). The voluntariness of return is, therefore, a crucial consideration in the sustainability of return (Long, 2013), and UNHCR is the lead agency to this end. UNHCR as a facilitator of safe and dignified returns has a duty to ensure protection, assess the voluntariness of returns and must be fully satisfied that refugees' return decisions are guided by the pull factors in the country of origin and not by the push factors from the host countries, (UNHCR, 1996). Although other actors like governments and NGOs play a key role in supporting and ensuring refugee protection as well as voluntariness of returns, UNHCR takes the lead role.

1.1.3 Government of Kenya and its Refugee Policies

The Government of Kenya is the principal proponent and the genesis of the push for premature returns of Somali refugees to the lawless Somalia, (Stanley, 2015). State sovereignty and national security concerns have been the main reasons fronted by the Government of Kenya for the pressure on refugees to return. However, the push for returns did not occur by chance, (Stanley, 2015) as there are historical factors behind Kenya's restrictive refugee policy

adoption that led to the signing of the Tripartite Agreement for refugee return with UNHCR and the Government of Somalia.

Over time, Kenya's asylum and refugee policies have evolved from relatively open and laissez-faire approach in the 1960s through 1990s, (Milner, 2009), to one that is increasingly restrictive, and confinement based. In the 1960 to 1990s, only a handful of refugees were in the country at any point in time, (Kagwanja, 2002) and due to the government's open refugee policies at the time, refugees had the freedom of move and settle in Kenya, and the right to work was also granted (Freudenthaler, 2012). According to the Kenya Refugee Secretariat, (2016), refugees numbered about 20,000 between 1963 and 1989, and most of them originated from neighboring Uganda, Ethiopia and Sudan. Although there was no national refugee framework at the time, refugees were entirely under the management of the Kenyan Government, including the process of Refugee Status Determination (RSD). To accommodate refugees' needs, the 1967 Immigration Act was amended in 1972, which provided for issuance of 'Class M' resident permit to refugees by the Immigration Department. This is the law that was in place until 2006 when the Refugee Act 2006 was enacted.

However, Kenyan's shift in refugee policy was precipitated when its asylum management system was tested with huge influx of asylum seekers between 1990 and 1992 from neighboring Somalia in light of the ensuing civil war that had broken following the fall of Siad Barre's regime (Kumar, 2002). Estimated at over 400,000, the massive entry of refugees overwhelmed Kenya's asylum management system that prompted the Government of Kenya to hand over the refugee management to UNHCR and instituted an encampment policy that was meant to confine refugees in camps designated by the Kenyan authorities, (Milner, 2009). This meant that refugee's freedom of movement and right to employment was taken away. The government further stopped and transferred the exercise of refugee status determination to

UNHCR, (UNHCR, 2015). The adoption of the restrictive refugee regime by the government of Kenya was necessitated by diminishing donor support, the burden to hosting a sufficiently great number of refugees in protracted situations and national security concerns, (Stanley, 2015).

Kenya is a signatory to the 1951 UN Convention relating to the status of Refugees and the 1967 Protocols, which it acceded on May 16, 1966 and in 1981 respectively, (UN, 2001). Kenya also signed in September 1969 and ratified in June 1992 the 1969 African Union Convention Governing the Specific Aspects of Refugee Problems in Africa. Additionally, Kenya in February 1997 acceded to the 1984 Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment. Of particular significance to refugees is the provision in the 1951 Convention with reference to *nonrefoulement* which stipulates that;

> "No state party shall expel, return ('refouler') or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture."

Despite being a signatory to the major international and regional refugee instruments, it is not until 2006 that Kenya instituted a national legal framework to govern refugee affairs. A refugee draft Bill that was initiated in 1991 by the Government of Kenya, NGOS, and the UN was not passed until 2006. It was unsuccessfully reviewed in 1994, 1999, 2000, and 2002. In 2003 it was again reviewed and recommendations made but it was not published in the Kenya Gazette because Parliament was on annual recession. It was not until 2006 when the 2006 Refugee Bill was unanimously passed into law by Parliament, received presidential assent and subsequently gazetted. The first Kenya Commissioner for Refugee Affairs was appointed in 2007, (Kenya Refugee Secretariat, 2016).

The Kenya Refugees Act 2006 was enacted in line with Kenya's determination to implement its international obligation relating to refugees. Kenya, however, assumed only partial responsibility of Refugee Status Determination that was traditionally done by UNHCR. The Refugee Act 2006 is the guiding document for refugees in Kenya. Within the framework of the Kenya Refugees Act 2006, the Kenya Government employed an encampment policy which restricts refugees to camps and their immediate environs. Among other functions, the Act established the, now defunct, Department of Refugee Affairs under the Ministry of interior, the body charged with overall Refugee management in the country. Prior to that, UNHCR was responsible for all matters of Refugees in Kenya, including refugee Status Determination. The department of Refugees has since been disbanded by the government and the Refugee Act 2006 still under repeal by parliament since 2011. Kenya's refugee regime is, therefore, not aligned to the demands of the 21st century, as far more refugees continue to be confined in isolated and exposed camps as Kenya expressly abdicates its refugee protection responsibility to the UN Refugee Agency.

1.1.4 UNHCR and other Aid agencies

The decision to close the refugee camps in Kenya and send back Somali refugees to Somalia within a specified time line is solely a Government of Kenya policy decision. However, the execution of the return policy of the refugees involves the UN Refugee Agency, UNHCR and other donor organisations and countries that have been involved in one way or the other in supporting the refugees in the camps in Kenya for decades.

UNHCR, as a party to the Tripartite Agreement signed in 2013 together with the Government of Kenya and Somali officials, is responsible for the whole process of voluntary repatriation.

UNHCR is supposed to supervise, coordinate and monitor the whole process keenly with a view to ensuring that protection prerequisites and standards are adhered to the later. As such, it is UNHCR's duty to "verify and confirm the voluntary nature of all the repatriation decisions made by the refugees and to ensure safe and dignified repatriations in line with the demands of both national and international refugee statutes, (Tripartite Agreement, 2013). The standards for repatriation by UNHCR are clearly defined in their Repatriation handbook. It states as a general rule, that the UN Refugee Agency must be convinced and satisfied that the pull factors in the country of origin take precedence in the refugee's decision to return, over the push factors in the host country, (UNHCR, 1996). For the returns to be considered voluntary they must be based on objective and accurate information provided to refugees through thorough counselling sessions on the conditions in the respective areas of return.

Once accurate and up-to-date information on the areas of return is shared with the refugees, and the refugees acknowledge the understanding of it, adult refugees are supposed to confirm and admit that indeed information was given and that the repatriation decision is made freely, without any coercion, undue influence or duress by signing the Voluntary Repatriation Form (VRF). UNHCR on its part will attest to the informed choice to repatriation of the refugees by also signing the Voluntary Repatriation Form (Amnesty International, 2016).

1.1.5 Displacement of Somali Refugees from Somalia to Kenya

Somalia is located in the horn of Africa. It is bordered by Kenya to the Southwest and has the longest coastline on Africa's mainland. Somalia gained its independence in 1960 and has a population of about 14.3 million. Somalia has experienced one of the longest running conflicts in the continent of Africa (Al Jazeera, 2018). What the Somali Refugees are going through

today is a culmination of long-standing failures in governance and armed conflicts that resulted in war in the 1990s in South Central Somali, (Hammond, 2014). The ousting of Siyad Barre's dictatorship in 1991 led to the total collapse of Somali and subsequent massive displacement of its people into Kenya. Warlords took control of the country, ousted weaker and minority communities from their land, seized their assets and controlled key resources, (Lindley, 2011). Lawlessness broke out and proliferation of armed gangs of youths exacerbated urban insecurity. Between 1992 and 1995, large scale intervention in form of international peacekeepers failed to restore state institutions and security that ultimately resulted in pulling out of Somalia in 1995. The armed conflict coupled with severe drought made the country to generate into a massive humanitarian crisis of all times and large scale internal as well as international displacements. By 1992, Kenya had recorded 285,000 displaced Somalis, (UNHCR, 2001).

Somalia is now seen as a country of continued violence and displacement since the time of events that led to the collapse of Siad Barre's regime in 1991. Since then, Somali refugees have, until today, registered the highest number of displaced populations in the Horn of Africa. The displacement has, however, been witnessed in different phases and varying intensities in response to armed conflicts; and environmental and economic hardships, (Hammod, 2004).

1.1.6 Demographics of Somalia

Since the advent of the civil conflicts in the 1991, Somali's health system has remained stagnant for decades and the same can be said of their population age structure. Unlike in many countries where the demographic transition has set in, and fertility levels significantly declined over time, Somali's TFR has almost remained the same four decades now since the war broke up. Today, the scenario in Somali is such that women are on the average giving birth to the same number

of children as they did in the 1970s. The 6.4 TFR for Somalia represents only a 12% decline from the 1970 figures, (Madsen, 2011). Besides, the median age of the Somalia population stands at only 18 years of age, and overall longevity is 52.8 years of age. The expectancy in life is 50 and 54 years of age for Somalian men and women respectively, (World Population Review, 2019). The figure below shows the distribution of the population of Somalia in terms of age and sex;

Figure 1. 1: The Demographic Pyramid of Somalia 2019
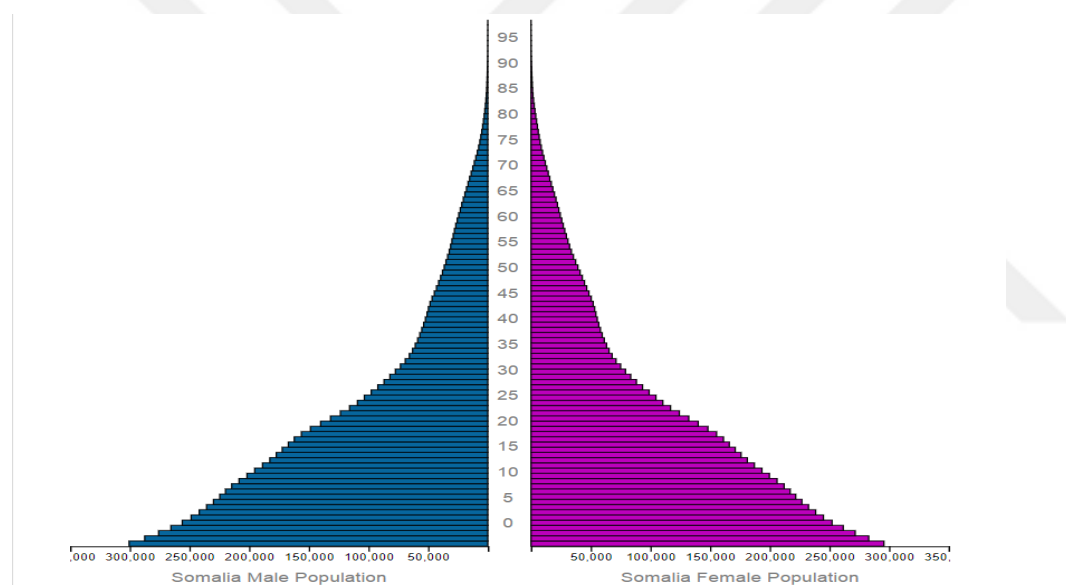
Source: World Population Prospects (2019 Revision)

Further, according to the World Bank, (2018) Somalia's Dependency burden stood at 97%, meaning that every 100 of Somalia's working population, there are 97 non-working dependents. These figures are mostly attributed to the eminently low physician density and hospital bed space in the country. According to the World Factsheet, (2019), Somalia has a physician density of 0.03 per 1,000 individuals of the population and oddly, 8 hospital beds per 1,000 individuals in the population. The situation is even worse when it comes to access to

drinking water and sanitation situation. Of its population, only 31% has access to clean drinking water and 23% has access to improved sanitary facilities, exposing the population to the risk of diseases.

The table below shows Somali demographic factors;

Table 1.1: Somalia's Demographic factors

Country	Pop.(M)	Birth	Deaths	IMR/ 1000	TFR	e		Contraceptive Use %	Annual increase
						M	F		
Somalia	14.7	44	12	95	6.4	50	54	15	2.9

Source: World Population Data Sheet, 2017

Despite the high IMR, the all-time high and prolonged fertility rate has resulted in a rapid population growth for the Somali community. Looking back, the Somali population has more than quadrupled since the 1970s, rising to 15 million from 3.6 million people (UN, 2017). If the fertility is not checked, we are likely to witness a Somalia that is home to over 36 million people by the year 2050, (UN, 2017). The fertility decline which is projected, using the UN's medium variant, which would still place Somalia among the highest TFR globally by 2050-looks far-fetched without major structural changes in the health care and especially so, women's reproductive health, (Madsen, 2011). But with the current situation, compounded by decades of civil war, weak governance structures and low investment, a conducive environment for promoting women's reproductive health services appears remote. World Health Organisation, (2017) described the Somali situation as being characterized by "intolerable levels of unmet need, extreme inequalities in accessing family planning services, and slow progress and underinvestment in reproductive health services."

1.2 Statement of the Problem

Kenya is home to over 500,000 refugees, most of who are from East Africa and the Great Lake region. According to UNHCR, (2017) 285,705 of this population are of Somali origin and most are housed in the *Daadab* refugee camp in North Eastern Kenya, that was established in 1991. The Somali refugees resulted from massive displacement from their country following armed conflict and state failure in 1991. This large scale-displacement from Somalia was aggravated in 2011 when drought and famine coupled with the ongoing conflict, triggered another massive influx of Somali nationals to *Daadab* refugee complex in Kenya (UNHCR, 2018).In 2016 the Government of Kenya declared its intent to close the *Daadab* refugee camp and speed up sending thousands of refugees back to Somalia. Kenyan authorities and UNHCR then heightened a 2013 "voluntary repatriation pact that was signed by the Governments of Kenya, Somalia and UNHCR, and refugees were not given real and informed choice between return and staying. Neither did the UN Refugee Agency give accurate information on the security conditions across the border, meaning such returns could not in any way be considered voluntary. Kenyan authorities cite economic burden and insecurity as the camp serves as a breeding ground for terror groups (Kenya Daily Nation, 2017).

But a look at the current humanitarian, economic, security and demographic situation in Somalia reveals a dire state of affair and that the timing of the returns is misplaced. Fighting and armed conflict still persists in major parts of Somalia. The Al Shabab terror group is still regrouping and recruiting as they control huge swaths of territory and the military activities by African Union soldiers and Somali troops against the terror group have resulted in further population displacements, (Yarnell & Crisp, 2015). The continued insecurity prevents aid workers from accessing those who are in need of help. The political conditions also limit the

scope and range of policies for promoting self-sufficiency of refugees. Besides, Somalia's extraordinary demographic profile is a clear warning that the battle to restore the economic and security situation in the country is a distant reality. The 1951 Refugee Convention formally forbids in whatsoever circumstances, *refoulement* of refugees to places where they face threats to their lives and freedoms. According to Frelik (2016), *refoulement* does not only occur when refugees are directly forced out of the borders, but also when undue pressure is exerted on them to an extent that the only practical choice is for them to leave for their country where serious threats to their lives and risk of persecution exist.

Hyndman & Mountz (2008) argue that the refugee policies that are in place today demonstrate a paradigm shift from emphasis on humanitarian obligation to those that prioritize the protection of national security interests. Bett (2004) states that the post-cold war period is characterized by refugees being increasingly viewed as a burden rather than assets and many scholars largely agree that the refugee regime has never been purely humanitarian (Hyndman, 2000) and that there has always been politics around the refugee regime (Goodwin-Gill, 2008). Saunders (2014) posit that the polarity that exists in the Convention of the rights accorded to refugees depicts a practical instance of the mismatch of interests between humanitarian organization campaigning for the rights of refugees, on the one hand, and on the other, states whose interest rest in transferring the refugee protection burden. This mirrors the Kenyan situation, that despite existing harsh realities, the Kenyan authorities are actively pushing refugees to return to their unstable country and UNHCR and other donor Governments appear to be in tune with this pressure. The current study, therefore, sought to assess the gap between the Government of Kenya's policy assumptions of return vis-à-vis the real implications of their return policy on refugees.

1.3 Objectives of the Study

1.3.1 General Objective

To explain the challenges to policy performance by the Government of Kenya and key stakeholders that prompts premature eviction and return of refugees to unstable Somalia.

1.3.2 Specific Objectives

The specific objectives of the study will include:

i.   To establish the policy failures in the motivations, interests and strategies by the Kenya Government, Somali state, the UNHCR and other stakeholders in pushing for repatriation of Somali Refugees spontaneously and prematurely.

ii. To identify the underlying factors and motivation that prompt the Government of Kenya, Somali state and UNHCR and other key players to hastily evict refugees out of Kenya.

iii. To establish the provisions for repatriation by the UN Refugee Agency.

iv. To compare the demographic differences between Kenya and Somalia and ascertain the suitability of the current demographics of Somalia in terms of supporting safe returns.

v.   To establish other policy responses available for the refugees and assess whether repatriation is the most feasible solution.

1.4 Research Questions

The study was guided by the following questions and sub questions as obtained from the research objectives above;

What are the policy failures in the motivations, interests and strategies by the Kenya Government, Somali state, the UNHCR and other stakeholders in pushing for repatriation of Somali Refugees spontaneously and prematurely?

i. What are the underlying factors and motivation that prompt the Government of Kenya, UNHCR and other key players to hastily evict refugees out of Kenya?

ii. What are the provisions for repatriation by the UN Refugee Agency? Were they met?

iii. What are the demographic differences between Kenya and Somalia? Are the current demographics in Somalia in support of safe returns?

iv. What other policy responses are available for the refugees? Is repatriation the most feasible solution?

1.5 Contribution of the Study

Imposed refugee return, evidently, is a contentious concept in that in most cases it serves myopic political and states interests at the expense of genuine refugees, especially when refugees must return to less than ideal conditions in their country of origin (Stanley, 2015). The study is, therefore, of value to both theory, policy and practice. Policy-wise, the research findings would help to close the policy gap between short-term humanitarian assistance and lasting development aid by facilitating a more inclusive policy formulation between humanitarian organisations, host states and countries of origin.

