

REPORT ON COMPREHENSIVE ASSESSMENT OF MOMBASA REFUGEE JUSTICE CENTRE (PARALEGALS)



JANUARY 2025

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JANUARY, 2025

Produced by

Kituo Cha Sheria

(Legal Advice Centre)

With support from HIAS

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Kituo cha Sheria - Legal Advice Centre commissioned this research to evaluate the impact of Mombasa Refugees Justice Centre, popularly known as Paralegals Programme. The research designed jointly with the HIAS Kenya and aimed at evaluating the impact that paralegals in refugees' communities in Mombasa County, Kenya, are having in providing legal assistance to refugees within the host communities. Overall, the research aimed at identifying the legal issues facing refugees, effectiveness of support provided by paralegals and challenges that paralegals face in supporting targeted refugees. We extend our heartfelt gratitude to the following organisations and individuals for their invaluable contributions toward development of this report.

Firstly, we wish to thank HIAS Kenya for generously funding this participatory research that enabled convening of crucial meetings and participatory research sessions in Mombasa bringing together research participants. This includes pre-validation and validation meetings in Mombasa and Nairobi. Special thanks go to Mr. Cyprian for his steadfast support for this project.

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Thank you all.

Preface



Kituo Cha Sheria – Legal Advice Centre developed the Forced Migration Program (FMP) in 2007 with the primary goal of “...addressing legal and policy needs of refugees, asylum seekers and stateless persons residing in urban areas in Kenya with a view to improving their welfare and guaranteeing access to and enjoyment of the institution of asylum”. As a state party to the Refugee Convention, 1951 and its 1967 Protocol, Kenya has responsibility to accept asylum seekers and process refugee status to all applicants, whilst observing the principle of non-refoulment (forceful repatriation of refugees to countries of origin or where they are likely to face torture).

In this regard, Kenya enacted the Refugee Act (Cap 173), which establishes the legal and institutional framework for processing and hosting asylum seekers and refugees. Kenya also enacted the Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities Act (Cap. 134A) to handle IDPs, as a local category of vulnerable and displaced persons. In recent past, the country has also taken steps to recognise groups of historical stateless persons, but there is still no framework for processing new categories of stateless persons. The Refugee Convention, 1951 and resultant regimes obligate member states not to discriminate against refugees including on employment, educational and other social opportunities.

Thus, Kituo Cha Sheria’s FMP is designed to compliment the organisation’s human rights’ focus by creating a platform for providing legal assistance to refugees, asylum seekers and other vulnerable displaced groups including IDPs. As part of the FMP, Kituo Cha Sheria, with support of development partners, established the Mombasa Refugee Justice Centre (MRJC), popularly known as Paralegals Programme, to pilot the role of paralegals in providing legal support to refugees in Mombasa.

This research was designed to evaluate the impact of the MRJC (paralegals programme) on refugees and host communities in the county and coastal region generally. It was designed in a triangulated manner by identifying key informants, besides the refugees and paralegals themselves, to gather critical data on how the MRJC has impacted access to justice amongst

refugees domiciled in Mombasa County.

The research identifies important contributions the paralegals have had in helping refugees access justice and relate with the host communities. It also identifies instances where the paralegals have enabled actualisation of socio-economic rights of refugees through linkages to income generating opportunities. Critical gaps and challenges have also been identified including capacity and resource constraints, gender-based violence, and low uptake of paralegal services amongst selected refugees' communities.

The study recommends enhanced funding and capacity building initiatives for the paralegals and other engaged state and non-state actors, amongst others. It is expected that with concerted efforts additional impact of the MRJC will be realised and scaled to other parts of Kenya.

Mr. John Mwariri

Acting Executive Director

Kituo Cha Sheria – Legal Advice Centre

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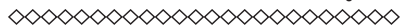
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List of Abbreviations

CBOs	Community-Based Organisations
IDPs	Internally Displaced Persons
EPZ	Export Processing Zones
HIAS	Hebrew Immigrant Aid Society
DRC	Democratic Republic of Congo
DRS	Department of Refugee Services
FMP	Forced Migration Programme
KNCHR	Kenya National Commission on Human Rights
KNPS	Kenya National Police Service
KRA	Kenya Revenue Authority
MRJC	Mombasa Refugees Justice Centre
NGAO	National Government Administration Officers
OCS	Officer in Charge of Police Station
NEMIS	National Education Management Information System
RCK	Refugee Consortium of Kenya

Executive Summary



Kituo cha Sheria – Legal Advice Centre with support of HIAS Kenya conducted research to review the impact of Mombasa Refugees Justice Centre (Paralegals Programme) on refugees’ right to legal services and access to justice in Mombasa County, Kenya. Kenya hosts refugees from many countries in the Eastern Africa region including Democratic Republic of Congo (DRC), Burundi, Rwanda, South Sudan, Ethiopia, Somalia, Uganda, and United Republic of Tanzania. Kenya is a state party to the Refugees Convention, 1951 and its 1967 Protocol. The country is, therefore, obligated to accept asylum seekers and process refugees whilst guaranteeing them their human rights.

