Refugee paralegals
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Refugees in Kenya face multiple barriers to accessing their rights. The work of paralegals who are themselves refugees and who support and facilitate refugees’ access to justice offers a vital service that many NGOs, whose scope and budgets are limited, insufficiently provide.

Refugees in Kenya face multiple challenges. In addition to the long process of recognition or rejection of refugee status, these challenges include lack of access to documentation and services – including refugee registration processes, business and work permits, student pass, bank accounts, social security numbers, travel documentation and mobile communication. Refugees also experience difficulties relating to police harassment, a general lack of knowledge of refugee issues, negative and discriminatory attitudes from local populations and barriers to foreign qualifications recognition.

In order to address this, some refugees in Nairobi have been trained by the non-governmental organisation (NGO) Kituo Cha Sheria, supported by the UN Refugee Agency (UNHCR) and the UN Migration Agency (IOM), as paralegals to support fellow refugees. A paralegal is someone who has either a basic legal training or more extensive practical legal experience, who provides legal assistance to facilitate access to rights and justice. Their work is generally supervised by a lawyer, law office or any legal institution.

Refugee paralegals sensitise refugee groups and public authorities on refugee rights through forums, workshops, training and conferences and also contribute to the capacity building programme of authorities to appropriately handle refugee cases, including how they conduct, stop, arrest and detain forced migrants and on how refugee documents should be issued and verified. They also contribute to awareness-raising activities for government representatives to improve their knowledge of refugee issues.

Refugee paralegals also work to empower the refugee community by providing guidance on their rights and obligations, including how to react when stopped, arrested or detained and how to approach authorities on matters of documentation. They provide refugees and asylum seekers with information regarding their asylum application and their refugee status, offering advice on their cases, making referrals and following up on cases. They advocate for the release of arrested refugees, asylum seekers and other forced migrants at police stations, prisons and places of detention, and accompany refugees on visits to organisations and institutions to seek assistance on various social issues (for example, to police stations in order to report crimes).

As a lawyer, I have a legal background and therefore have an obligation to help my community, so I became a refugee paralegal. Refugee paralegals are able to undertake work that large international NGOs have difficulty with or do not undertake due to their budget limitations and the scope of their work. For example, I am able to intervene in refugee cases (especially arrest and harassment cases) at any time of the day or night, including on weekends and holidays; large organisations only intervene during their hours and days of work. We also advise, refer and follow up on cases, giving feedback to refugees, which means they do not have to pay the costs of transportation to these NGOs, whose offices are all far from where refugees live. Importantly, refugee paralegals are based where refugees live. We deal with refugees on a daily basis as the majority of us are also refugees and live as part of the refugee community. In the community where I live and work we have established a forum where refugees can share their own ideas on legal and livelihoods issues.

In the course of my work as a refugee paralegal I have assisted many refugees. One Congolese refugee, who was conducting business without a business permit, was arrested for being in Nairobi unlawfully.
Kobciye: empowering Somali refugees in Nairobi

Afrah Hassan

Established by a resettled Somali refugee and now under the leadership of his children, Kobciye resource centre works to empower Somali refugees in Eastleigh, Nairobi.

In the early 1990s my father was one of millions of refugees fleeing the civil conflict engulfing Somalia. Relative to many others he was lucky – he was educated and able to secure scholarship opportunities in the United States, where he was resettled. From there he worked to bring over his still young family and to eventually settle in Toronto, Canada. Escaping a violent conflict and settling into a new community sparked my father’s passion to help his native community. It began in 1993, when he helped the new wave of Somali refugees who were arriving in Toronto having escaped war, and it continues today with Kobciye, a community resource centre in the Eastleigh neighbourhood of Nairobi, Kenya, which he established. In the intervening years, and in spite of the challenges of keeping the organisation going, Kobciye has continued to grow. Its success is built on its engagement with the community and ability to gain legitimacy and trust within Eastleigh.

Kobciye, which means ‘empowerment’ in Somali, is a resource centre that assists vulnerable individuals (including undocumented refugees) within the Eastleigh community, and provides skills trainings such as basic computer literacy, sewing and tailoring and other programmes. Kobciye aims to equip individuals with relevant skills that will build their capacities and lead to further opportunities. The organisation identifies the needs of the community through broad consultations with community stakeholders; this includes organising sustained engagement events and working with established community partners.

After my father’s death in 2012, my sister and I returned to Nairobi to try to carry on his legacy. Having settled in Canada as