In terms of practice, the study of this problem has the potential of injecting the much-needed goodwill in refugee management to the Government of Kenya, humanitarian practitioners, professionals and key refugee stakeholders. It will also endeavor to inform the government of Kenya and partners of the most viable solution to the refugee crisis in Kenya. Rather than continuing to support myopic deals aimed at curbing migratory flows in Africa, the study will endeavor to list, from a policy perspective, longer term sustainable solutions for the Somali refugees that the International Community and the Kenya Government should embrace.

Regarding theory, this study constitutes a fruitful site for studying and provides additional reading to the current as well as the possible future discourses of, and handling of displacements in one of the biggest refugee hosting countries in the world. Especially, given the fact that the situation in Somali is still far too fragile for dignified returns, with fighting and armed conflict still going on and the militia group Al-Shabaab still recruiting. Given also that over 200,000 African Union Peacekeepers are collaborating with the Somali forces to root out the militia groups, (UN, 2016); and that there is lack of basic amenities in Somali, (Gare, 2017), it forms the most appropriate area to study. By tracing back the events that led to the Government of Kenya to declare the immediate closure of *Dadaab* refugee camp, the study is significant in that it will provide an insight on how the security discourse can be used to address challenging situations in the country.

Academically, this study will add into a pool of scholarly literature on refugee management; lived experiences of returnees/ stayers, other longer-term dynamics of the return process and the position of returnees in a rebuilding society. Issues of return and repatriation strikingly remain under-researched and very little is known about them. Therefore, the study will incite scholars to further research in these areas of refugees' situations across the globe especially in less developed context which is known to host a vast majority of refugees worldwide. This study situates its findings in a less developed context, further trying to bridge the literature based on western countries and that of less developed settings.

1.6 Limitations of the Study

The first challenge that the researcher had to overcome is the distance he had to travel from Turkey to Kenya to arrange for the data collection process. Secondly, recruiting a qualified personality to handle the data collection was an uphill task. Besides, the researcher's requests for data collection were in some cases turned down to his frustration. Additionally, access to the gated office buildings and bureaucracy in accessing senior officers in government departments was a huge challenge. Uncooperative secretaries and administrative assistants could not help matters at times.

CHAPTER II

THEORETICAL FRAMEWORK AND LITERATURE REVIEW

This chapter provides a discussion of the various theories underlying the study. It further shows some studies that have been done and are relevant to this research and a summary of the literature review.

2.1 Theoretical Framework

Kenya has always been ranking high in the hierarchy of countries affected by terrorism (Institute for Economics and Peace, 2014). Targeted for a long time, Kenya now faces constant threat from the Al Shabaab that has threatened the national security of the country (Lindley, 2011). And so the response of the Government to tackle the problem has been to put stringent measures on movements of refugees and eventually closing down the refugee camps. This has prompted the push for return of refugees. The study is anchored on securitization theory, Refugees theory and Trauma theory.

2.1.1 Securitization Theory

Developed by the Copenhagen School of Barry Buzan, Ole Wæver, Jaap de Wilde and others in 1990s, the theory questions the conventional perspectives and approaches to security in international relations, (Buzan, Wæver& De Wilde, 1998). This approach asserts that issues are not intrinsically threatening in themselves, rather it is by regarding them as security threats that they indeed become worrying security issues, (Wæver, 1995). Taureck, (2006) agrees that security is a political choice of the actor and an act of speech, whether the threat exist or not. It, therefore, depends on how certain issues are socially constructed as threat by the society. Stritzel, (2007), states that the meaning of security language may not, therefore, be the true representation of the reality but a potential to 'create one'.

Securitization theory asserts that national security policies do not come from the blue; rather, they are the making of politicians and powerful decision makers. According to this theory, political issues are extreme security concerns, as crafted by the makers, which are supposed to be handled with urgency. Such issued are usually branded as extremely dangerous and threatening by the securitizing actors who mostly are very powerful people capable of blowing the issue beyond politics and beyond proportion. So, according to the securitization theory, security issues are not naturally there, rather, must be construed as threats, alarming and dangerous by the securitizing actors. Terming refugees as 'national security threat', for example, shifts attention and makes refugees to be regarded as high priority political concern that requires urgent attention such as increasing border surveillance or even forceful return of refugees.

As a theory, securitization goes beyond the urgency that authorities promote to the public and further questions why certain issues are more politically securitized than others. Authorities craft security threats and make their audience perceive them as needing immediate and extraordinary interventions. Interventions are often justified in the guise of 'urgency' and 'potential and imminent threats' and actions taken thereof are often monolithic and undemocratic in the real sense (Buzan et al, 1998). According Wæver, (1995) for states to securitize there must be, or at the very least perceived to be, threats and various forms of intimidations, which are constructed and framed as being threatening to the state, and its citizens.

Securitization of refugees and immigrants has been on the rise in the world today, the intention of which is to seclude a certain category of people (Gerard, 2014). Normally refugees and immigrants are labelled as threats to 'national security' of the host country (Wæver 1995).

Securitization processes, therefore, construct and then marginalize certain groups as threatening and undesirable (Rygiel, 2008). Securitization theory reveals the contested nature of citizenship as the marginalized groups are mostly the refugees, asylum seekers, immigrants and people of colour. On the contrary, refugees are often in need of protection as they are a group of people who have been forced from home by conflict and persecution. There are, however, security concerns as refugee camps which host long-term refugees turn into arms and drugs smuggling dens, human trafficking and recruitment of terrorists gangs. The Dadaab camps, earmarked for closure by the Kenya Government have since the 1990s, been known for violent extremism, rape, murder and armed robbery, (Crisp, 2000). This is because the refugees have developed a dependency attitude which makes them susceptible to any kind of influence (Horst, 2006).

The study justifies the use of this theory in that the decision to repatriate by the Government of Kenya is an idea that is driven by personal interests and not what exactly is the position on the ground. Securitization of refugees in Kenya is in line with this theory in that it not a natural process that emanates from the system but a political process that is fronted by politician to make it look like a grave threat in the eyes of the public.

2.1.2 Refugees Theory

With the period of unprecedented migration flow, theories have gained popularity in explaining and understanding refugee migration. Kunz's Kinetic Model of Refugee Theory, (1973, 1981) has a lot of significance in understanding refugee displacement and shares a lot of insights in understanding refugee management. Kunz has it that the styles of most refugee movements submit to two key kinetic types; anticipatory and acute refugee movements, (Collins, 1996).

According to Kunz, anticipatory refugees are that category of refugees that can discern the threat early enough, and, therefore, are able to take flight before the crisis sets in. Because of their ability to sense the threat way in advance, this category of refugees mostly is able to move along with their family and belongings as they prepare for a new life across the borders. Anticipatory refugees usually take flight immediately they identify a friendly host country. Acute refugees, by contrast, are those that result from forceful evictions from their home country. These categories of refugees have less time to prepare for the flight and their primary concern is their lives as far away from the threat as possible, (Kunz, 1981). Since acute refugees move at a very short notice, they usually do not think about the consequences of their decision to move.

Paludan, (1974) made his proposal to expand the refugee theoretical framework to include the new versus traditional refugees. He asserts that, "new refugees are culturally, racially and ethnically vastly different from their hosts, come from countries less-developed than the host country, and are likely to lack kin and/or potential support groups in their country of resettlement." New refugees, more often than not, encounter difficulties in assimilating the values and cultures of the new societies. Traditional refugees, on the other hand, "are culturally and ethnically similar to the people in their host country", they share so much in common, including their language and are more likely to be assisted in settling down and adjust to life in the host country. The Somali refugees are one similar example. They share so much, culturally, including language and religious beliefs with the Kenyan Somalis such that they seamlessly adapt to life in Kenya. Paludan, (1974) contends that settlement patterns of refugees depend largely on whether they are new or traditional refugees. Anticipatory refugees, for example, are more likely to settle in affluent societies because they are able to prepare for their flight and

likely to experience less trauma. They, therefore, are likely to require less support that new refugees, who are more likely to settle in nearby countries that share common cultures and values.

Kunz, (1981) expanded his earlier Refugee Theory to include "majority-identified, event-related and self-alienated" refugees. Majority-identified are refugees that are against socio-political systems in their own country, while event-related are those who have to be evicted because of ongoing discrimination against their minority group. Self-alienated refugees are those evicted due to personal reasons. Majority-identified refugees, according to Kunz (1981), receive preference in terms of review of their status by UNHCR than the event-related and self-alienated ones.

Kunz's Refugee Theory (1973, 1981) carries very significant insights that may allow service providers in refugee management to be able to identify the patterns of refugees based on their characteristics, background and history, and be able to come up with appropriate actions to handle them. This research is anchored on this theory.

2.1.3 Trauma Theory

Trauma theory is a biological explanation of refugee trauma. Mollica (1999) provides a biological explanation of refugee trauma and asserts that "trauma survivors have an innate capacity to heal themselves in conjunction with medical psychological intervention". Mollica (2006), postulates that there is an intrinsic healing force in every human being that always fights to survive. Mollica, (1999) states that it is important for victims of trauma to be allowed to narrate their stories and interpret them and in so doing it helps in their healing. He asks doctors and therapists not to be over reliant on medication in the treatment of trauma; rather they should be able to skillfully guide victims of violence into telling and interpreting their

horrifying experiences. Trauma Theory centres on self-level up and healing through therapy and good diet as opposed to long-term charity and aid, (Mollica, 2006). Through telling their experiences, victims of violence contribute towards broadening the realm of knowledge in the area of refugee management and control.

Mollica (2006) further argues that his theoretical proposition may help transform crisis-stricken refugees from horrific memories of eviction and torture to leading more fruitful lives. Kroll (2000) adding his input on the Trauma Theory states that, although trauma and fright are inherent in human biology, certain psychological responses to trauma are culturally influenced such that individuals are expected to respond to threats in a certain way that is dictated by their cultures.

The relevance of the theory to the study is that, refugees as people who have been forcefully evicted from their homes for fear of being threatened, tortured, witnessing atrocities or genocidal events, experience mixed level of trauma. The political repression and torture, exiles, violence and other forms of threats and hardships that refugees go through are usually accompanied by varied level of traumatization, uprooting and hierarchy of suffering, (Myers and Rick, 2003). These stressors quite often make victims express a sense of shock during flight and are unable to process their perceptions. They then become mesmerized, dissociated and depersonalized at the threat of death (Lubin & Redbum, 1999).

Mollica's Trauma Theory (2006), has done much to advance the understanding of refugee self-healing and resiliency by way of story-telling, for service providers to assimilate. The theory motivates service providers to apply the concept of cultural contribution and self-healing in

refugee management. In the case of repatriation, stakeholders should think of other ways rather than forced returns that may increase the level of trauma of the already traumatized refugees.

2.2 Literature Review

The refugee question world over has drawn a lot of attention and many scholars have been attracted to this subject since the advent of the crisis, evidenced by the number of research projects that have been conducted to date. Majority have focussed on the humanitarian and human rights aspects of refugees, (Nyabola, 2015, Lindley, 2011) and the economic and educational effects of refugee children, most of whom were born in the camps, (Wahogo, 2016). Others have dwelled on the resource depletion, environmental effects of refugees, (Jaji, 2011, Black, 1994) and the host communities' conflicts (Kumssa, Williams & Jones, 2014). Some researchers have dealt with policy implications especially encampment and assistance policies, (Karadawi, 1984), asserting that such policies are largely compulsive to the demands of host and donor countries, countries of origin as well as aid organisations. Assistance policies promote encampment, which is a deliberate strategy employed by governments to exercise control over refugees and thereby depriving them of access to livelihood opportunities, (Harrell-Bond, 1995) and condemning them to being dependent on relief, (Kibreab, 1989).

According to Crisp (2001) confinement and restriction of refugees is a strategy used when refugees are perceived to be of security concern to the host state. Refugees are widely viewed as economic burdens and a strain on the country's resources and reserves (Jacobson, 2007). Host governments do not allow refugees to work and contribute economically to the host state, thus viewed as economic burdens. However, the paradox is, if they are allowed to work, refugees are perceived as taking over jobs that belong to the country's nationals, which is equally unacceptable (Kritikos, 2000). In cities, for example, refugees exert too much pressure

on the socioeconomic infrastructure which makes host governments to be opposed to open door policies to refugees, (Bailey, 2004). This is the case with the Kenyan situation.

The socioeconomic difficulties that low-income refugee-hosting countries go through, most of which are signatories to international refugee statutes, are exacerbated by the failure of the international community to take responsibility in refugee assistance (Bailey, 2004). The encampment policy by these low-income refugees-hosting states is usually a strategy for passing over the protection burden and financial responsibility to the donor and international community, (Sommer, 2001). According to Harrell-Bond, (1994) donor states and host countries' end objective is to have refugees repatriate to their home country, but common sense suggests that aid-dependent refugees that are impoverished by encampment policies of host countries may not, after all, be able to return unless massive investment is put in reconstructing structures in their country.

Tension and hostility between Refugee and host community is a major hindrance for refugees to engage in gainful and productive activities in the host country (Kumssa, Williams & Jones, 2014). Supplied with relief assistance and surrounded by poorer host communities, refugees are especially regarded as economically more powerful than locals, especially those under the care of the UN Refugee Agency (Harrell-Bond, 1986; Alexander, 2008). This refugee-host community animosity often ends in refugees being recipients of discrimination, harassment and xenophobia, a tendency that extends even after the aid has been withdrawn, (Campbell, 2005, Landau 2004).

Most literatures have captured the way refugees suffer physical violence and maltreatment in the hands of local communities and authorities (Campbell, 2005, Landau & Jacobsen, 2004). Abuse of power and authority by public officials is the most reported in refugee literatures.

The very officials; police, immigration and other public servants; who are supposed to protect and guard refugees are the very officials that are involved in extortion tendencies, harassment, indiscriminate arrests and detentions (Hovil, 2007).

Literatures have also dwelled so much on durable solutions for refugees, all with diverse levels of debates on local integration, repatriation and third country resettlement. Repatriation draws little attention because it is perceived that even with incentives, refugees are less motivated to return to their war-torn countries. Encampment policy is viewed by many refugees hosting countries, especially in Africa, as the surest way to ensure that refugees later repatriate to their country of origin (Campbell et al., 2006). Principally, encampment is a strategy by host states to ensure that refugees do not integrate with host communities and settle. It is argued that economically empowered and integrated refugees will find it difficult to abandon their investment in favour of voluntary repatriation, (Campbell, 2006). Crisp et al (2009) however argues that even with the lack of opportunities in the countries of asylum and availability of the sweetest incentives to repatriate, voluntary repatriation is not favoured by refugees especially those from countries like Syria, Somali, Iraq and Afghanistan due to continued insurgency and fighting, insecurity and lawlessness.

Yet other scholars have focussed on refugees' right to return and questioned if return marks the end of the refugee cycle. Black (2001), argues that states have used the right to return as a political tool of post-war nation rebuilding and that funds for reconstruction have always been pegged on the return processes. Other literatures have questioned the right to return in conflict and violent context. It is argued that, apart from return being a basic right as stipulated in the Universal Declaration of Human Rights of 1948, voluntariness of return as an imagined ideal,

has steadily paved the way for the adoption and acceptance of 'safe' and 'imposed' returns, which are always not in refugees' best interests (Toft, 2007). Vorrath (2008), notes that the much-hyped notion of repatriation as a natural durable solution attached to the voluntary return policy framework, is unrealistic and tends to nostalgically advocate for a false understanding of the concept for returning individuals, communities and governments. Fransen and Kuschminder (2012) posit that voluntary repatriation framework neglects social transformations in post-conflict contexts and that communities that usually return under the guise of voluntariness struggle with societal reintegration because of disintegrated social networks. Thus, Black and Koser (1999), deduced that the much-idealized voluntary repatriation does not necessary mark the end of the refugee cycle, rather it subjects returning refugees to difficult socio-economic and political problems.

Considering the dynamism of the return policy framework, scholars lately have been drawn to the question of how, in effect, the return process is exercised and experienced. Iaria, (2014) in a study of transnational perspectives, views circular mobilities as integral to return migration. Other transnationalism literatures have examined how refugees chat their migration patterns, citing those who choose to visit their kinsmen in origin countries, yet maintain residence as well as protection benefits in country of refuge, (Monsutti, 2004; Kaiser, 2010).This practice of oscillating between one country for livelihood opportunities on the one hand, and for social ties maintenance, on the other hand, is known in some literatures as 'split return', (Harpviken, 2014). This practice is meant to diversify the risks of migration by maintaining sociocultural ties and facilitate livelihood security at the same time.

Long (2013), stated that return should not only be conceived as a social process but a political process as well. In the context of return as a political process, she posits that refugees, states and other partners should endeavour to understand 'return' as a political act and a return to a political community rather than physical return. In her approach to 'return' as a political process, she emphasizes states of origin, host states, humanitarian organisations and refugees reconceptualize the process and recognise the return as a collective reconciliatory process between refugees and the perpetrators of atrocities. As such, Koser (2007) states that refugees should be party to return and peace negotiations as an assurance to achieving long-lasting peace deals and sustainable returns. This argument is supported by a wide range of literature that views return as not signalling the end of the migration cycle, but as part of a larger migration patterns and dynamics, (UNHCR, 2017).

There is no one size-fit-all kind of solution in the literatures as local integration is shunned by host governments and local communities view refugees are ethnically and racially different, (Buscher, 2003). Available literature clearly indicates that host governments are against local integration of refugees due to socioeconomic and political impact. Crisp et al (2009) states that Lebanon, Jordan and Kenya have not thought of embracing local integration of refugees. Yet other researches argue against perceiving local integration as a destabilizer of the host societies, rather it should be viewed as a potentially viable solution. Campbell (2006) points to successful stories of economic integration of refugees that warrant special mentioning as they have proved, in most instances, as integral to the economic well-being of many host societies.