The research employed triangulated methodology including interviews, observations, and desktop review. Purposive interviews were conducted in Mombasa County, Kenya, with key stakeholders including refugees themselves, the paralegals, Kenya Police, National Government Administration Officials (chiefs, assistant chiefs, and village elders), representatives of host communities and opinion leaders. Interviews were also conducted with officials from partner organisations that work closely with the MRJC including the Refugee Consortium of Kenya (RFC) Mombasa regional office. Onsite observation was deployed by visiting the MRJC to evaluate its operational capacity and identify constraints/challenges. Finally, desktop research was utilised in identifying and reviewing important primary and secondary materials including statutes, guidelines, and published reports. Overall, the research generated over 40 respondents within Mombasa County. Some major challenges experienced include bureaucratic bottlenecks in interviewing officials of the Department of Refugees Service, Mombasa Office, and the Kenya National Commission on Human Rights (KNCHR), who are partners in refugees’ rights governance. Occasional instances of language barrier were also experienced although this was largely ameliorated by the MRJC’s previous work in empowering paralegals and members of host communities who provided translation services.

The main finding of the study is that the Mombasa Refugee Justice Centre has had monumental impact in mobilising paralegals to support refugees in the county in terms of access justice and defending their

rights. The refugees generally now know their rights and have easy access to the paralegals when they face legal issues. The MRJC has also impactfully helped harness communication and interaction amongst stakeholders in the justice sector working with the refugees. Specific refugees' communities, for example from the DRC, were also found to be more active under the MRJC than other nationalities. This was attributed to historical participation, proactive paralegals, and dynamics back home in the countries of origin including fear of political reprisal. The report recommends enhanced capacity building of all stakeholders and deliberate attempt to address resource constraints that inhibit scale-up efforts. It also recommends additional information sharing, and stakeholder engagement mechanisms to eliminate stigmatisation of refugees, whilst working on management of expectations amongst refugees to reduce instance of covert dependency.



Respondents filling in the questionnaire

CHAPTER ONE

1. INTRODUCTION

Kituo Cha Sheria – Legal Advice Centre initiated the Forced Migration Program (FMP) in 2007 with the primary goal of “...addressing legal and policy needs of refugees, asylum seekers and stateless persons residing in urban areas in Kenya with a view to improving their welfare and guaranteeing access to and enjoyment of the institution of asylum”. Kenya is a state party to the Refugee Convention 1951 and its 1967 Protocol, and therefore has responsibility to accept asylum seekers and process refugee status to all applicants, whilst observing the principle of non-refoulment (forceful repatriation of refugees to countries of origin or where they are likely to face torture).

Accordingly, Kenya enacted the Refugee Act (Cap 173), which establishes the legal and institutional framework for processing and hosting asylum seekers and refugees. Kenya also enacted the Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities Act (Cap. 134A) to handle IDPs, as a local category of vulnerable and displaced persons. In recent past, the country has also taken steps to recognise groups of historical stateless persons, but there is still no framework for processing new categories of stateless persons. The Refugee Convention, 1951 and resultant regimes obligate member states not to discriminate against refugees including on employment, educational and other social opportunities.

With these developments, it is important to assess the impact that the legislative and institutional developments in Kenya in terms of their responsiveness to the rights of refugees in Kenya. Therefore, the Forced Migration Programme at Kituo Cha Sheria piloted the Mombasa Refugee Justice Centre (Paralegals Programme) to provide legal support to refugees in Mombasa County. In undertaking this noble work, the paralegals work closely with other stakeholders in refugees’ processing value-chain including Department of Refugee Services, Kenya National Commission on Human Rights, Refugee Consortium of Kenya, National Government Administration Officials (chiefs, assistant chiefs, and village elders), the police, and host communities amongst others.

The process of engagement of multiplicity of stakeholders identified above ought to lead to better outcomes and be impactful on experiences of refugees in Mombasa County, and could be scaled-up across Kenya and the region. Thus, this study examined the impact of the Mombasa Refugees Justice Centre (MRJC) (paralegals) on refugees and asylum seekers in Mombasa County, especially with focus on realisation and defence of their rights under domestic and international law. It reviewed functional and operational effectiveness of the programme, and sampled views of stakeholders to bolster impact on the MRJC/paralegal programme.

1.1 Objectives and Scope of the Study

The overall objective of the study was to assess the impact of the Mombasa Refugees Justice Centre/Paralegal Programme on refugees and asylum seekers in Mombasa County, Kenya.

