

Transitional solutions for the displaced in the Horn of Africa

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Refugees can contribute significantly to the economy of countries of refuge. Legal, structural and political backing is crucial to strengthen this contribution and maximise the opportunities that are present.

If the search for durable solutions could be disengaged from the migration agenda, rather than focusing on movement itself and its causes, it could highlight some of the economic, political and social benefits of durable solutions for countries of asylum as a whole. The wide gap in some countries between existing provisions in the laws to provide for refugees and the implementation and just application of these laws on the ground result in frequent, severe and troubling restrictions on refugees' access to documentation and services, freedom of movement, right to work and right to own property.

What is needed is a mechanism – a system – to bring together fragmented efforts under a collective agenda to incorporate all actors working on solutions, beyond humanitarian to include development actors, private sector, academia and civil society, and beyond national government to include local and regional authorities. Such a collaborative system is needed to shift public narratives beyond insecurity and threats towards more innovative discussions and entry points for solutions. Security considerations, rather than humanitarian and development concerns, dominate many of the policies regarding refugees in the Horn of Africa region, greatly diminishing institutional support structures for the local authorities which bear the responsibility for refugee issues.

The case of Turkana, Kenya

In Kenya, the process of devolution – the transfer of government power from the centre to the county level – is a key to transitional solutions for refugees.¹

Kakuma refugee camp is located in Turkana county of the north-western region of Kenya. At the local level, a

partnership between local actors through local interventions is critical to enhancing the self-reliance of protracted refugees and host communities alike. A key example is taxation and county revenue. Refugees are an untapped fiscal resource through taxation of businesses run by refugees; while refugees are indirectly taxed through the consumption of products and other payments, refugees themselves welcome the need for formal taxation mechanisms if it comes with formal authorisation to run a business.

According to a representative of the Department of Refugee Affairs in Turkana: “Turkana is learning to tap into the importance of the refugee camp. The county is collecting money from the Kakuma refugees – it is one of the collection points for the county.” In Kenya, as in other countries of the region, locations where refugees live are often marginalised, low-revenue and arid or semi-arid areas. The local need for greater fiscal strength to support county development plans can turn into a benefit for the refugees who are ready to work or run businesses and pay taxes.

If refugees are to be able to make greater fiscal contributions, they will need to be given work permits. At the moment, work permits are issued centrally in the capital, Nairobi, under the responsibility of the Department of Immigration. If this power were devolved to the counties, it could benefit refugees more quickly, and allow the local administration to register them and their businesses, in order to tax them. Decentralising other Department of Immigration services to the camps could provide other avenues for local economic integration and local revenue generation, giving local economic impetus.

Establishing a working framework between the national government and counties that

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host refugees would be a starting point to effectively engage counties on refugee management. Currently with devolution of power in Kenya, decisions that once used to be made by the central government are now made by the county in consultation with the community. County administrations are in charge of service delivery, conflict resolution and development in their jurisdiction – three key mandate components affecting refugee issues. The five-year development road maps of counties' integrated development plans are the place to build on the potential for positive impact of the presence of refugees, such as trade, education and livelihoods, and to address negative repercussions on infrastructure and the environment.

With counties having control over resource allocation and funding mechanisms, there are ways that they can have a positive impact on refugee affairs. Local and international civil society are calling on counties to use a part of their budget for programmes for refugees. This is already happening indirectly in Turkana, where parts of the county budget and programmes benefit both host and refugee communities.

There are three core components for initial engagement of county governments with refugee issues: community-based development, conflict resolution, and health and education. The refugee-hosting counties of Garissa and Turkana, and aid organisations, already engage in service provision to refugees and host communities, as they recognise the role of refugees as key economic agents. Such local-level engagement is a necessity for turning transitional solutions into durable solutions and can be replicated and scaled up in protracted refugee settings.

Good practice

There are some other examples of good practice. They include:

- **Kenya**, where 1,500 hectares of land has been made available by the local government for a new settlement, Kalobeyei, for up to 60,000 refugees, thereby decongesting the Kakuma refugee
- camp. In a new approach integrating local and refugee economies in the planning of the new site, about 900 hectares will be used for settling refugees while the remaining 600 hectares will be allocated for economic activities, including agriculture.
- **Ethiopia**, where there has been an out-of-camp policy that has allowed Eritrean refugees in Ethiopia to live outside refugee camps in urban settings. This has been seen as a strong start for urban solutions as alternatives to encampment. A positive sign of engagement in seeking solutions, the implementation has so far been slow.²
- **Uganda**, where the 2006 Refugee Act and 2010 Refugee Regulations enshrine many of Uganda's international obligations in domestic law, and the Settlement Transformative Agenda (UGSTA) aims to bridge the gap between emergency life-saving responses and more long-term development approaches by including refugee response in the National Development Plan.
- **Somalia**, where efforts at durable solutions have included advocating for Somalia's displaced to be integrated into the government-led and donor-supported development framework for Somalia that ran from 2013 to 2016. This advocacy has led to the inclusion of displacement and solutions as a key issue in consultations for the National Development Plan currently being drafted by the Federal Government of Somalia.

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1. ReDSS/Samuel Hall (2015) *Devolution in Kenya: Opportunity for Transitional Solutions for Refugees?*

www.drc.dk/media/1419712/final_devolution_report_230715.pdf

2. See also Samuel Hall (2014) *Living out of camp: Alternative to camp-based assistance for Eritrean refugees in Ethiopia*
<http://tinyurl.com/SamuelHall-LivingOutOfCamp>