The linkage between repatriation, reintegration and development is a theme that has also been extensively explored in the literature on return. Scholars have shown greater interest on the socioeconomic aspect of return, (Allen 1996; Black and Koser, 1999), and reintegration

dimension, (Morsink, 1994), while others have focussed on the specific aspects of return operations, (Worby, 1999). Yet, others have assessed the reconstruction of livelihood processes (Kibreab, 2001) and the refugee return decision making processes, (Parsons, 2015, Koser 1997). Most of this literature is, however, policy-inspired aimed at facilitating returns and reintegration at the expense of many other aspects of migration. The focus on repatriation operations, refugee decision-making process and reintegration challenges have left critical areas such as premature and spontaneous return movements, responsibilities of states and long-term effects of protracted refugee situations at the margins of scholarly pursuit even though these migration dynamics greatly affect refugee societies. It prevents the consolidation of a broader understanding of post-return development. Research on repatriation operations, reintegration and decision-making processes have, however, examined the sustainability of return, (Gent, 2006, UNHCR, 2004). UNHCR, (2004) posits that if the issue of population displacements and sustainability of refugee reintegration is not well handled, chances are high that such societies may regenerate and slide back into the dark history of conflict.

Buscher (2003), contends that resettlement programs should ordinarily serve as a gesture from the donor countries to the host societies, most of which are grappling with influx of refugees against lower Human Development Indices. Resettlement is, however, documented in most literatures as the option that serves a small fraction of refugees due to the limited spaces allocated annually (Crisp, 2009). Despite the slim chances, resettlement remains top in the minds of most refugees, some of whom refuse to apply for legal immigration status in their countries of asylum for fear of reducing their chances of resettlement in a third country (Grabska, 2006).

Access to services; education, affordable healthcare and financial services is usually a challenge for refugees due to their economic and social position in the society. Refugees children may face problems with registration and school entry requirements because of lack of identity documents and legal immigration status (Briant and Kennedy, 2004). They may also be limited, even if access to education systems is allowed in the host country because of their weak financial status, (Alexander 2008). Crisp et al (2009) contends that, at times, refugee children are forced to drop out of school in order to fend for the family. Access to financial services by refugees is hindered by lack of identity documents and thereby limiting their access to credit and hence effective entrepreneurship (Jacobsen, 2004). A direct consequence of failure to open bank accounts in the host country and inability to access formal channels of remittance is lack of secure custody of their money and therefore, refugees become easy targets for thefts, robberies and extortion (Landau, 2006). Lately (Onyulo, 2018) looked at how those who were forced to return involuntarily are fleeing back to Kenya. Onyulo, attributes it to drought and insecurity as fighting is still rife in Somalia, with the insurgent Al-shabab still terrorising people.

2.4 Summary of Literature Review

It is observed that refugee literature is mostly conducted by a small community of researchers and on a few case studies (Kobia and Cranfield, 2009) and this hardly makes it possible to gain an understanding of the true picture of the world refugee situation. The literature is largely focussed on advocacy, (Campbell, Kakusu, and Musyemi, 2006) with little emphasis on the valid concerns of the overstretched low-income refugee-host countries. Considering that host countries must be partners in coming up with refugee solutions, the plight of these societies really deserve special attention. Most of the research is not strong and robust enough in terms

of quantitative analysis and fail to produce macro level data on pertinent refugee issues. Most of the data is collected from qualitative interviews which generate valuable information, but not enough for good policy decision making (Landau, 2004). Unfortunately, advancement of quality policy decisions requires a deeper body of knowledge.

CHAPTER III

RESEARCH METHODOLOGY

3.1 Introduction

This chapter outlines the methods as well as the methodology used for this research. In this chapter, the research approach, design and tools used will be explained. A discussion on the ability of the research approach, design and tools to produce valid results in line with the aims and objectives will follow. Sample size, sampling strategy and data analysis methods used will also be discussed. The chapter will end with a brief discussion on the ethical considerations and limitations encountered in the course of research.

3.2 Research Approach

This research was mainly based on a qualitative research design, where the approach employed is interpretivism. Willis (2007) defines interpretivism as a research approach used by a researcher to synthesize facts that are intangible and difficult to measure, and which need interpretation of different elements of a study. Interpretivism approach, thus, emphasizes qualitative analysis and integrates human interest-economic, political or sociocultural- into the study. Accordingly, in line with the aims and objectives of the study, interpretivism approach was adopted, as opposed to positivism and pragmatism approaches, because of the abstract, non-quantifiable variables used to bring out the motivations of the Government of Kenya and Somalia, and UNHCR to force premature returns of refugees to lawless Somalia.

3.3 Research Design

To support the analysis of the issues surrounding the failure in policy in the Somali refugee return, the study used both primary and secondary data. The study therefore employed a qualitative research design and descriptive analysis. Qualitative research design was used for

this study because the research mainly endeavored to seek answers to what motivates the government of Kenya and other stakeholders to prematurely close the refugee camps and send refugees back to their country hastily and prematurely. A descriptive analysis based on both primary and secondary data sources was adopted to address the failure in policy in the involuntary return of Somali refugees to their lawless country.

The study was more inclined to a social scientific perspective of research methodology in that it sought to describe the motivations for the spontaneous and premature repatriations of Somali refugees by the key stakeholders. A policy science perspective was, to a lesser extent, explored in that the paper also seeks to influence the government of Kenya to take a positive view of refugees and handle them appropriately.

3.4 Data collection

3.4.1 Primary Data Collection

This research employed a combination of the two classical social scientific research instruments; questionnaires and interviews (Greenfield, 2002) to collect primary data. Questionnaires were preferred because of their ability to reliably and quickly collect information from multiple respondents, especially for projects with abstract objectives and short deadlines, (Greenfield, 2002, Bell, 2005). For the purpose of this study, questionnaires were mostly preferred because time was of essence and contact with multiple respondents in just a couple of weeks was important. Semi-structured and open-ended questionnaires were distributed to key informants from three perspectives of the study; the Government of Kenya, the Government of Somalia and the UNHCR and donor agencies. Apart from that fourteen (14) random returnees were identified and using focus groups and face to face interviews, first-hand information was gathered on what they feel is like across the border for those who managed to be returned under the guise of the tripartite agreement.

To complement the questionnaire, and for the purpose of bringing out abstract relationships among variables of the study, an interview guide composed of several questions was administered. Interviews are used to complement other social research tools because of their power to allow more open, informal and in-depth discussions between the respondents and interviewers (Potter, 2002; Sarantakos, 2013). The flexibility of the interview guide was suitable for this study as some aspects of the study such as "motivation" of the refugee stakeholders to promote premature returns could not be adequately covered by questionnaire design.

3.4.2 Secondary Data Sources

Secondary data for this study was derived from review of official sources, especially the Kenya and Somalia Governments' communications, UNHCR and UN Migration Agency websites. Online journals, books, previous research studies, scholarly articles and reports on this subject area were used as well.

3.5 Study Population

The population of a study is the total number of people in terms of enumeration of all the elements that seek to be represented by the findings of the study, (Sekaran, 2003). A clear definition of the population of study ensures that the results and findings reflect a proper representation of all the elements in the society. Considering that this study sought to assess the motivations behind the premature Somali refugees' return decision by the Government of Kenya, Somalia and UNHCR, the population of the study included all the Government of Kenya, the Government of Somalia and the UNHCR and donor agencies.

3.6 Sample Design

Purposeful sampling technique was employed to select the sample for this research. Purposeful sampling is a non-probability sampling method where sample members are chosen based on their knowledge and expertise on a particular research area, (Freedman et al. 2007). In this study, sample members were chosen based on their relevance to the phenomenon being investigated, their years of relevant experience and active role in refugee management, as well as their understanding of basic research methodology. Based on this context, the respondents from the perspective of the Government of Kenya, Somalia and UNHCR were officers who have been in refugee service for at least 3 years. The sample size was made up of thirty (30) officials from the Government of Kenya, twenty (20) from the Government of Somalia and twenty (20) from UNHCR and donor agencies officials. Being the primary movers of the refugee return decision, the Government of Kenya's perspective had most samples so as to bring out clearly the theme that was being investigated by the study. The interview meetings were held between November 2018 and January 2019 mostly in the officers' offices in Nairobi. Two continuing University of Nairobi students were tasked with the administration of the questionnaires and conducting of the interviews under the supervision of a lecturer from the School of Business. The two interviewers visited the UNHCR, Ministry of Interior, Kenya and the Somali Liaison office in Nairobi. However, because of the distance involved from Nairobi to *Daadab* Refugee camp and cost constraint, the interview for returnees used snowball technique, in that introduction was made by the UNHCR officials in Nairobi to their UNHCR field offices in *Daadab*. The interviews were conducted with the support of incentive workers i.e. refugees living in *Daadab*. However, the returnee respondents were mainly semi- illiterate and, therefore, an interview guide was purely used to direct the flow of the interview. A total of fourteen (14) returnees were sampled and the total sample size was therefore eighty four

(84). This was in view of the fact that some respondents only had time to respond to a few questions, while others were comfortable in answering only some of the questions. That justifies the total number that was pooled towards the sample within the stipulated time.

3.7 Data Analysis

Data was analyzed using descriptive and content analysis. Content analysis enables collected data to be condensed and simplified to produce results that can be measured using quantitative techniques. It also enables the qualitative data gathered to be structured in a way that enable easy comparability, (Moore & McCabe, 2005), in line with the research objectives. Statistical Package for Social Sciences (SPSS) version 20 was applied for data analysis to establish the means and standard deviation for the variables under study using data from the questionnaires. Descriptive aspects of the research results were presented in tables, graphs and other descriptive statistical techniques. To significantly condense the amount of data for analysis, qualitative data was manually summarized by the researcher.

3.8 Ethical Considerations

For the purpose of this research, and to the best of the researcher's knowledge, strict code of ethics and dependable principles were adhered to. As Cresswell (2009) states that ethical considerations are integral in conducting any research. To begin with, respondents' informed consents (both from the government and UNHCR officials, as well as returnees) were sought well in advance and the objectives of the study clearly explained to them. The consent was sought to dispel any doubt about the voluntary participation in the exercise and that participants were under no obligation to participate, and that they are free to pull out at any point and time and for whatever reason. Sander et al. (2009) asserts that "gaining permission and informed consent to gather data is an important aspect of any study". Identities of respondents, in terms

of names and the specific departments and sections in government Ministries where the officers serve, have strictly been kept in confidentiality. In addition, the researcher submitted to all the offices where data was collected, a letter of request that was accompanied by the Hacettepe University's student identity card. In line with the strict privacy and confidentiality policies of all the government and other offices from where data was collected, the researcher signed commitment-to-confidentiality forms from the government and other offices whose staff agreed to participate in the exercise. Lastly, respondent's personal data was not collected, and all the data set and information were gathered for the sole purpose of this thesis and they will be stored in strict confidentiality.

CHAPTER IV

DATA ANALYSIS, FINDINGS AND DISCUSSIONS

4.1 Introduction

This section contains an analysis of data collected based on the study objectives. It also includes a discussion of findings that helps to facilitate conclusions and recommendations. Data was collected using questionnaires and interview guides with a focus on the four key groups of respondents. The study used data from host country officials (Kenya); the country of origin (Somalia); UNHCR officials and the returnees. The objective is to show the failure in policy by the Government of Kenya and key stakeholders that prompts premature eviction and return of refugees to unstable Somalia. The analysis is therefore grouped in the four categories of respondents.

4.2 Views of Host Country Officials

The researcher focused on the response towards the short questionnaire and interview guide by the Kenyan officials in the Ministry of Interior and particularly those dealing with refugee issues. The interviewer made contact with a total of thirty (30) officials in a span of two months. The analysis of the background information and the response towards the interview guide is as follows:

4.2.1 Background Information

The analysis of background information included period of service, awareness of consequences of closing the camp description of security situation in Somalia and whether they believe that return of refugees is an answer to the question of insecurity in Kenya. The analysis is given in the Tables 4.1, 4.2, 4.3 and 4.4 below:

Table 4.1: Period of service

Period of Service	Frequency	Percent	Valid Percent	Cum. Percent
Below 5 years	2	6.7	6.7	6.7
5-10 years	19	63.3	63.3	70.0
10-15 years	9	30.0	30.0	100.0
Total	**30**	**100.0**	**100.0**	

Source: Research Data (2018)

Table 4.1 above shows that majority of the respondents, represented by 63.3% had work experience of between 5-10 years while 30% had between 10 – 15 years of work experience. Only 6.7% had work experience of below 5 years. Analyzing the work experience of the host officials reveals a work experience that was adequate for the needed insight of the study.

4.2.2 Descriptive Data

Table 4.2: Awareness of Consequences of Closing the Camps

Awareness	Frequency	Percent	Valid Percent	Cum. Percent
Yes	25	83.3	83.3	83.3
No	5	16.7	16.7	100.0
Total	**30**	**100.0**	**100.0**	

Source: Research Data (2018)

Table 4.2 indicates that 83.3% of all the respondents are aware of the consequences of closing the camp while 16.7% are not. Based on the awareness level of the closure of the refugee camps by the host country's officials, it may be noted that the officials would help in the formulation of appropriate policies.

Table 4.3: Description of Security Situation in Somalia

Security Situation	Frequency	Percent	Valid Percent	Cum. Percent
Good	14	46.7	46.7	46.7
Fair	14	46.7	46.7	93.4
Bad	2	6.7	6.7	100.0
Total	**30**	**100.0**	**100.0**	

Source: Research Data (2018)

From the figures above, 46.7% of the respondents stated that the security situation in Somalia is good and fair as well, while only 6.7% were of the view that the security situation is bad. From these findings, the push for return by the host country became vivid. Most of the officers view the security situation of Somalia as being fairly good to sustain large scale returns.

Table 4.4: Repatriation of Refugees as a Durable Solution

	Frequency	Percent	Valid Percent	Cum. Percent
Yes	25	83.3	83.3	83.3
No	5	16.7	16.7	100.0
Total	30	100.0	100.0	

Source: Research Data (2018)

Findings on whether repatriation is the most durable solution from the perspective of the host country as presented in Table 4.4 above imply that significant differences in views exist among the authorities. With 83.3% of the host country officials being of the view that repatriation of the refugees is a durable solution implies that the Kenyan authorities are in support of the process. Only 16.7% share a different opinion.

4.2.3 Summary of the Interview

The interview addressed a number of areas, but the analysis of this chapter centered on the senior officers in charge of the refugee return exercise as the actors responsible for implementing the return program. Other significant actors from the wider Ministry of Interior officials that, in one way or the other, are involved in the return operation also feature in this analysis. Given that the main objective of this research is to show the failure in policy by the

Government of Kenya and key stakeholders that prompts premature eviction and return of refugees to unstable Somalia, the Kenyan authorities' senior officials perceptions and comments will form a large part of the discussions. Together with a review of Government of Kenya documents, this chapter will help build the knowledge base of policy which in turn will allow for conclusions to be drawn on the role of the government of Kenya in failing, policy-wise to avert returns.

4.2.3.1 Shifts in Refugee Policies in Kenya

The first interview data analysed here is in regard to the open-door refugee policy by the government of Kenya that has changed over time. This was particularly interesting for the study in that it was not discussed in the preliminary literature review on refugee policies, and it cropped up from the primary data through examination of the comments made by respondents. It was not presented as a main issue of policy, however, what came out from the top officials especially due to their positions in policy making, provided some ideas on why they were pushing for premature refugee returns. Two major issues came out of the analysis of this theme: security concerns and the cost of running the camps. Respondents made reference to the Al Shabab terror group as a national security threat. More than three thirds (n=27; representing 90%) respondents believe that the refugee camps are hide-outs and seedbeds for criminals and terror-related activities. Cost of maintaining the camp was also largely mentioned as one of the reasons that contribute to the return decision. Majority of respondents polled for cost of running the camps (n=25; representing 83%) as a fundamental determinant of the shift in policies. There is seemingly a strong feeling among Kenyans that the burden of hosting huge numbers of refugees strains the country's resources and economy. In general, respondents showed greater consistency in articulating the reasons for the shift in policy, even though none of those

interviewed shared the same job position. The primary concerns of the government of Kenya officials were security, aligning with the securitization framework earlier mentioned in the theoretical framework; and the lack of responsibility sharing and donor support towards the cost of maintaining the camps.

4.2.3.2 Targeting of Somali Community and their Registration

With regard to the extent to which the Government of Kenya maliciously targets Somali community, it was established that in as much as the Government of Kenya supports the return program, the Somali group is not being targeted, (n=28; representing nearly 93%). It was also a general view that, though not reliable, a list of refugees' profiles exists with details of their background, despite the growing number from those who sneak themselves into the camps without formal process of documentation. Since July 2015, the Kenyan Government through Department of Refugee Affairs, however, suspended refugee registration which left an increasing number of Somali asylum seekers at a loss in terms of accessing protection and assistance. Besides, the return decision must be made on the basis of full information of the identity of returnees. This is only possible if proper registration and documentation of refugees is maintained. The fact that Kenya did not institute any national refugee policy framework prior to 2006 largely featured as contributing to the scantiness of refugee details.

4.2.3.3 Stakeholders involvement in refugee camps closure

It was established that, the refugee return decision was participatory and inclusive, and that before the decision to shut down the camps was arrived at, all the relevant stakeholders were in the picture. Respondents (n =30; representing 100%) mentioned that both UNHCR and the Federal Republic of Somalia were party to the Tripartite Agreement on return signed with the

Government of Kenya. The individual opinions of the refugees may not have been sought, but the key stakeholders including the country of origin and; UNHCR and partners consulted on the same. In March 2017, Kenya brought together heads of governments from Somali refugee hosting states in a regional summit organized to discuss pertinent Somali refugee issues. Top on the agenda included; support to the host communities, provision of enough protection and asylum to the Somali refugees and creation of favourable conditions in Somalia to facilitate refugee returns. This stakeholder forum was geared towards finding a durable solution for the Somali refugee.

