

Helping young refugees avoid exploitative living arrangements

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In an urban environment, the relationship between an unaccompanied young refugee and his or her host family is critical, often making the difference between a life of protection and one of exploitation.

Upon arrival in a country of first asylum, unaccompanied refugee youth, like most refugees, must immediately find a safe place to stay. For young refugees, the urgency to find shelter in an urban environment often means locating someone willing to host them. Many youth find hosts informally, sometimes just by walking the streets and stopping people to ask for assistance.

In Nairobi the most common arrangement for unaccompanied young refugees involves them working for a host family in exchange for shelter. The dependency of these young people on their hosts means they are likely to work long hours and to be unable to negotiate salaries and rest time. In Kenya, labour – including child labour – is regulated by the Employment Act of 2007. However, since the majority of work done by refugees is informal, it is largely unregulated and thus beyond the effective reach of any legal protection.

The nature of young refugees' work behind closed doors and outside any regulatory regime, their lack of legal protection in the country, and the lack of adult relatives to protect them or seek retribution for abuse makes unaccompanied young domestic workers highly vulnerable to labour exploitation, and even physical or sexual violence. During focus group discussions conducted by RefugePoint, 30% of youth reported that they had not registered with UNHCR, many because their 'employers' would not let them off work to do so.

The work most frequently takes the form of domestic labour in private homes and is done predominantly by young women and girls. In fact, refugee boys complain that it is difficult for them to find shelter because there are so few 'employment' opportunities for them, whereas refugee girls "can always find work as house girls".

According to our research, 80% of house girls and boys receive no money from their 'employers'. They work in return for shelter, typically sleeping on the floor of the kitchen and eating separately from the rest of the family, often eating only the family's leftovers. Some, like Kadir,¹ a 16-year-old boy from Ethiopia, work all day every day of the week in return for food only. "I wash the clothes, fetch water, cook and clean the bathroom. I work from morning till evening. They pay me only with food. If I don't work, I don't eat." At night he has to "look for somewhere to sleep" and he usually sleeps on the street.

Some young refugees do other work in return for shelter. Some male youth, and a smaller number of female youth, work in shops, restaurants, tailors, salons and barbershops; they clean, fetch water, run errands and do the dishes. Typically, the work is in exchange for permission to sleep in the place of business itself.

Many young refugee workers have experienced some form of physical violence from their 'employer'. One 16-year-old Somali girl was burned on the side of her face with a spoon that had been heated for that purpose. Young refugees working as house girls are frequently subjected to sexual harassment, assault, rape and attempted rape by the men and boys of the family they work for and live with. Zainab, a 15-year-old Somali, explains that "the boys of the family used to scare me when the mother was out of the house; they tried to rape me many times."

Often, house girls who have been raped by their 'employers' are then thrown out when found to be pregnant. One girl who became pregnant as a result of rape was then accused by her host of being a prostitute and evicted from her home. The church that had been supporting the girl also withdrew its support, on the basis that the girl was immoral for having had a child out of wedlock.

Opportunities for interaction – and support

Though agencies working in Nairobi agree that many host situations are far from suitable, their ability to take action is constrained by a severe lack of resources to assist refugees in urban areas; they are sometimes forced to accept, just as many young refugees do, that a negative host situation, even one involving exploitative labour, is better than no host at all.

For example, Omar, a 16-year-old unaccompanied Somali boy, had identified a host before he went to register with UNHCR in early 2010. Omar was taken in by a family with a tailoring shop who had found him begging outside the mosque. He works all day in the family's shop, every day of the week. In exchange he is allowed to sleep in the shop and is given the family's leftover food to eat. At night he stays in the shop while the family returns to their home. According to Omar, a number of agencies in Nairobi are aware of his living situation. However, none of the agencies has been able to offer him alternative shelter, leaving him to conclude that they believe he is better off with the family than without.

Young refugees like Omar are at their most vulnerable immediately after their arrival in an urban area, especially if they are alone. Finding shelter is so critical that many feel compelled to quickly accept whatever home they can find. Effective coordination is needed between UNHCR's various programme teams and agencies working in Nairobi's refugee communities in order to identify vulnerable young refugees as quickly as possible and fast-track them for appropriate solutions. Because many of the most vulnerable young refugees are not free or able to travel to UNHCR to register

themselves, it is critical that agencies working in the communities where refugees are living proactively seek to identify those at risk and refer them to UNHCR.

UNHCR and partner agencies should take advantage of the several opportunities they have to monitor a young refugee's situation, starting at the point of registration and typically proceeding through Refugee Status Determination interviews and several subsequent protection interventions. It is especially important that unaccompanied minors are identified as early as possible in the process so that Best Interests Determinations² can be conducted to identify the most appropriate interventions for them and help them access the services they need to survive. These early

interactions with newly arrived refugees should be seen as opportunities to identify individuals with particular vulnerabilities before those vulnerabilities are allowed to become chronic, permanently undermining refugees' chances for stabilising their lives.

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Mei Lian Tjia, Gabriel Gill-Austern, and Manal Stulgaitis also contributed to a longer report covering these and other challenges faced by young refugees in Nairobi. For a copy of the report, please contact Martin Anderson.

1. All names have been changed.
2. www.unhcr.org/refworld/docid/48480c342.html