4.2.3.4 Concern of the Camps as Breeding grounds for terrorist activities

The concerns that the camps serve as a breeding ground for terrorists was put across and it was a general view (n=28; representing 93%) that the camps are hiding criminals. It is widely believed that the escalating levels of insecurity in Kenya is due to the proliferation of arms by refugees into the camps through the porous Kenya-Somalia borders and UNHCR is accused of overly protecting them. Most Somalis nationals are also believed to gain entry to the country under the guise of refugees and Al Shabaab, the terror group linked to Al Qaeda, appears to be taking advantage of the refugee camps to access Kenya. Kenya is considered an ally of the Anti-terror Group of Nations led by the US and Britain and Al-Shabaab terrorists are thought to be using the camps as seedbeds for recruits and advancement of ideologies.

4.2.3.5 Refugees as an economic burden to Kenya

As to whether refugees represent an economic burden to Kenya, yes, Kenyans feel the strain of hosting refugees and their continued presence is believed to be impoverishing the region. Nearly all respondents (n=29; representing 97%) believe that Kenya is economically

overstretched by hosting huge refugee populations. However, on a positive note, in as much as refugees exert pressure on limited resources, 3% of Kenyans (n=1) believe thatthey represent increased demand for goods and services hence a growing market for the countries production if properly harnessed. Refugees have been participants in sectors such as agriculture, trade and artisans that can be channeled to enhance economic growth. The large presence of humanitarian organizations and UNHCR has also contributed to improved infrastructure in the region. They believe that refugees are being scapegoated for the Kenyan economy's shortcomings

4.2.3.6 Safety of Refugees, Livelihood Opportunities and Essential Services

Finally, the interview was based on the concern that refugees on the minimum require three things in place before they return namely their own safety, their livelihood opportunities, and essential services such as healthcare and education. The question was whether these three conditions are present in Somalia. Nearly 53% (n=16) of respondents believe that all the three conditions might not be available in Somalia. There is, however, a belief that Somali nationals will chat their own destiny and that they are responsible for their nation rebuilding which cannot be done from exile.

4.2.4 Conclusions

From the views of the host country, it can be concluded that the Kenyan officials are very much informed about the ramification of the closure of the refugee camps and believe that return is the most durable solution to the refugee situation in Kenya. The study also concludes that security concerns as well as the cost associated with hosting huge refugee populations are key motivating factors to the camp shut-down decision taken by the government. There is a growing concern that the camps serve as breeding grounds for terrorists and extremist groups. Finally, the study concludes that the humanitarian situation in Somalia cannot, however, adequately

support large scale return process as the country still struggles with human right violation concerns, lack of means to livelihood and poor essential services such as health, education and housing facilities.

4.3 Views from the Country of Origin

In this section, the researcher analyzed responses from twenty (20) respondents mainly in managerial positions at the Somali Office in Nairobi, Kenya.

4.3.1 Background Information

The background information captured in this section included, the duration that respondents had served in their positions, their views on the state of security in Somalia and whether the Government is better placed to build solid state structures to help the returning refugees. The analysis is as given in Tables 4.5, 4.6, 4.7 and 4.8 below:

Table 4.5: Gender of the Respondents

Gender	Frequency	Percent	Valid Percent	Cum. Percent
Male	10	50.0	50.0	50.0
Female	10	50.0	50.0	100.0
Total	**20**	**100.0**	**100.0**	

Source: Research Data (2018)

There was a balanced representation with 50-50% for both male and female as depicted in Table 4.5 above.

Table 4.6: Duration of service

Duration of Service	Frequency	Percent	Valid Percent	Cum. Percent
Less than 1 year	1	5.0	5.0	5.0
Less than 5 years	2	10.0	10.0	15.0
Less than 10 years	13	65.0	65.0	80.0
More than 10 years	4	20.0	20.0	100.0
Total	**20**	**100.0**	**100.0**	

Source: Research Data (2018)

Findings on Table 5.6 above indicate that 15% of the respondents had served the organization for 5 years or less, and 20% had worked for more than 10 years. In view of these statistics, the opinions of the respondents can reliably be interpreted and considered valid.

4.3.2Descriptive Data

4.3.3.1 State of Security in Somalia

Table 4.7: State of Security in the Somalia

State of Security	Frequency	Percent	Valid Percent	Cum. Percent
Good	2	10.0	10.0	10.0
Fair	3	15.0	15.0	25.0
Bad	8	40.0	40.0	65.0
Very bad	7	35.0	35.0	100.0
Total	**20**	**100.0**	**100.0**	

Source: Research Data (2018)

The respondents were asked to state how they would describe the state of security in their county. Table 4.7 above shows that 40% of the respondents agree that the state of security is bad, while 35% believe that the state of security is very bad. 15%, however, assess the situation as fair while10% believe that the state of security is good. The security situation in Somalia

remains dire implying that for the repatriation objectives to be achieved, the Government of Somalia must address security issues as a matter of urgency.

4.3.2.2 Whether the Government can build solid state structures

Table 4.8: Whether the Government can build solid state structures

	Frequency	Percent	Valid Percent	Cum. Percent
Yes	12	60.0	60.0	60.0
No	8	40.0	40.0	100.0
Total	**20**	**100.0**	**100.0**	

Source: Research Data (2018)

The respondents were asked to indicate if they think that the current Government of Somalia is in a better place to build solid state structures to help the returning refugees. The findings indicate that 60% agree while 40% are of a contrary opinion. It is indicative that, with a paradigm shift in policy making and implementation and political goodwill, it is possible.

4.3.2.3 The need for Repatriation

The respondents were asked to indicate why the Federal Government of Somalia is pushing for spontaneous returns, using a scale of 1 to 5; where 1 = Strongly Agree, 2 = Agree, 3 = Neither agree nor disagree, 4 = Disagree, 5 = Strongly Disagree. The analysis of findings is given in Table 4.9 below:

Table 4.9: The Need for Repatriation

Reasons for pushing for Repatriation	N	Mean	Response N (%)				
			1	2	3	4	5
Repatriation a way of peace building and development	20	1.35	75	20	0	5	0
The country is safe for return	20	2.40	55	5	5	15	20
It is a way of gaining legitimacy as a country after decades of conflict and civil war.	20	1.00	100	0	0	0	0
Repatriation as a conduit for donor funding on successful refugees return.	20	1.25	85	10	0	5	0
The Government of Somalia has created enabling conditions for large scale returns	20	3.10	20	5	35	25	15
Escalating insecurity in Kenya due to sporadic terror attacks by Al-Shabaab militia	20	1.05	95	5	0	0	0
Dwindling support towards long lasting solutions, especially education and livelihoods opportunities	20	1.40	75	15	5	5	0
Lack of rehabilitation support to the host community	20	2.15	20	50	25	5	0
Valid N (List wise)	**20**						

Source: Research Data (2018)

Table 4.9 above indicates that in spite of the fragility of peace in the country, respondents strongly agree that the Government of Somalia is pushing for repatriation as a way of gaining legitimacy as a country after decades of conflict and civil war and as a political statement that after three decades of violent conflicts, the country is now safe and relatively stable. Also featured prominently is the fact that there is escalation of insecurity in the host country due to sporadic terror attacks by Al-Shabaab and that the exercise provides an avenue for donor funding if refugee return succeeds. Repatriation as a way of peace building and development and that there is dwindling support towards long lasting solutions, especially education and livelihoods opportunities all featured prominently among respondents. To a lesser extent, the respondents also agree that there is lack of rehabilitation support to the host community in Kenya and that the country is safe for return. They, however, neither agree nor disagree that

the Government of Somalia has created enabling conditions for large scale returns. It can be deduced from the findings that the Somali Government is pushing for premature returns of their people to legitimize their sovereignty in post-war Somalia, as well as to attract donor funding.

4.3.3 Government Support Mechanisms

The Somali refugees are forced out of safety in Kenya to a country that is grappling with years of devastating wars and conflicts as well as the worst ever drought to hit the country in the last 20 years. UNHCR, (2018) indicates that according to the Integrated Food Security Phase Classification, Somalia is facing a crisis food security situation, with over half of the population estimated to be in dire need of food.

In this study, a number of Government support mechanisms were listed, and the respondents were asked to rate them using a scale of 1 to 5; where 1 = Very Good, 2 = Good, 3 = Fair, 4 = Bad, and 5=Very Bad. The research findings are outlined in the form of medical support, psychological support and social service provision as indicated in the Tables 4.10, 4.11 and 4.12 below:

4.3.3.1 Medical Support

Table 4.10: Medical Support

Support Mechanisms	N	Mean	Response (%)				
			1	2	3	4	5
The Government facilitates the supply of hygiene kits, insecticide and treated nets.	20	3.15	0	10	65	25	0
Government immunization for children and checking health status of pregnant women.	20	3.05	0	20	55	25	0
The Government initiates programs to prevent sexual exploitation and abuse.	20	3.15	0	10	65	25	0
There is the provision of equitable access to universal health coverage, including access to quality essential services, medicines and vaccines and health care financing.	20	3.75	0	5	20	65	10
Public health interventions to reduce mortality and morbidity.	20	3.60	0	5	35	55	5
Promoting physical and mental health; equality and equity.	20	2.80	0	30	60	10	0
Valid N (List wise)	**20**						

Source: Research Data (2018)

Government of Somalia's medical support was examined with a view to determining if the country is ready for large scale returns of its exiled citizens. From the findings, Table 4.10 shows that promotion of physical and mental health as well as equality and equity was rated highly, with a mean of 2.8. The respondents are, however, of the view that a number of medical services were provided only fairly by the country of origin. They include immunization for children and checking health status of pregnant women; facilitation of the supply of hygiene kits, insecticide and treated nets; initiation of programs to prevent sexual exploitation and abuse; and public health interventions to reduce mortality and morbidity. The Government

performed badly in the provision of equitable access to universal health coverage, having a mean of 3.75. The implication of these findings is that the Government of Somalia has not done much in terms of medical services provision to sustain mass returns.

4.3.3.2 Psychological Support

Table 4.11: Psychological Support

			Response N (%)				
Support Mechanisms	**N**	**Mean**	**1**	**2**	**3**	**4**	**5**
The Government facilitates psycho-social counseling sessions through various agencies.	20	2.65	0	45	45	10	0
There is the provision of counseling programs to improve mental health of the beneficiaries.	20	2.80	0	30	60	10	0
The Government has put in place centers of victims of torture (CVT) services to provide psychosocial counseling.	20	3.00	0	20	60	20	0
There are sensitization sessions to reduce stigma of mental health problem among the refugee population.	20	2.80	0	40	40	20	0
There are programs to prevent and control communicable and non-communicable diseases for refugees.	20	3.25	0	10	60	25	5
Valid N (List wise)	**20**						

Regarding psychological factors and their ability to support mass returns of refugees as presented in Table 4.11 above, facilitation of psycho-social counseling sessions and provision of counseling programs as well as sensitization sessions to reduce stigma of mental health problem among the refugee population were rated highly, with means of 2.65 and 2.8 respectively. The respondents also rated fairly the fact that the Governments has put in place centers of victims of torture (CVT) and programs to prevent and control communicable and non-communicable diseases, having means of 3 and 3.25 respectively. The findings show that the Government has not put in place adequate psychological support for the refugees to return smoothly.

4.3.3.3 Social Service Provision

Table 4.12: Social Service Provision

Services	N	Mean	Response (%)				
			1	2	3	4	5
There are trainings/workshops organized by the Government for the refugees.	20	2.30	0	75	20	5	0
The Government of Somalia's programs to ensure effective protections of returnees.	20	2.45	0	65	25	10	0
The governments of Somalia's measures to protect the basic human rights of returned citizens	20	3.10	0	20	50	30	0
The Government provides additionally practical supplies, such as shelter, food, clothing and cash transfers for food and basic household items required.	20	3.25	0	5	65	30	0
There are programs to prevent and control communicable and non-communicable diseases for refugees.	20	3.25	0	15	55	30	0
The Government has put in place programs to reconstitute its relationship with refugees	20	3.30	0	15	45	35	5
Valid N (List wise)	**20**						

Source: Research Data (2018)

Under the Social service provision dimension six items were investigated. Table 4.12 above indicates that the Government provision of trainings/workshops for refugees and putting in place programs to ensure effective protections of returnees was highly rated having means of 2.3 and 2.45 respectively. The respondents also agreed that the Government has only performed fairly regarding measures to protect the basic human rights of their returned citizens; provision

of additional practical supplies; programs to prevent and control communicable and non-communicable diseases as well as programs to reconstitute its relationship with refugees. The general view is that the Government has not done much in terms of provision of social services to facilitate mass returns of refugees.

4.3.4 Conclusion

The views from the country of origin officials can be summarized to help fulfill the objectives of the study. Regarding the state of security in Somalia, it can be concluded that it is not conducive for large scale returns. The Government can, however, build solid state structures especially with the right policies, political goodwill and adequate stakeholder support. Regarding motivations behind repatriation, it can be deduced that the Government of Somalia is pushing for repatriation as a way of gaining legitimacy as a country after decades of conflict and civil war; and that the exercise provides a possibility for donor funding if refugees return. As for Government support, the conclusion that can be arrived is that medical support, psychological support and social service provision is not at a level that can sustain large scale returns.

4.4 Views of UNHRC Office

The analysis of UNHCR views on repatriation considered a number of areas; background information, voluntariness of returnees and a detailed interview guide for the UNHCR officers. The analysis is as given below:

4.4.1 Bio Data

This section was concerned majorly with the duration that the officers had served in their positions. The analysis is given in the Tables 4.13, 4.14 and 4.15 below:

Table 4.13: Duration of Service

Duration of Service	Frequency	Percent	Valid Percent	Cum. Percent
Less than 1 year	1	5.0	5.0	5.0
Less than five years	3	15.0	15.0	20.0
Less than 10 years	12	60.0	60.0	80.0
More than 10 years	4	20.0	20.0	100.0
Total	**20**	**100.0**	**100.0**	

Source: Research Data (2018)

Table 4.13 above shows that most of the respondents had served the organization for less than 10 years represented by 80%, while 20% had served for more than 10 years. This is to be expected because of the rotational nature of their job. The views, however, would be considered reliable since most of the respondents have been in the organization long enough.

4.4.2 Descriptive Data

4.4.2.1 Whether the refugees want to return

Table 4.14: Whether Refugees want to Return

In your opinion	Frequency	Percent	Valid Percent	Cum. Percent
Yes	4	20.0	20.0	20.0
No	16	80.0	80.0	100.0
Total	**20**	**100.0**	**100.0**	

Source: Research Data (2018)

Table 4.14 above indicate that 80% of UNHCR officials are of the view that refugees do not want to return, while 20% are assured that refugees would want to return. This is indicative of serious concerns over the return exercise.

4.4.2.2 Prevailing public opinion in the camps about return

Table 4.15: Prevailing Public Opinion about Return

Rate	Frequency	Percent	Valid Percent	Cum. Percent
Good	1	5.0	5.0	5.0
Fair	5	25.0	25.0	30.0
Bad	6	30.0	30.0	60.0
Very bad	8	40.0	40.0	100.0
Total	**20**	**100.0**	**100.0**	

Source: Research Data (2018)

The findings further indicate the fact that the refugees did not receive the repatriation news positively. 40% of UNHCR officials termed the mood in the camps about return as very bad, 30% as bad, while only 5% terming the mood as good. These statistics imply that the return news was not well received across the camps.

4.4.2.3 Voluntariness of Returns

In this section, the respondents were given a list of reasons why voluntariness has been questionable for the Somali refugee return program. They were to indicate the reasons why UNHCR is still pushing for returns using the scale 1 to 5, where 1 = Larger Extent, 2 = Moderate Extent, 3 = Low Extent, 4 = Very Low Extent, 5 = Not at All. The findings are indicated in the Table 4.16 below:

Table 4.16: Voluntariness of Returns

Reasons for Questioning Voluntariness	N	Mean	Response (%)				
			1	2	3	4	5
There is pressure to engage by host and influential donor states	20	1.25	75	25	0	0	0
To provide support to spontaneous return of Somali refugees	20	1.70	35	60	5	0	0
Responding to repeated calls for refugees return and closure of camps	20	1.90	30	55	10	5	0
The other two durable solutions were not considered realistic options	20	2.00	25	55	15	5	0
A starting point to assist 'spontaneous' returns	20	1.45	55	45	0	0	0
To balance between the mandate of refugee protection and maintaining good relations with host country	20	1.70	50	40	5	0	5
To reduce long-term care expenditures in an era of shrinking budgets	20	2.30	20	50	10	20	0
There are perceived limited alternatives	20	3.55	5	20	15	35	25
Valid N (List wise)	**20**						

Source: Research Data (2008)

Table 4.16 shows that UNHCR is still pushing for repatriation to a larger extent due to pressure by the Kenyan authorities and influential donor states. It was also inevitable in order for the organisation to have some kind of starting point to assist 'spontaneous' returns that were already happening anyway. The study also established that, the fact that resettlement and integration were not considered practical options; and reducing long-term protection and assistance expenditures in an era characterized by budgetary challenges moderately influenced the decision to repatriate refugees. Finally, the respondents felt that the fact that there are

perceived limited alternative solutions for the protracted situation least influence the decision to repatriate.

4.4.3 Summary of the Interviews

The UNHCR officers were interviewed on a number of issues regarding the Somali refugees' repatriation program. The interviewees unanimously, (n=20), agreed that minimum standards of security do not prevail in most parts of Somalia to support dignified returns of refugees. This is because there is still insurgence of deadly conflicts and attacks in most parts of the country. In supporting the repatriation, UNHCR officers were of the view that the voluntary character of repatriation and other preconditions of voluntary repatriation, as required by UNHCR, were not respected by the other parties in the Somali refugees' situation. UNHCR relies on the policies of the host states and the funding agencies as the basis of the action plans, and therefore, repatriation may have been opted to fulfill the interests of the host state and the funding agencies at the expense of more durable solutions.

Regarding whether a formal repatriation agreement has been concluded between partners, it was established that indeed an agreement exists in the form of a *Tripartite Agreement* that was signed by the Government of Kenya, the Federal Government of Somalia and UNHCR in 2013. However, the refugees themselves were not party to the pact, but the belief was that those who opted to return were given a free will to make their own informed return-decision without any undue external pressure.

As to whether the Federal Government of Somalia's willingness to admit its exiled nationals, it was established that, indeed, they have shown willingness, though most officers expressed pessimism over their capacity to build strong structure to support large-scale returns. As to whether UNHCR has intervened in reminding the Federal Government about their obligation

to create conditions of just returns, it was established that UNHCR has been constantly monitoring the situation in Somalia and with the help of other agencies trying to establish infrastructural facilities that can help sustain the process. The Federal Government of Somalia, it was also established, has designed a national policy on return and reintegration, though a challenge exists with regard to resources needed to build new and improve old structures in Somalia to support dignified and sustainable returns of refugees.

Regarding whether other options like local integration and resettlement to third countries were considered, the officers indicated that there are three options considered durable. They include voluntary repatriation, currently on trial; resettlement to a third country and local integration in the country of asylum. Integration into the Kenyan society was largely ruled out by respondents, terming it as having "totally failed" as the government of Kenya instituted an encampment refugee policy. Resettlement places have also dwindled over the years as third countries are increasingly protective of their borders and only commit to an insignificant settlement places.

The respondents also indicated the extent to which refugees have been used as scapegoats by the Kenyan authorities. It was established that, in spite of perennial accusations by Kenyan authorities, no meaningful evidence has been brought forward to the fact that refugees are behind the numerous terror attacks on Kenyan soil. Most of those implicated in terror attacks in Kenya have been Kenyans themselves, thus raising pertinent questions on homegrown radicalization.

4.4.4 Conclusions

From the analysis of the views of the UNHCR officers, a number of conclusions can be reached based on the objectives. First, it can be concluded that refugees do not want to return due to the atrocious humanitarian situation in Somalia that has failed to improve over time. This has also meant that the mood in the camp on hearing about the return was somber. Secondly, it can be concluded that UNHCR is still pushing for repatriation due to pressure to favourably influence host and donor states. It is also due to UNHCR's duty to provide support for spontaneous returns that were happening anyway, amid repeated calls for refugees return and camp closure by host authorities. Lastly, UNHCR's preconditions for natural returns were not sufficiently met by partners, as minimum standards of security do not prevail in most parts of Somalia to support dignified returns of refugees.

4.5 Views of Returnees

A returnee is a former refugee who returns to their country or area of origin, whether spontaneously or in an organized manner, (Refugee Consortium of Kenya, 2017). The study poised to get the views of returnees with respect to a number of issues to help assess their involvement in the repatriation process and eventually whether returning to Somalia is a move they support or not and if their opinions was sought in the whole process. The focus was on why they left Somalia, reasons for intended to return, assistance needed to return to Somalia and an assessment of key concerns from individual perspectives using the interview guide. A sample of fourteen (14) returnees was interviewed with the help of incentive workers at *Daadab* refugee camp and the analysis is as follows:

4.5.1 Bio Data

Table 4.17: Gender

		Frequency	Percent	Cum. Percent
Valid	Male	6	42.9	42.9
	Female	8	57.1	100.0
	Total	14	100.0	

Source: Research Data (2018)

Table 4.17 shows a relatively balanced response with the male making up 42.9% and the female

57.1%. The views almost balanced the expectations of the researcher from gender perspective.

Table 4.18: Level of Education

Level of Education		Frequency	Percent	Cum. Percent
Valid	Informal	5	35.7	35.7
	Primary	5	35.7	71.4
	Secondary	4	28.6	100.0
	Intermediate/ college level	0	0.0	100.0
	University	0	0.0	100.0
	Total	14	100.0	

Source: Research Data (2018)

Table 4.18 shows that the respondents were not in a position to thoroughly understand and

comprehend the questions as addressed in the questionnaire. This is because 35.7% were

illiterate and only a handful had secondary level education, represented by 28.6%. None of

them had college or university level education. Incentive workers were, therefore, employed to

translate and clarify most of the issues raised in the questionnaires and interview guides.

4.5.2 Descriptive Data

4.5.2.1 Listing on the Ration Card

Table 4.19: Listing on the Ration Card

		Frequency	Percent	Valid Percent	Cum. Percent
Valid	YES	13	92.9	92.9	92.9
	NO	1	7.1	7.1	100.00
	Total	14	100.0	100.0	

Source: Research Data (2018)

As refugees' claims for status determination are being processed, a number is generated which is put on a ration card issued to refugees to allow them access food and non-food items. From Table 4.19 above, thirteen (13) representing 93%, out of the fourteen (14) respondents were listed. This shows that the study focused on persons legally registered as asylum seekers, the very population targeted by the study and the actual population that is supposed to be protected against *refoulement.*

4.5.2.2 Intention to Return to Somalia

Table 4.20: Intention to Return to Somalia

Intention to return		Frequency	Percent	Valid Percent	Cum. Percent
Valid	YES	5	35.7	35.7	35.7
	NO	9	64.3	64.3	100.00
	Total	14	100.0	100.0	

Source: Research Data (2018)

Table 4.20 indicates that 64.3% of the returnees are not willing to return to Somalia, representing the refugees' unheard voices, while 35.7% probable represent those who are squeezed and hopeless who would rather return to danger than continue with the constant harassment by the Kenyan authorities who would eventually forcefully evict them. These

results indicate that refugees have well-founded concerns over their lives and persecution

inside Somalia and, therefore, it is illegal for the parties involved to coerce them to return.

4.5.2.3 Productive activities in Somalia

Table 4.21: Productive activities in Somalia

Were you able to?		Frequency	Percent	Valid Percent	Cum. Percent
Valid	YES	11	78.6	78.6	78.6
	Yes, partially only	3	14.3	14.3	100.0
	Total	14	100.0	100.0	

Source: Research Data (2018)

The respondents were asked whether they were able to produce enough for their households

needs before crossing the border into Kenya. Table 4.21 above indicates that 78.6% of the

returnees were able to, while only 14.3% partially could be able to do so. This indicates that

refugees were forced to leave their motherland.

4.5.2.4 Occupation while in Somalia

The respondents were asked the occupation that they used to do while in Somalia. The

responses outlined the fact that returnees were gainfully occupied. Most of them were into

farming and small-scale trading. This implies that when the refugees were forced to flee from

Somalia, they suffered economically.

4.5.2.5 Household in Somalia

Table 4.22: Household in Somalia

Household Status	Frequency	Percent	Valid Percent	Cum. Percent
Own/ Family house	9	64.3	64.3	64.3
Rented house	2	14.3	14.3	78.6
Nomadic type of residence	3	21.4	21.4	100.0
Total	**14**	**100.0**	**100.0**	

Source: Research Data (2018)

The respondents were further asked to state the type of household they used to live in while in Somalia. Table 4.24 shows that 64.3% of the respondents lived in their own houses, 14.3% in rented houses and 21.4% in nomadic type of residences. These findings indicate that refugees are from different backgrounds and led stable lives before the flight.

4.5.3 Reasons for Leaving Somalia

The section focused on the movement of Somali refugees from their homeland to Kenya and the underlying reasons for it. The researcher intended to find out reasons why the first members of the households of returnees left Somalia. The respondents were asked to rank the reasons using the scale 1 to 5 where 1 = Most Likely, 2 = Likely, 3 = Moderately Likely, 4 = Least Likely, 5 = Not at All. The findings are outlined in the Table 4.24 below:

Table 4.23: Reasons for Leaving Somalia

Reasons for Leaving Somalia			Response (%)				
	N	Mean	1	2	3	4	5
Food insecurity/ Drought/Famine/Flood	14	2.71	29	14	14	43	0
Loss of assets and/ or property	14	1.57	72	7	14	7	0
Insecurity/ Clan conflict	14	1.07	93	7	0	0	0
Insecurity/ Political conflict	14	1.29	79	14	7	0	0
Humanitarian assistance in camps	14	2.57	7	50	29	7	7
Work opportunity in Dadaab camps	14	3.07	0	28	36	36	0
Work opportunity elsewhere in Kenya	14	2.93	29	0	21	50	0
Join family/ Clan members	14	4.29	0	0	7	57	36
Persecution of some household members	14	3.21	7	14	36	36	7
Valid N (List wise)	**14**						

Source: Research Data (2018)

The study found out that insecurity due to clan and political conflicts, with a mean of 1.07 and 1.29 respectively was mostly responsible for the refugee flight into Kenya. Joining family members was considered the least reason responsible for refugee flight, probable because the research sampled the first members of the household to migrate. From the study findings, it

can generally be concluded that the reasons for flight were based on hopelessness in the country's socio-economic and political progress, and not personal situations.

4.5.4 Reasons for Intending to Return to Somalia

UNHCR (2018) estimates that between December 2013, when the 'voluntary repatriation' program started and March 2017, more than 60,700 Somali refugees had been returned to their motherland. During the first three months of 2017 only, a total of 20,900 Somali refugees were facilitated by UNHCR to return, which brought the total number of returnees since the signing of the Tripartite Agreement in November 2013 to more than 63,000. More than 21,000 are believed to have expressed their informed willingness to return to Somalia voluntarily, (UNHCR, 2018). The current study sought to understand the reasons why the refugees would intend to return to Somalia from Kenya. The respondents were asked to rank the reasons using the scale 1 to 5, where 1 = Most Likely, 2 = Likely, 3 = Moderately Likely, 4 = Least Likely, 5 = Not at All. The findings are outlined in Table 4.25 below:

Table 4.24: Reasons for Refugee's Intention to Return to Somalia

Intention to Return	N	Mean	Response (%)				
			1	2	3	4	5
Employment opportunities and restarting of life	14	1.29	86	7	0	7	0
Pressure to leave from host authorities	14	1.93	50	14	29	7	0
A clan decision	14	4.29	7	0	7	29	57
Family reunion with those who have returned	14	3.79	0	14	21	36	29
Need for family reunion with those who remained	14	3.86	0	7	29	36	28
Need for family to recover property	14	4.79	0	0	0	21	79
Improved security in Somalia	14	2.43	7	43	50	0	0
Valid N (List wise)	**14**						

Source: Research Data (2018)

The findings show that returns to Somalia were triggered by a number of factors both in the host country and the country of origin. Respondents mentioned the motivation to return as largely guided by the possibility of landing gainful employment opportunities in Somalia and restarting a life. Deteriorating situation in the camps coupled with pressures to leave by the host authorities also informed the decision to leave with a mean of 1.93. The least likely reasons include clan decision and the need to recover their property with a mean of 4.29 and 4.79 respectively.

4.5.5 Assistance Needed to Return to Somalia

According to UNHCR (2018), Somalia is a country that is struggling, with so many factors contributing to the sorry humanitarian and social situation in the country. Insecurity, limited presence and capacities of Government institutions; as well as limited livelihood opportunities and lack of basic services are some of the factors responsible for the current situation in Somalia. In addition, there is currently the risk of famine as cases of deaths and illnesses from drought have been reported. UNHCR (2018) estimated more than 6.2 million people are in need of assistance, with children facing particular risks of severe malnutrition.

Here, the researcher sought to find out the assistance needed, if any, for refugees upon their return taking into account the current humanitarian situation in Somalia. Using a scale of 1 to 5, respondents were asked to rank them in terms of their influence to return; where 1 = Most Likely, 2 = Likely, 3 = Moderately Likely, 4 = Least Likely, 5 = Not at All. The findings are given in the Table 4.27 below:

Table 4.25: Assistance Needed to Return to Somalia

Assistance Needed	N	Mean	Response (%)				
			1	2	3	4	5
Food security	14	1.00	100	0	0	0	0
Employment opportunities	14	1.00	100	0	0	0	0
Agricultural tools and seeds	14	1.64	64	7	29	0	0
Access to education	14	1.21	86	7	7	0	0
Access to healthcare	14	1.43	79	7	7	7	0
Recognition of schooling certificates	14	2.00	36	36	21	7	0
Availability of accommodation	14	1.86	42	29	29	0	0
Access to original land and house	14	4.21	0	14	0	36	50
New documentation	14	3.14	7	14	36	43	0
Valid N (List wise)	**14**						

Source: Research Data (2018)

The findings from the survey indicate that food security, availability of employment opportunities, and access to basic services such as education and health services are the most needed assistance by refugees upon return. Access to original land was not given much priority, with a mean of 4.21. Overall, basic social amenities that are considered critical for human survival were given prominence by respondents.

4.5.6 Summary of the Interviews

The returnees' survey questionnaire asked a number of questions relating to life after 'voluntarily returning' to Somalia. Generally, returnees suffered from inadequate supply of food, water and high prevalence of malnutrition, as Somalia is currently facing its most devastating drought in decades. Respondents reported deaths as a result, mostly under-5 years in the worst-hit areas of return. Most of the under-5 deaths were reported to be associated with starvation, diarrhoea and measles, a reflection of failure of humanitarian and government actors to adequately safeguard the welfare of this population. Haji Musa, 18, said he and three other friends had to sneak back to *Daadab* because they were starving. In his own words, he stated:

> "I can't stay in Somalia, there is no food to eat and people are dying of hunger. I have come back here because here we can eat."

Others indicated that the level of insecurity is still high, so many years after they fled. One interviewee along with his sisters stated that he was shocked and horrified that bloodshed still continued unabated after the militants killed their parents long before they fled Somalia. He further stated that his sisters who were younger than him did not have the opportunity to go to school. In his words, he stated that;

> "We regret the return to Somalia. My sisters could not go to school. The UN threw us across the border without caring about our wellbeing. We decided to return to the camp so that my sister can continue with school."

The respondents indicated that most of those affected are women, children, the elderly and those with special needs. Most of the assistance they sought from the UN Refugee Agency was not forthcoming, which led to the decision to re-enter Kenya and back to *Daadab*.

4.5.7 Conclusion

It was noted that majority of respondents were illiterate and mostly listed as genuine refugees in that they had the ration cards. Majority were gainfully employed with stable households before the flight, signifying that their flight to Kenya was not voluntary. Majorly, insecurity and lack of basic amenities prompted them to take the decision to leave their homeland. Many, however, would like to return to their country but on condition of improved security situation and availability of livelihood opportunities. They mostly would like to be assured of physical and food security, livelihood opportunities, access to education and adequate healthcare structures upon return.

4.6 Demographic Differences between Kenya and Somalia

To gain a much broader perspective of the main theme of the study and in line with the fourth objective of the study, a review of literature on secondary sources sought to complement the primary data. The analysis of data and literature from the populations of Kenya and Somalia revealed significant demographic differences.

In nearly 3 decades, Somali has been an epitome of a failed state, characterized by a host of issues including protracted civil wars and conflicts, poor governance structures, economic downturn, glaring poverty, social inequalities and general underdevelopment. The world, African states and neighbours like Kenya have gone in to try and resolve the political, security and humanitarian crisis. Foreign military have moved to deal with the insurgencies and Aid organizations have also gone in to try to offer food aid. Amid the concerted efforts to battle and arrest the biting humanitarian crisis in Somalia, perhaps the biggest problem is the failure of the world to deal with its extraordinary demographic profile; one of the fundamental structural factors that is often overlooked.

With a shocking Total Fertility Rate (TFR) of 6.4, a disproportionately high Infant Mortality Rate (IMR) of 95 deaths per 1000 births and maternal mortality of 1200 deaths per 100,000 live birth, (World Population Data Sheet, 2017), all lying well above Sub-Saharan Africa and the world's average rates, the Somalia demographic picture is clearly a global outlier in the demographic sense.

This combination of issues and indicators in Somalia is a clear indication that the battle is evidently far from being won.

The figure below depicts the comparison of health indicators for Kenya, Somali, Sub- Saharan Africa and the world.

Table 4.26 Kenya, Somalia, Sub Saharan Africa and World TFR, IMR and MMR

Country/Indicator	TFR	IMR/1000	Maternal Mortality Ratio/100,000
Kenya	3.9	37	362
Somalia	6.4	95	1200
Sub Saharan Africa	4.6	51	640
World	2.5	32	260

Source: Population Reference Bureau, World Population Data Sheet, 2017

4.6.1 Are the current Demographics in Somalia in support of safe Returns?

Somali registers the second highest TFR in the world, same position with Chad and only behind Niger with a high of 7.3, (World Data Sheet, 2017). The annual population increase is 2.9 and 2.6 for Somalia and Kenya respectively, (World Bank, 2017). These demographic indicators are a clear reflection of the deplorable conditions of health care in the country and a warning that the battle to restore the economic and security situation in the country is a distant reality, at least in the short run. While the world's attention is focused on the Federal Transitional government to commit to a new roadmap for peace and the African Union's peace forces to fight out the Al-Shabab militia out of Somali, demographic security, according to development experts, is the way for Somali's future, (Madsen, 2011). Kenya, on the other hand, has relatively stronger institutions, structures and better indicators and, therefore, remains the best place for refugees to stay as conditions in their country look to improve.

The table below shows Somalia's demographic factors compared to Kenya;

Table 4.27: Somalia versus Kenya's Demographic factors

Country	Pop.(M)	Birth	Deaths	IMR/ 1000	TFR	e M	e F	Contraceptive Use %	Annual increase
Kenya	49.5	32	06	37	3.9	64	69	64	2.6
Somalia	14.7	44	12	95	6.4	50	54	15	2.9

Source: World Population Data Sheet, 2017

4.6.2 The Youth Factor

Instability, violence and lawlessness has characterized Somalia and, undoubtedly, deep rooted, fighting is still going on in most parts of Somalia; clan warlords, the weak and ineffective transitional Government, communities and the Al-Shabab insurgency still struggle for control of power and resources, (Armed Conflict Dataset, 2017).

But, apart from those known and documented direct causes of conflict in Somalia, scholars of political demography and demographic security have debated and argued that countries are more susceptible to civil unrests if their population composition is 60% of younger than 30 years old, (Urdal, 2006; Madsen, 2011). Exceptionally youthful population (youth bulges), such as Somali's, can be a precursor and a motivation for political upheavals and violent uprising, (Urdal, 2006, Kincaid, 2017, Nordas and Davenport, 2013). It is argued that large youth cohorts potentially make countries susceptible to political violence and violent extremism by increasing both opportunities and motivation for violence. The increase in the youth cohort with lower opportunity cost in life coupled with economic failures, as those witnessed in Somali, seem to have a corresponding increase in violent extremism and uprising, (Madsen, 2011).

Currently, 70% of the Somali population is composed of younger than 30 year-old, a demographic situation that is only rivalled by Iraq and Palestine, (Madsen, 2011). The sustained high fertility has resulted in rapid population growth, with every successive generation larger than the previous one. Returns of Somali youths, who are faced with unemployment and desperation, can easily lead to renewed humanitarian crisis through recruitment to extremist groups and radicalization. According to Madsen, (2011) the risk increases as the proportion of youth increases. Below are the demographic pyramids of Somalia between 1950 and 2100 depicting huge youth cohorts.

Figure 4. 1: The Demographic Pyramid of Somalia 1950-2100
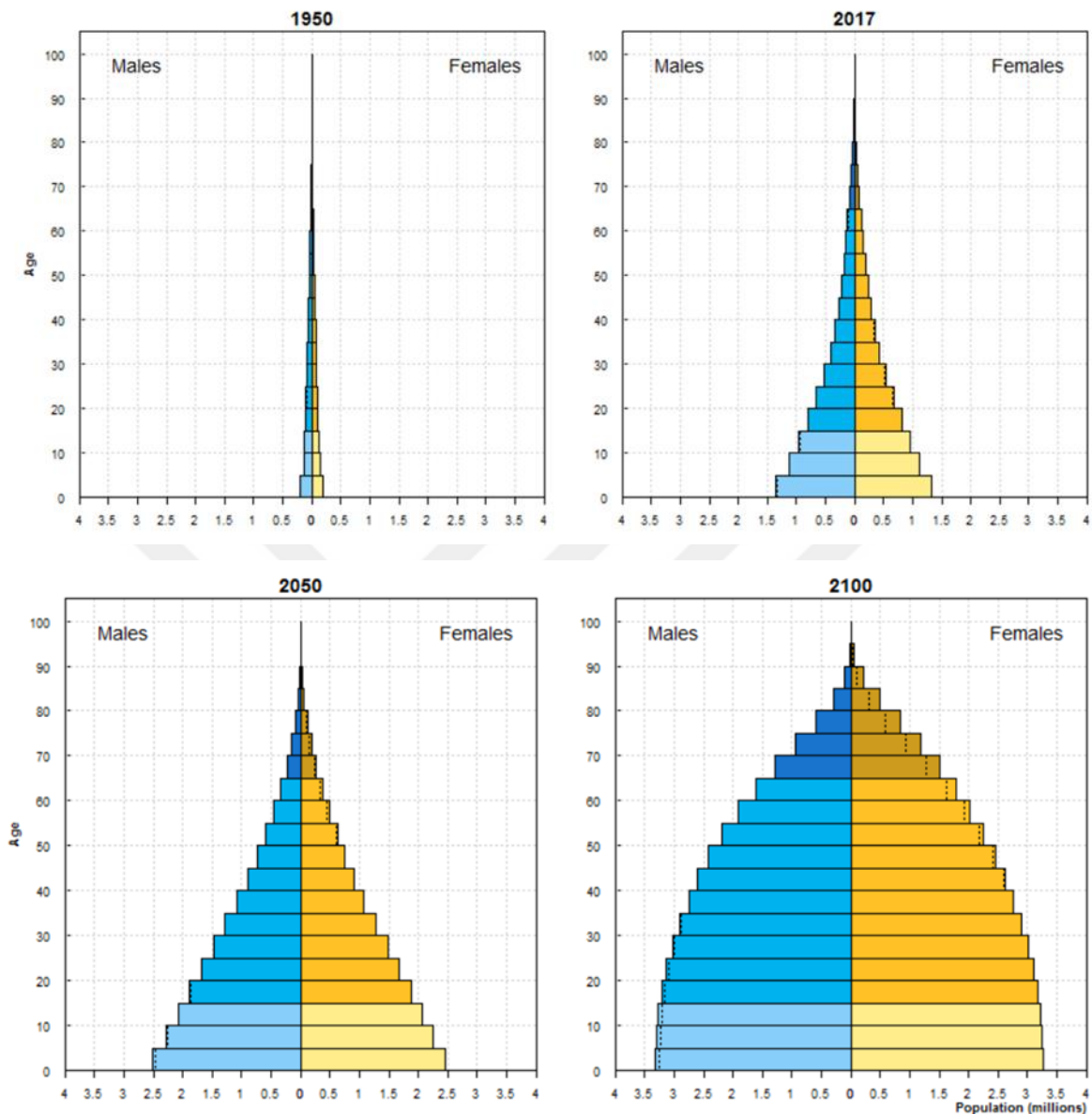
Source: Population Reference Bureau, World Population Data Sheet, 2017

From the a foregoing discussion and indicators, it is seemingly counter intuitive to think of returns to Somalia when the country is still grappling with poor health care indicators and resource gaps. The war seemingly severed and altered the demographics of the country and a return to pre-war Somalia and normalcy is not guaranteed soon.

4.7 Summary of Findings and Discussion

The objective of the study was to establish the policy failures in the motivations, interests and strategies by the Kenya Government, Somali state, the UNHCR and other stakeholders in pushing for repatriation of Somali Refugees spontaneously and prematurely by identifying the underlying factors and motivation that prompt the three key players to hastily evict refugees out of Kenya. Generally, the findings established that the Kenyan authorities have been the power behind the push for refugee returns. In defending their narrative, the Government of Kenya has fronted the narrative that refugees strain the economy and a big threat to national security. Kenya has lately adopted restrictive refugee policies because of the burden of having to host a significant number of refugees most of whom are viewed as poor and a burden to the country's meagre resources. Further, following a string of terrorist activities in the country, politicians have associated the Somali refugee population with the Al Shabab terror group, in the process portraying refugees as major security threats to the country.

On the side of the UN Refugee Agency, the preconditions for refugee return in the case of the Somali refugees were not met. It was established that UNHCR's support for refugee returns was basically due to the pressure from the Kenyan authorities to close the camps and, therefore, the organisation was compelled in its capacity, to chip in and support returns that were taking place anyway. Further, it was established that UNHCR supported the spontaneous returns of Somali refugees because local integration has failed due to the Government of Kenya's encampment policy which hampers integration into their society. Resettlement does not look likely either, as international states have cut their refugee resettlement quotas, further spelling doom for refugees who are in need of assistance. Therefore, pressure for return exerted by the

host state, Kenya, coupled with the gravity placed on finding durable solutions were the primary motivations that led to the UN Refugee Agency to support returns.

As for the country of origin, Somalia, what came out of the survey is that, despite the breakdown of peace in the country and the fact that the country's capacity is not ready for large scale returns of refugees, the Federal Government of Somalia is pushing for return of its nationals. The Federal Government of Somalia's motivation is majorly to put across a political statement that, despite the decades of fragility of peace, the country is safe and sustainable for returns. Additionally, the survey revealed that the Federal Government of Somalia is motivated by the return program because of the prospect of instilling confidence in donor states and organisations to channel funds to the country if return succeeds. Arguably the motivation of the Federal Republic of Somalia to consider return of their people to a fragile Somalia is the desire to make a political statement designed to show legitimacy, as well as a conduit for donor support.

For returnees, there is clearly an information gap on the conditions in Somalia. The focus group discussions and interviews revealed that most of refugee's did not have the latest information about Somalia and that the decisions to return were informed by perceived, as opposed to the actual conditions on the ground. All this questions the safety, voluntariness and sustainability of returns as majority of returnees found themselves worse off than they were before the return.

CHAPTER V

CONCLUSION AND RECOMMENDATIONS

5.1 Conclusion

For the purpose of this study, conclusions are based on the study findings in harmony with the five objectives described in the primary chapter of the study. It should be noted that the conclusions are also in accordance with the literature of the study earlier discussed. The correlation between the findings of this study vis-à-vis the reviewed literature will be discussed. Finally, recommendations will be proposed for further research on the area of study as well as for improved policy on refugee handling.

As has been demonstrated in the preceding chapter, return is a rather contentious topic that is influenced by societal structures and power dynamics. This study has shown that the Government of the Republic of Kenya's approach to management of refugees does not conform to their professed agenda. It is politically motivated and all too often does not serve the interests of refugees, rather egocentric, self-seeking, and impulsive schemes that are ill-timed, reckless and designed to compromise refugee protection needs.

The overarching objective was to show the failure in policy in the involuntary return of Somali refugees to their homeland from the three perspectives of the study; Government of Kenya, the Government of Somalia and UNHCR. This study has shown that Kenya's policy framework on refugees tends to be deficient, prioritizes sovereignty and security concerns at the expense of refugee protection; a finding consistent with the study by Stanley (2015), who states that national security is the main driving force for the Kenyan authorities' push for refugee returns. The ideas of the study are also consistent with many others who have delved into the refugee question. Hyndman & Mountz (2008), for example, found that refugee policies signify a shift

79

from those that emphasis humanitarian to those that prioritize national security considerations. Beth (2004), in his study found that the post-war refugee regime has not been purely humanitarian, but politics have surrounded refugee regimes. From the dawn of the refugee crisis and arrival in Kenya, there were no laid down structures for refugee status determination. The whole exercise was in the hands of UNHCR. This led to scanty refugee records, hence the crisis that has also made the repatriation exercise complex. The findings also established that the encampment policy adopted by the government of Kenya restricts movement of refugees and makes them reliant on humanitarian assistance instead of being economically self-reliant. The policy denies refugees' right to livelihood opportunities and freedom of movement, which is a breach of Articles 17 and 26 of the 1951 Geneva Convention. This finding was also reached by Harrell-Bond (1995), who posits that assistance policies promote encampment which deprive refugees' access to livelihood opportunities, in the end condemning them to dependence on aid.

Further on the policy dimension, the study can reliably deduce that Kenya does not have in place, the right policy framework to deal with the demands of the evolving nature of refugee needs and circumstances. Before 2006, Kenya did not have a refugee policy and although the Refugee Act 2006 has been under review for the last eight years, substantial implementation gaps exist especially in relation to reception, registration and residence of refugees. This has condemned refugees to the protracted situation they are in with no available solutions in sight. The three durable solutions promoted by UNHCR have largely failed in the case of Somali refugees because of the inadequacy of the Kenya refugee policy framework. Kenya lacks a policy on refugee integration, and resettlement places have dwindled over the years because States do not commit to the program and quotas are significantly reduced.

The second objective sought to identify the underlying factors and motivation that prompt the Government of Kenya, UNHCR and other key players to hastily evict refugees out of Kenya. The study concludes that the push for refugee return as pursued by the three stakeholders is politically motivated, self–serving and more often not serving the interest of refugees. The push for return is designed to serve egocentric motives of the government of Kenya, the Government of Somalia and UNHCR. The same finding was also reached by Karadawi (1984) on his study of refugee policy implications and asserts that policies majorly are compulsive to the demands of host and donor countries, countries of origin as well as humanitarian organisations. Refugees' decision to return have been driven by a number of push factors which do not fulfil voluntariness and therefore compromise on refugee protection. Consequently, they become only short-fix solutions for refugees, who eventually find that going back to the camps is the most attractive option.

The third objective was to establish the provisions for repatriation by the UN Refugee Agency. For UNHCR to promote return, certain preconditions need to be met. UNHCR, (1996), states that if refugees have to return to their country of origin, they need to do so in safety and dignity by guaranteeing of improved security and political conditions in their homeland as well as returns meeting the voluntariness condition. Refugees need to have access to objective and accurate information on the security situation, availability of livelihood opportunities and basic services on the country of return so that they can make the return decision from an informed view point. This was not met in the case of Somali Refugees as majority of respondents exhibited rough knowledge about the conditions in Somalia. The study established that there exists a clear gap on information about the security conditions, livelihood opportunities and availability of basic services across the border. UNHCR, the study gathered, is not giving the

refugees the much-needed information about security conditions in Somalia, neither are refugees given information about their rights and status and the expected degree of assistance upon return. The study concludes that there exist a number of information gaps that depict the UN Refugee Agency's lack of preparedness for the return process.

The fourth objective was to compare the demographic differences between Kenya and Somalia and ascertain the suitability of the current demographics in Somalia in supporting of safe returns. Somalia registers the second highest TFR in the world, the same position with Chad and only behind Niger with a high of 7.3, (World Data Sheet, 2017). The annual population increase is 2.9 and 2.6 for Somalia and Kenya respectively, (World Bank, 2017). These demographic indicators are a clear reflection of the deplorable conditions of health care in the country and a warning that the battle to restore the economic and security situation in the country is a distant reality, at least in the short run. While the world's attention is focused on the Federal Transitional government to commit to a new roadmap for peace and the African Union's peace forces to fight out the Al-Shabab militia out of Somali, demographic security, according to development experts, is the way for Somali's future, (Madsen, 2011). Kenya, on the other hand, has relatively stronger institutions, structures and better indicators, and therefore, remains the best place for refugees to stay as conditions in their country look to improve.

Lastly, the fifth objective was to establish the other policy responses available for the refugees and assess whether repatriation is the most feasible solution. From majority of the literatures, the other options available to refugees include resettlement and local integration, which have failed and remain odd prospects in the case of the Somali refugees. While repatriation remains a durable solution, it might be true when dealing with large numbers and bearing in mind the

technicalities of the other options, a comprehensive assessment has to be done and the concentration should be on making available the necessary social amenities.

The ideas presented in this study, however, are not without controversy. Bradley (2005) reached interesting conclusions with his probe on the return systems through his study, 'Conditions of Just Returns.' He states that under the social contract theory, return is a right and an entitlement that should ordinarily be encouraged. His argument and his overall critical piece of his study is that the right to return has been neglected in research as discussions focus on *non refoulement*, the right of refugees not to be returned. He further argues that, given the popularity of restrictive migration policies and that resettlement places largely shrivelled, refugees should be encouraged to exercise their right to return. He states that this is also an opportunity for the perpetrators of refugee atrocities and injustices to be able to make amends for their role in creating refugeehood for their citizens.

To sum up, the study was anchored on securitization theory and as it is seen from the findings, the primary concerns of the government of Kenya officials were security, aligning with the securitization framework earlier mentioned in the theoretical framework. The findings can reliably deduce that the security concerns about refugees by the Government of Kenya authorities remains a fallacy and a perception of those whose voices are capable of being heard. Refugees are not what they are portrayed to be, rather they are people in need of protection. The branding of refugee as security problems depends on who identifies them as such. The Trauma theory also underpins these study findings in that the confinement of refugees in camps subjects them to varied amounts of traumatization through the struggles, hardships, tortures and other forms of threats that they go through. The policy failure concluded by this study is,

therefore, directly related to the disjointed refugee policy framework that has made refugees to undergo differing levels of trauma, more than the safety they so much sought in Kenyan soil. Mollica's Trauma Theory in this study encourages stakeholders to focus on other ways to deal with refugee crisis, instead of induced returns that may increase the level of trauma to the already traumatized refugees. Besides, Kunz's Refugee Theory (1973, 1981) carries very significant insights in this study in that, as may be seen in the recommendations, service providers in refugee management should be able to identify the patterns of refugees based on their characteristics, background and history, and be able to come up with appropriate actions to handle them. Admittedly, it should be easier to appreciate and accept refugees who are culturally akin.

This study is, however, unique in the sense that it was approached from four perspectives that none of the literatures focused. A four-thronged perspective involving the host and origin States as well as UNHCR and returnees was adopted. Besides, demographic security as the biggest contributor of the refugee situation in Somalia that is largely overlooked was explored.

5.2 Recommendations

Refugees need durable solutions to be able to recollect themselves, rebuild their lives and live in peace and dignity. Unfortunately, this new lease of life is increasingly becoming elusive as wars and conflicts continue in their home countries, resettlement places are increasingly reduced by western countries and host countries continue to be overstretched. Ensuring a renewed life for refugees is one of the core mandates of the UN Refugee Agency, UNHCR, which is increasingly failing. Refugees continue to stay in risky, unsafe and dangerous protection situations across the world with no lasting solutions in sight. Admittedly, the three

traditional solutions available to refugees; voluntary repatriation, resettlement to a third country and integration in the host communities have proved inadequate and failed to address refugee needs in Kenya; amid low resettlements places and funding by the international community. The tripartite agreement signed between the Government of Kenya, the Somali State and the UNHCR in 2013 for voluntary and dignified returns seem not to be working either.

For sustainable solutions, therefore, the study recommends that political will at all levels of policy making is necessary for any significant amount of reconceptualization and restructuring of Kenya's refugee policies. As a goodwill gesture, therefore, the Government of Kenya should fast track the comprehensive repeal of the Kenya Refugee Act 2006 by parliament that will seal the gaps in refugee reception, registration and residence, and provide a framework within which refugee and asylum issues are handled. This will include reinstatement of the right to asylum and reopening of the registration of refugees that was stopped in 2011 so that adequate assistance is provided to all the vulnerable refugees that are in need of assistance.

Repatriation may be handled on a case-by-case basis and forthwith stop the returns that do not fit the voluntary return criteria; and allow a window for those refugees who genuinely face threat of persecutions and risk of their lives to stay. Further, the study recommends that the Kenyan authorities should abandon the decision to close *Daadab* and instead force a workable formula towards holistic solutions for refugees along with the international community. The encampment policy that aims to confine refugees and deny them their right to access livelihood opportunities and free movement should be abolished as Kenya looks to exploiting the real potential of refuges to contribute to nation building. With the endorsement of the Global Compact on Refugees at the UN General Assembly in December, 2018 which followed the

2016 Comprehensive Refugee Response Framework (CRRF), which advocates for an end to confining refugees in camps and integrating them into host society, Kenya must own up and mainstream all its international refugee commitment in policy. The Global Compact on Refugees aims at bringing refugees from the fringes of society and recognizing them as an opportunity and not a burden. Therefore, any barriers to economic freedom and opportunities for economic success should be removed as Kenya capitalizes on refugee's strengths and abilities to contribute to the community. Besides, the question is whether the Kenya Refugee system should direct its energies to problems and deficiencies or promote resiliency and strengths of refugees. To a larger extent this study encourages systems to focus on the strengths rather than problems and come to the realisation that refugees are individuals capable of supporting the society economically.

Kenya should be supported, rather than being condemned, to come up with and mainstream broad asylum schemes that are capable of striking a balance between refugee protection needs and Kenyan's security concerns. Mainstreaming is crucial and will not in any way robe the authorities of their powers in refugee issues rather, manifestly, serve as a tie-up in the transition from rudimentary to holistic refugee solutions.

For UNHCR, on the other hand, the study recommends that they should stop facilitating all returns until they are convinced that refugees have made informed decisions to return. In accordance to their protection mandate, all the criteria on voluntariness should be met, including access to accurate information to refugees on their respective areas of return. The International Community should also compel the Government of Kenya to ensure that returns conform to international refugee standards and withhold support for involuntary cases. Shared responsibility for hosting and assisting refugees within Kenya should be fostered and increased

resettlement places for refugees to be encouraged. Anchored in international laws relating to refugees, the concept of shared responsibility makes States duty-bound to assist each other in protecting refugees. Guterres, (2017), the UN Secretary General rightly emphasizes burden sharing, stating that "the protection of the refugees is not a burden of neighboring host states of a crisis, but a collective responsibility of the international Community." Further the International community needs to support the Federal Government of Somalia to fix its demographic security challenge as well as the physical security situation. The Federal Government of Somalia should support returnees by building structures that will ensure safe and dignified returns as well as successful re-integration in the society.

5.3 Suggestions for further research

This study revealed attractive approaches to return migration management from the four perspectives of the study. Suggestions have been put forward on how the process can be handled more rewardingly for all the stakeholders and refugees alike. However, opportunities for much detailed insights in this area exist. This study's findings have shown that return migration is an area that sticks out as a cry that would profit more from further research. Glaring knowledge gaps were identified that need attention as a way to explore deeper the effects of involuntary return, as well as a basis of reconceptualization and reform of states' fallen return programs.

Despite the magnitude of the protracted nature of refugee situations, not much is known about the concept of return and what it means to refugees, host and origin governments, as well as international organisations that facilitate the return process. Policies take the process of refugee return far too lightly, ignoring pertinent issues such as the after-life experiences, challenges

and constraints, especially if it is figured out that returns take place in areas run down by violence. The after-life impact of refugee children in terms of education and health, for instance, came out as a subsidiary theme in the interviews and did not receive much attention in this study. It is the researcher's view that this area warrants revisiting and more thought needs to be invested in it. Perhaps the under-5 year deaths in the worst hit areas of return due to starvation, diarrhea and measles would form a fruitful research target.

The study's justification for a sweeping review of the domestic asylum systems in Kenya is not anything new. From the reviewed literature, studies have called for the radical evaluation of asylum systems with a view to establishing what works for refugees and the stakeholders, and what does not (UNHCR, 2015). Sadly, this has not been greeted with action. Diagnosis of this problem calls for prioritizing on in-depth research on the connections between cycles of violent conflicts, forceful evictions and return policies. This tends to be dominated by direct policy priorities rather than informing and supporting these priorities, thereby considerably narrowing stakeholders' scope and understanding of the whole process of return and its effects. This fact makes it a potential attention area.

REFERENCES

Allen, T. (1996). *In search of cool ground. War, flight & homecoming in Northeast Africa.* Geneva: UNRISD

Al-Jazeera (2014). *Kenya orders all refugees back into camps.* Retrieved 26 March 2018

Amnesty International. (2017). *Not Time to Go Home: Unsustainable Returns of Refugees to Somalia.* London

Amnesty International. (2016). *The State of the World's Human Rights. Amnesty International.* London

Aleinikoff T.A & Zamore,L.(2018). *The Arc of Protection: Toward a New International Refugee Regime.* Center on International Cooperation.

Aleinikoff, T. A. (2015). *From Dependence to Self-Reliance: Changing the Paradigm in Protracted Refugee Situations.* Washington, DC: Migration Policy Institute.

Bailey, S. (2004*). Is Legal Status Enough? Legal status and livelihood obstacles for urban refugees.*The Fletcher School, MALD Thesis.

Bell, J. (2005). *Doing Your Research.* Berkshire: Open University Press/ McGraw-Hill Education

Betts A. (2004). *International cooperation and the targeting of development assistance for refugee solutions: lessons from the 1980s.* New Issues in Refugee Research, Working Paper no. 107, UNHCR, Geneva, 2004.

Betts, A. (2004). *The international relations of the "new" extraterritorial approaches to refugee protection: Explaining the policy initiatives of the UK government and UNHCR.* Refuge: Canada's Journal on Refugees, 22(1).

Black, R, & Koser, K. (1999). *The end of the refugee cycle?* New York: Berghahn Books

Black, R. (1994). *Forced migration and environmental change: the impact of refugees on host environments'*, Journal of Environmental Management

Black, R. (2001*). Return and reconstruction in Bosnia-Herzegovina: Missing link, or mistaken priority?* SAIS Review 21(2).

Black, R. & Koser, K. (1999).*The End of the Refugee Cycle? Refugee Repatriation and Reconstruction.* Berghahn Books, Oxford, 1999.

Bradley, M. (2014). Rethinking Refugeehood: Statelessness, repatriation, and refugee agency. Review of International Studies, 40(1)

Bradley, M. (2013). Refugee repatriation: Justice, responsibility and redress. Cambridge, UK: Cambridge University Press.

Briant, N. and Kennedy, A. (2004). *Priorities of African Refugees in an Urban Setting.* Journal of Refugee Studies 17(4)

Buscher, D. (2003). *Case Identification: Challenges posed by Urban Refugees.* Annual Tripartite Consultations on Resettlement Geneva, 18-19 June.

Buzan, B., Wæver, O., & De Wilde, J. (1998). Security: A New Framework for Analysis. Lynne Rienner Publishers.

Campbell, E. H. (2005). *Formalizing the Informal Economy: Somali Refugee and Migrant Trade Networks in Nairobi.* Global Commission on International Migration.

Campbell, E. H. & Musyemi, I. (2006). *Congolese refugee livelihoods in Nairobi and the prospects of legal, local integration.* Refugee Survey Quarterly Vol. 25.

Campbell, E. H. (2006). *Urban Refugees in Nairobi: Problems of Protection, Mechanisms of Survival, and Possibilities for Integration.* Journal of Refugee Studies Vol. 19.

Care International. (2018). Global Refugee Crisis. Care

Chimni, B. S. (1999). *From resettlement to involuntary repatriation: towards a critical history of durable solutions to refugee problems*. New Issues in Refugee Research. Working paper no.2

Chimni, B. S. (2004). *From resettlement to involuntary repatriation: Towards a critical history of durable solutions to refugee problems*. Refugee Survey Quarterly, 23(1)

Chimni, B.S. (1998). *The Geopolitics of Refugee Studies: A View from the South. Journal of Refugee Studies*, Volume 11, Issue 4

Chimni, B.S. (1993). *The meaning of words and the role of UNHCR in voluntary repatriation*. International Journal of Refugee Law, 5(3)

Clottery,P.(2018).Kenya'Overwhelmed'ByRefugeeInflux. https/www.voanews.com/a/Kenya-overwhelmed-by-refugee-influx

Collins, J. (1996). *An analysis of the voluntariness in refugee repatriation in Africa*. Manitoba: University of Manitoba Press

Creswell, J. (2009). *Research Design: Qualitative, Quantitative, and Mixed methodsd Method Approaches* (3rd ed.) Sage, Los Angeles.

Crisp, J. (2000). *A state of insecurity: The political economy of violence in Kenya's refugee camps.* African Affairs, 99

Crisp, J. (2000). *Africa's refugees: patterns, problems and policy challenges.* Journal of Contemporary African Studies, Vol.18

Crisp, J. (2001). *Mind the Gap! UNHCR, Humanitarian Assistance and the Development Process.* International Migration Review 35(1)

Crisp, J. (2002). *No Solutions in Sight: The Problem of Protracted Refugee Situations in Africa.* Working Paper 68. Center for Comparative Immigration Studies. University of California, San Diego.

Crisp, J. (2003). *No solution in sight: the problem of proctracted refugee situations in Africa.* New Issues in Refugee Research (working paper). Geneva: UNHCR publications

Crisp, J. (2010). *Forced displacement in Africa: Dimensions, difficulties, and policy directions.* Refugee Survey Quarterly.

Fransen, S. and Kuschminder, K. (2012). *Back to the land: The long-term challenges of refugee return and reintegration in Burundi.* New Issues in Refugee Research. Research Paper no.242

Freedman et al. (2007). Statistics 4th Edition. W.W. Norton &Company. New York

Freudenthaler, E. (2012). *Refugee rights in Kenya between theory and practice.* Vienna Journal of African Studies, 12(23).

Gare, M. J. (2017). *Durable Solutions for Somali Refugees: A Case Study of the Involuntary Repatriation of Daadab Refugees.* The Heritage Institute for Policy Studies, Mogadishu.

Goodwin-Gill, G. S. (2008). *The politics of refugee protection.* Refugee Survey Quarterly, 27(1).

Government of Kenya. (2006). *The Refugees Act.* Kenya Gazette Supplement No. 97 (Acts No. 13). Nairobi.

Grabska, K. (2006). *Marginalization in Urban Spaces of the Global South: Urban Refugees in Cairo.* Journal of Refugee Studies Vol. 19, No. 3

Greenfield, T. (2002). Research Methods for Postgraduates. Arnold, London.

Hammond, L. (2014). *'Voluntary' repatriation and reintegration.* Oxford: Oxford University Press. Oxford

Hammond, L. (2004). *This place will become home. Refugee Repatriation to Ethiopia.* Cornell University Press.

Hammond, L. (1999). *Examining the discourse of repatriation: towards a more proactive theory of return migration.* In Black, R. and Koser, K. (Eds.), The end of the refugee cycle? Refugee repatriation & reconstruction. New York & Oxford: Berghahn Books.

Harpviken, K. (2014). *Split Return: Transnational Household Strategies in Afghan Repatriation.* International Migration 52(6).

Harrison, G. (2016). *Onwards and Sidewards? The Curious Case of the Responsibility to Protect and Mass Violence in Africa.* Journal of Intervention and State Building

Harrell-Bond, B.E. (1989). *Repatriation: Under what conditions is it the most desirable solution for refugees? An agenda for research.* African Studies Review, 32: 41-69

Harrell-Bond B E (1994). *Refugees and the reformulation of international aid policies: What donor governments can do'* in Schmid (ed.) Whither Refugee? LISWO, Leiden

Hyndman, M. J. (1996). *Geographies of displacement: Gender, Culture and Power in UNHCR refugee camps, Kenya.* PhD Thesis, Faculty of Graduate Studies, Department of Geography, University of British Columbia.

Iaria, V. (2014). *Post-Return Transnationalism and the Iraqi Displacement in Syria and Jordan.* International Migration 52(6): 43–56.

Karadawi, A. (1983). *Constraints on assistance to refugees: Some observations from the Sudan.* World Development, Vol. 11, No 6, pp 537-547

Kibreab, G. (1989). *Local settlement in Africa: A misconceived option? Concepts of local settlement and local integration.* JRS, Oxford University Press; (1991) 'The state of the art review of refugee studies in Africa', Uppsala, Paper in Economic History

Kibreab, G. (1996). *Left in limbo: prospects for repatriation of Eritrean refugees from Sudan & responses of the international donor community.* In Allen, T. (Ed.), In search of cool ground: war, flight & homecoming in Northeast Africa (pp. 53–65). Geneva: UNRISD.

Kibreab, G. (2001). *Displaced communities and the reconstruction of livelihoods in Eritrea.* WIDER. working paper no.23

Horst, C. (2006). *Transnational nomads: How Somalis cope with refugee life in the Dadaab camps of Kenya* .Vol. 19. Berghahn Books.

Horst, C. (2006). *Transnational Nomads. How Somalis cope with refugee life in the Dadaab camps of Kenya.* Berghahn Books, Oxford & New York.

Horst, C. (2005). *Connected Lives: Somalis in Minneapolis dealing with family responsibilities and the migration dreams of relatives.* Paper submitted for the International Association for the Study of Forced Migration Conference held in Sao Paulo Brazil 9-13 January 2005.

Horst, C. (2002). *Vital Links in Social Security: Somali Refugees in the Dadaab Camps, Kenya.* Refugee Survey Quarterly Vol. 21

Hovil, L. (2007). *Self-settled Refugees in Uganda: An Alternative Approach to Displacement?* Journal of Refugee Studies Vol. 20

Hyndman, J., & Mountz, A. (2008). *Another brick in the wall? Neo‑ refoulement and the externalization of asylum by Australia and Europe.* Government and Opposition, 43(2), 249-269.

Hyndman, J. (2000). *Managing displacement: Refugees and the politics of humanitarianism.* U of Minnesota Press.

Jacobsen, K. (2006). *Refugees and Asylum Seekers in Urban Areas: A Livelihoods Perspective.* Journal of Refugee Studies 19.

Jacobsen, K. (2004). *Just Enough for the City: Urban Refugees Make their Own Way.* World Refugee Survey 2004.

Jacobsen, K. & Landau, L. (2005). *Recommendations for Urban Refugee Policy.*Forced Migration Review 23.

Jaji, R. (2011). *Social Technology and Refugee Encampment in Kenya.* Journal of Refugee Studies, Volume 25, Issue 2, June 2012, Pages 221–238, Oxford University Press.

Jones, S. (2004). *Canada and the globalized immigrant.* American Behavioral Scientist, 47(10), 1263.

Kagwanja, P.M. (2002). *Strengthening local relief capacity in Kenya: Challenges and prospects.* In M.K Juma & A. Suhrke (Eds.), Eroding local capacity: International humanitarian action in Africa (pp. 94-115). Sweden: Nordic Africa Institute.

Daily Nation (2016). *Kenya to stop hosting Somali refugees, government says.* https://www.nation.co.ke/news/Kenya-to-stop-hosting Somali refugees

Kaiser, T. (2010). *Dispersal, division and diversification: durable solutions and Sudanese refugees in Uganda.* Journal of Eastern African Studies 4(1): 44–60.

Kibreab, G. (1996). *"Eritrean and Ethiopian Urban Refugees in Khartoum: What the Eye Refuses to See."* African Studies Review Vol. 39.

Kibreab, G. (2003). *Displacement, host governments' policies, and constraints on the construction of sustainable livelihoods*. International Social Science Journal, 55(175), 57-67.

Kincaid, S. M. (2007). *Exploring Collaborative Civic Leadership Among Young Tunisians: Inviting Despair, Creating Hope*. Digest of Middle East Studies, 26.

Koser, K. (2007). *Addressing Internal Displacement in Peace Processes, Peace Agreements and Peacebuilding*. Citeseer.

Koser, K. (1997). *Information and repatriation: The case of Mozambican refugees in Malawi.* Journal of Refugee Studies, 10(1), 1-17

Kritikos, G. (2000). *State policy and urban employment of refugees: the Greek case (1923-30).*European Review of History.

Kroll, J. (2000). *Use of no-suicide contracts by psychiatrists in Minnesota.* American Journal of Psychiatry, 157, 1684–1686.

Kumar, A. (2002). *Human rights:* Global perspective. New Delhi: Sarup & Sons.

Kumssa, A.,Williams, J.H., Jones, J.F. & Des Marais, E.A. (2014). *Conflict and Migration: The Case of Somali Refugees in Northeastern Kenya.* Springer International Publishing 2014

Kunz, E. (1981). *Exile and Resettlement: Refugee Theory*. International Migration Review, 15, 42-51

Kunz, E. (1973). The Refugee in Flight: Kinetic Models and Forms of Displacement. International Migration Review 7, 125–146.

Landau, L. B, and Jacobsen, K. (2004). *Refugees in the New Johannesburg.* Forced Migration Review 19

Landau, L. B. (2004). *"Research Guide: Urban Refugees."* Forced Migration Online.

Landau, L. (2006). *Protection and Dignity in Johannesburg: Shortcomings of South Africa's Urban Refugee Policy.* Journal of Refugee Studies 19.

Lauren. S. (2015). Repatriation as a Controversial Concept: The Case of Somali Refugees in Kenya. School of International Development and Global Studies University of Ottawa

Lindley, A. (2011). Refugee Survey Quarterly, pp. 1–36

Lindley, A. (2011). *Between a Protracted and a Crisis Situation: Policy Responses to Somali Refugees in Kenya*. Refugee Survey Quarterly, 30(4), 14-49.

Loescher, G., & Milner, J. H. (2005). *Protracted refugee situations: Domestic and international security implications* (Vol. 375). Taylor & Francis.

Loescher, G., & Milner, J. (2005). The long road home: Protracted refugee situations in Africa. Survival, 47(2), 153-174

Loescher, G. (1993). *Beyond Charity: International Cooperation and the Global Refugee Crisis.* New York: Oxford University Press.

Long, K. (2013). *Back to where you once belonged: A historical review of UNHCR policy and practice on refugee repatriation*. UNHCR Policy Development and Evaluation Service. Geneva, Switzerland

Long, K. (2013). *The point of no return: Refugees, Rights, and Repatriation*. Oxford: Oxford University Press.

Madsen, E.L. (2011). *In Somalia, Beyond the Immediate Crises, Demography Reveals a Long-Term Challenge.* Environmental Change and Security Program. Wilson Center

Monsutti, A. (2004). *Cooperation, remittances, and kinship among the Hazaras*. Iranian Studies 37(2): 219–240.

Nordas, R. & Davenport, C. (2013). *Fight the Youth: Youth Bulges and State Repression.* American Journal of Political Science, Vol. 57.

Migiro, K. (2018). *Kenya calls for more funding to return Somali refugees from Dadaab*. https://www.reuters.com/article/us-kenya-refugees/kenya-calls-formorefundingto-return-somali-refugees-from-dadaab

Milner, J. (2009). *Refugees, the State and the Politics of Asylum in Africa*. Springer.

Milner, J. (2009b). *Refugees, the state and the politics of asylum in Africa.* UK: Palgrave Macmillan

Mollica, R. F. (1999). *The trauma and reconstruction of societies devastated by mass violence.* Institute for Development Anthropology, 17 (1–2), Spring & Fall.

Mollica, R. F. (2006). *Healing invisible wounds: Paths to hope and recovery in a violent world.* New York: Harcourt Books

Moore, D. S. & McCabe, G.P (2005). *Introduction to the Practice of Statistics (5th ed.)* Freeman &Company, New York

Mutambo, A. (2016). *How Kenya sealed the repatriation of refugees*

Mutambo, A. (2013, November 17). *Obstacles facing the implementation of Somali refugee agreement.* Daily Nation. Retrieved from http://http://www.nation.co.ke/news/Kenya-Somalia-Refugee-AgreementUNHCR

Nyabola, N. (2015). *Closing Dadaab*. Nairobi Forum Meeting Report. Rift Valley Institute.

Paludan, A. (1974). *The new refugees in Europe*. Geneva: University Exchange Fund.

Potter, J. (2002). *Two Kinds of Natural*. Sage Publication, London.

Rutinwa, B. (1996). *Refugee Protection and Security in East Africa.* Refugee Participation Network. Vol. 22, September 1996. pp. 11-14.

Rwamatwara, E. (2014). *Forced migration in Africa: a challenge to development.* Bonn International Center for Conversion –Bonn

Rygiel, K. (2008). *The securitized citizen.* Recasting the social in citizenship, 210-238.

Sarantakos, S. (2013) Social Research, (4th edition). Palgrave Macmillan, London.

Saunders, N. (2014). *Paradigm shift or business as usual? An historical reappraisal of the "shift" to securitisation of refugee protection.* Refugee Survey Quarterly, 33(3), 69-92.

Sekaran, U. (2003). Research Methods for Business: A Skill Business Approach

Sommers, M. (2001). *Young, Male and Pentecostal: Urban Refugees in Dar es Salaam, Tanzania.* Journal of Refugee Studies Vol. 14.

Sommers, M. (1999). *Urbanization and its discontents: urban refugees in Tanzania.* Forced Migration Review

Stanley, L (2015). *Repatriation as a Controversial Concept: The Case of Somali Refugees in Kenya.* School of International Development and Global Studies, University of Ottawa

Stritzel, H. (2007). *Towards a theory of securitization: Copenhagen and beyond.* European journal of international relations, 13(3), 357-383.

Taureck, R. (2006). *Securitization theory and securitization studies*. Journal of International Relations and Development, 9(1), 53-61.

Toft, M. (2007). *The myth of the borderless world: refugees and repatriation policy*. Conflict Management and Peace Science 24(2): 139–157

UNHCR. (2018). *Global Trends, forced displacement in 2016.* Geneva

UNHCR. (2017). *Global Trends, forced displacement in 2016.* Geneva

UNHCR. (2016). *Global Trends, forced displacement in 2015*. Geneva.

UNHCR. (2016). *The 10-Point Plan in action, 2016 update, chapter 9: return arrangements for no refugees and alternative migration options.* UNHCR, Geneva.

UNHCR. (2009).*Concept Paper: High Commissioner's Dialogue on Protection Challenges, Challenges for persons of concern to UNHCR in urban settings.* Geneva.

UNHCR. (2008). *UNHCR's role in support of the return and reintegration of displaced populations: policy framework and implementation strategy.* UNHCR, Geneva.

UNHCR. (2007). *Refugee protection and durable solutions in the context of international migration: discussion paper.* UNHCR, Geneva.

UNHCR. (2004). Dialogue on Voluntary Repatriation and Sustainable Reintegration in Africa. Refugee Survey Quarterly 23(3)

UNHCR. (2003). Discussion paper "Towards a comprehensive solution for displacement from Afghanistan."

UNHCR. (2000).*Evaluation of UNHCR's Policy on Refugees in Urban Areas: A Case Study Review of New Delhi*. Evaluation and Policy Analysis Unit.

UNHCR. (1998). UNHCR's role in the prevention of refugee-producing situations. Geneva.

UNHCR. (1996). *Urban Refugees: A Community-based Approach.* Second edition.

UNHCR. (1996). Handbook on voluntary repatriation: International protection. Geneva, Switzerland: UNHCR

UNHCR. (1992). Bridging the gap between returnee aid and development: a challenge for the international community. Geneva.

UNHCR. (1951). Convention relating to the status of refugees. Geneva, Switzerland.

Vorrath, J. (2008). *From Refugee Crisis To Reintegration Crisis? The Consequences of Repatriation To (Post-) Transition Burundi.* Afrique Des Grands Lacs 109–127

Wahogo, G.M. (2016). *Refugee Influx   and its Impact on Economic Growth in Kenya.* International Journal of Economics.

Willis, J. W. (2007) Foundations of Qualitative Research: Interpretive and Critical Approaches. Sage, London.

Women's Commission for Refugee Women and Children (2002). *Fending for Themselves: Afghan refugee Children and Adolescents Working in Urban Pakistan*

Yarnell, M. (2015). *A long Way to go for Somali Refugee Return.*

APPENDIX

QUESTIONNAIRES

QUESTIONNAIRE FOR HOST COUNTRY OFFICIALS (KENYA)

PART A: BACKGROUND INFORMATION

Please tick ( ) where applicable

1. What is the title of your job (PLEASE PRINT) …………………………?
2. How long have you been working on refugee issues?
   a. Below 5 years   [ ]
   b. 5-10years   [ ]
   c. 10-15 years   [ ]
   d. Over 20 years   [ ]
3. Are Kenyans aware of the consequences of closing the camps?
   a. Yes   [ ]
   b. No   [ ]
4. How would you describe the security situation in Somalia?
   a. Very good   [ ]
   b. Good   [ ]
   c. Fair   [ ]
   d. Bad   [ ]
   e. Very bad   [ ]
5. Kenya has cited national security threat as one of the reasons for the closure of the camps. Do you believe repatriation of refugees is a durable solution to insecurity in Kenya?
   a. Yes   [ ]
   b. No   [ ]

PART B: INTERVIEW GUIDE

1. Since independence in 1963 the government has had an open door asylum policy towards refugees. Why is it now adopting an aggressive pursuit of the repatriation of Somali refugees?
2. How has refugee hosting policy changed since the inception of the refugee camps?
3. Do you believe the government of Kenya is actively targeting the Somali group?
4. Does a list exist about the backgrounds of the refugees living in the camps? If yes, how many out of the refugee population of the over 560,000 refugees do they represent?
5. Were other stakeholders dealing with refugees in Kenya involved in the decision to shut down the camps?
6. People have advanced the narrative that the camps serve as a breeding ground for terrorists; does the government understand the demographics of the refugee camps?
7. There is also a narrative that refugees are an economic burden to the country. How much money does the Kenyan government contribute to the cost (USD) of refugees per year?

8. Refugees on the minimum require three things in place before they return; their own safety, their livelihood opportunities, and essential services – the basics, healthcare and education. Are these three conditions present in Somalia?

QUESTIONNAIRE FOR COUNTRY OF ORIGIN
PART A: BACKGROUND INFORMATION
1. What is the title of your job (PLEASE PRINT) …………………………?
2. Gender
   a. Male   { }
   b. Female   { }

3. For how long have you worked at this job? (Mark one box)
   a. Less than 1 years   [ ]
   b. Less than 5 years   [ ]
   c. Less than 10 years   [ ]
   d. More than 10 years   [ ]

4. How would you describe the state of security in your country?
   a. Very good   [ ]
   b. Good   [ ]
   c. Fair   [ ]
   d. Bad   [ ]
   e. Very bad   [ ]

5. With the current state of Somalia, do you think the government is in a better place to build solid state structures to help the returning refugees?
   a. Yes   [ ]
   b. No   [ ]

PART B: THE NEED FOR REPPARTRIATION

Despite the fragility of peace in Somali and the fact that the Government openly admitted to lack of capacity to absorb large numbers of returnees, the Somali Government signed the Tripartite Agreement with the Government of Kenya and UNHCR. Why, in your opinion, is the Somali Government pushing for repatriation now using a scale of 1 to 5 where 1 = Strongly Agree, 2 = Agree, 3 = Neither agree nor disagree, 4 = Disagree, 5 = Strongly Disagree	Rating?				
	Strongly Agree	Agree	Neither agree or Disagree	Disagree	Strongly Disagree
Reasons	**1**	**2**	**3**	**4**	**5**
1. The repatriation is a way to peace building and development.					

		Very Good	Good	Fair	Bad	Very Bad
2.	The country is safe for return					
3.	It is a way of gaining legitimacy as a country after decades of conflict and civil war.					
4.	The exercise provides a possibility for donor funding if refugees return.					
5	The Government has created conditions within Somalia to enable large-scale return					
6.	There is continued insecurity in the country, caused by sporadic terror attacks by Al-Shabaab, especially including in the Dadaab operational area					
7.	There is limited support to durable solutions-oriented activities, especially with regard to education and livelihoods support					
8.	In Kenya, there is limited developmental and environmental rehabilitation support to the host community					

PART C: GOVERNMENT SUPPORT

The following are Government support mechanisms. How would you rate the support by the Government using a scale of 1 to 5 where 1 = Very Good, 2 = Good, 3 = Fair, 4 = Bad, 5 = Very Bad		Rating?				
		Very Good	Good	Fair	Bad	Very Bad
		1	2	3	4	5
A	**Provision of Services**					
	Medical					
1.	The Government facilitates the supply of hygiene kits, insecticide and treated nets through the various agencies.					
2.	The Government checks immunization and health status of children and pregnant women.					
3.	The Government initiates programs to prevent sexual exploitation and abuse.					
4.	There is the provision of equitable access to universal health coverage, including access to quality essential services, medicines and vaccines and health care financing.					
5.	Provision of short and long-term public health interventions to reduce mortality and morbidity.					

6.	Promoting the right to the enjoyment of the highest attainable standard of physical and mental health, equality and non-discrimination.					
	Psychological Support					
7.	The Government facilitates psycho-social counseling sessions through various agencies.					
8.	There is the provision of counseling programs to improve mental health of the beneficiaries.					
9.	The Government has put in place centers of victims of torture (CVT) services to provide psychosocial counseling.					
10.	There are sensitization sessions to reduce stigma of mental health problem among the refugee population.					
12.	There are programs to prevent and control communicable and non-communicable diseases including mental health for refugees.					
	Social Services Provision					
13.	There are trainings/workshops organized by the Government for the refugees.					
14.	The Government of Somalia has put in place programs to ensure effective protections of returnees.					
15.	How do you rate the governments of Somalia's measures to protect the basic human rights of your returned citizens?					
16.	The Government provides additionally practical supplies, such as shelter, food, clothing and cash transfers for food and basic household items required.					
17.	There are programs to identify extremely vulnerable individuals including single parent families; Single minor (children of less than 18 years of age) and Single disabled persons without adequate support.					
18.	The Government has put in place programs to reconstitute its relationship with refugees within the following criteria: ▪ Apologies and truth commissions. ▪ Property restitution commissions. ▪ Grassroots reconciliation projects.					

QUESTIONNAIRE FOR UNHCR

Please tick ( ) where applicable

PART A: BACKGROUND INFORMATION

1. What is the title of your job (PLEASE PRINT) …………………………..
2. For how long have you worked at this job? (Mark one box)
    a. Less than 1 years   { }
    b. Less than 5 years   { }
    c. Less than 10 years   { }
    d. More than 10 years   { }
3. Do refugees want to return in your opinion?
    a. Yes   { }
    b. No   { }
4. Please rate the prevailing public opinion in the camps about return
    a. Very good   { }
    b. Good   { }
    c. Fair   { }
    d. Bad   { }
    e. Very bad   { }

PART B: VOLUNTARINESS OF RETURNEES

The following is a list reasons why voluntariness has been questionable for the Somali refugee repatriation. Indicate/Rank the reasons why UNHCR is still pushing for returns using the scale 1 to 5 where 1 = Larger Extent, 2 = Moderate Extent, 3 = Low Extent, 4 = Very Low Extent, 5 = Not at All		How would you rank?				
		Larger Extent	Moderate Extent	Low Extent	Very Low Extent	Not at All
		1	2	3	4	5
1.	Because of pressure to engage by influential host and donor states?					
2.	In order to provide support for spontaneous returns of Somali refugees that were already taking place					
3.	In response to the repeated calls for refugees to return and the camps to be closed by the Kenyan government					

4.	The other two durable solutions were not considered realistic options.					
5.	It was a necessary starting point to assist 'spontaneous' returns, eventually leading to organized returns when the conditions would be suitable to do so					
6.	To balance between the mandate of refugee protection and maintaining good relations with the host country					
7.	To reduce long-term care expenditures in an era of shrinking budgets, financial insecurity, and increased political pressure from states					
8.	Because of perceived limited alternative solutions for the protracted situation.					

PART C: INTERVIEW GUIDE

1. Are refugees leaving as a result of coercion through the program of voluntary repatriation?
2. In your opinion, do the minimum standards of security prevail in Somalia for dignified return of refugees?
3. If no, are refugees fully informed of prevailing security situation, livelihood opportunities and essential services available in Somalia?
4. In your opinion, have all the parties involved respected the voluntary character of repatriation?
5. Has a formal repatriation agreement been concluded between UNHCR and all major parties concerned?
6. If yes, has Somalia shown some willingness to readmit its exiled nationals?
7. Have your organizations intervened in reminding the Somali Government about their obligation to creating conditions of just returns.
8. Have your organization negotiated with the Kenya and Somali governments and the refugees themselves to secure agreements so that the repatriation can meet international standards?
9. Are refugees being scapegoated by Kenyan politicians, in your opinion?
10. Do you think Kenya is prioritizing national security at the expense of honoring humanitarian?
9. The Government of Kenya revoked the prima facie refugee status for Somalis and disbanded the Department of Refugee Affairs. In your opinion, is this move in the best interest of refugees?

10. What do you think is the way forward after the court overruled the decision to close down the camps?

11. Have you considered local integration and resettlement to third countries?

QUESTIONNAIRE AND INTERVIEW GUIDE FOR RETURNEES

PART A: BACKGROUND INFORMATION

1. Gender
   a. Male   { }
   b. Female   { }
2. Level of Education
   a. Informal   { }
   b. Primary Level   { }
   c. Secondary Level   { }
   d. Intermediate/ College Level   { }
   e. University Education   { }
3. Are you and your family listed on the ration card?
   a. Yes   { }
   b. No   { }
4. Are you intending to return to Somalia?
   a. Yes   { }
   b. No   { }
5. In Somalia were you able to produce enough for your household needs? ONE option only
   a. Yes   { }
   b. Yes, partially only   { }
   c. No, was not enough at all   { }
6. What was your occupation while in Somali? (Tick Options)
   a. Fishing   { }
   b. Farming /agriculture   { }
   c. Pastoral activity   { }
   d. Sale/trade (pastoral/agricultural/fisheries products including chat)   { }
   e. Business / sale / trade (other non-agricultural/fisheries/pastoral products) { }
   f. Teaching (specify)   { }
   _____
   g. Health practitioner (nurse, doctor)   { }
   h. Administration / accounting / secretarial / translation-interpreter / IT { }
   i. Skilled manual (mason, carpenter, goldsmith, electrician, mechanic)   { }
   j. Unskilled manual (cook, gardener, mover, cleaner, guard)   { }
   Others (Specify)_____
   k. Religious   { }
   l. Government (civil servant, police, army)   { }

m. Other specify: …………………………………………………………………

7. In Somalia, your household used to live in: (ONE option only)
   a. Own/family house   { }
   b. Rented house   { }
   c. Nomadic type of residence   { }

PART B: REASONS FOR RETURNING TO DAADAB

The following is a list of the MAIN reasons why members of your household have returned to Daadab. How would you rank them using the scale 1 to 5 where 1 = Most Likely, 2 = Likely, 3 = Moderately Likely, 4 = Least Likely, 5 = Not at All	How would you rank?				
	Most Likely	Likely	Moderately Likely	Least Likely	Not at All
Reasons	**1**	**2**	**3**	**4**	**5**
1 Food insecurity / Drought / Famine / Flood					
2 Loss of assets and/or property					
3 Insecurity / Clan conflict					
4 Insecurity / Political conflict					
5 Humanitarian assistance here (Dadaab camps)					
6 Work opportunity here (Dadaab camps)					
7 Work opportunity elsewhere/somewhere in Kenya					
8 Join family / clan members					
9 How did your family make its living in Somalia?					
10 Personal persecution of some household members					

PART C: ASSISTANCE NEEDED TO RETURN TO SOMALIA

The following is a list of types of assistance needed upon return. Please rank them in terms their influence to return using the scale 1 to 5 where 1 = Most Likely, 2 = Likely, 3 = Moderately Likely, 4 = Least Likely, 5 = Not at All	How would you rank?				
	Most Likely	Likely	Moderately Likely	Least Likely	Not at All
Assistance needed upon return	**1**	**2**	**3**	**4**	**5**
1 Food security					
2 Employment opportunities					
3 Availability of agriculture tools and seeds					
4 Access to education					
5 Access to health services					
6 Recognition of education certificates.					
7 Availability of accommodation facilities.					
8 Access to original land and house					
9 New documentation					
10 I do not want to return					

PART D: INTERVIEW GUIDE

1. Since you left Kenya what are the main problems you have been facing as individual, family and community at the social level and emotional one?

2. Who are the people that are mostly affected by situation? Vulnerable.

3. How are those problems affecting daily life/ performance of usual task?

4. How are you trying to deal with these problems?

5. Did you look for support?

6. What kind of support did you receive?

7. While asking for support, did you face any problem with providers?

8. To what extent did the provided support help in dealing with the problem?

9. Do you feel that other type of support is needed?