The specific objectives of the research included:

- To evaluate the effectiveness of the Mombasa Justice Centre (Paralegals) and assess its functional and operational success.
- To gather insights from stakeholders on how the Mombasa Justice Centre (Paralegals) have benefited refugees and asylum seekers, including their experiences and outcomes.
- To evaluate the impact on the Mombasa Justice Centre (Paralegals) Programme on refugees and asylum seekers.

The specific scope of the research included:

- Operational Effectiveness and Efficiency.
- Stakeholder Engagement and Satisfaction.

- Accessibility and Utilization of Services.
- Feedback from Refugees and Asylum Seekers on the Services provided.
- Analysis of the Outcomes and Improvements in Access to Justice.

1.2 Research Methodology

The research project employed triangulated methodology including interviews, observations, and desktop review. Purposive interviews were conducted in Mombasa County with key stakeholders including refugees themselves, the paralegals, Kenya Police, National Government Administration Officials (chiefs, assistant chiefs, and village elders), representatives of host communities and opinion leaders. Interviews were also conducted with officials from partner organisations that work closely with the MRJC including the Refugee Consortium of Kenya (RCK) Mombasa regional office. Onsite observation was deployed by visiting the MRJC to evaluate its operational capacity and identify constraints and challenges. Finally, desktop research was utilised in identifying and reviewing important primary and secondary materials including statutes, guidelines, and published reports. Overall, the research generated over 40 respondents within Mombasa County.

1.2.1 Data Collection

1.2.1.1 Desktop Review (Primary and Secondary Sources/Reports)

Desktop research was utilised in identifying and reviewing important primary and secondary materials including statutes, guidelines, and published reports. Overall, the research generated over 40 respondents within Mombasa County.

1.2.1.2 Structured Qualitative (and Quantitative) Interviews

Structured qualitative and quantitative interviews were deployed in data gathering from prior-identified list of key informants and resource persons, including representatives of beneficiary refugees, paralegals actively volunteering with Mombasa Refugee Justice Centre, National Government Administrative Officers, opinion leaders, representatives of refugees', host communities and partner organisations. In all these groups, structured questionnaires were administered physically on the respondents. The questionnaires generated over 90 per cent response rates. This was followed by a physical validation session held on December 19, 2024 where select representatives of the respondents were again invited to discuss and validate the findings of the study.

1.2.2 Sample Questionnaire

Pamela Logg

HRD
HUMAN RIGHTS DEFENDERS
INTERNATIONAL

**Comprehensive Impact Assessment of Mombasa Refugee Justice Centre
(Final Work)**

Head Communities/Paralegals

1. *What is your background training as paralegal. How did Kilus Justice Centre support you in that training?*

Kilus has really added more knowledge in the law understanding before as a volunteer. Paralegals had to help the community as a paralegal like write my commitment to advising them and also help to solve the case among the refugees and host.

2. *Let the services you normally give to the refugees?*

The problem area that the solution that needed help. Provided.

3. *What challenges you face as in handling the refugees as paralegal host community?*

The challenge I have been during the exercise is when I stand with the community and make to pay for their house because the rent is not and some places they have been evicted as paralegal.

4. *What reforms do you recommend to the justice centre to improve the paralegal programme and how you handle problems?*

Just to support the paralegals while doing their activities and had provide more training for paralegals to improve the skills.

5. *How can the Mombasa Refugee Justice Centre serve you better as a paralegal? Any opinion matter?*

Encourage the paralegals by giving them as all taken to make them during their daily activities able to continue serving the community at large. My opinion is to put the salary to keep them going on with their families cause the life to help them self take care of their family.

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[illegible]

1.2.3 Data Processing and Analysis

Collected data were treated confidentially and analysed within the scope of the terms of reference. Confidentiality of sources have been preserved and protected. Data was analysed in a limited manner to meet to expected scope of this report in terms of understanding and contextualising the impact of the Mombasa Refugee Justice Centre (paralegals programme).

1.2.4 Data Collection Challenges

Some major challenges experienced include bureaucratic bottlenecks in interviewing officials of the Department of Refugee Services Mombasa Office, and the Kenya National Commission on Human Rights (KNCHR), who are partners in refugees' rights governance. Occasional instances of language barrier were also experienced although this was largely ameliorated by the MRJC's previous work in empowering paralegals and members of host communities who provided translation services.

1.2.5 Ethical Considerations

During the entire study period including validation sessions, respondents were informed of their rights as respondents including discretion to participate in the study. All respondents granted consent verbally or signed. All study participants were made aware of their rights and obligations in the study including their rights to withdraw from the study.

1.2.6 Pre-Validation and Validation Workshop

Pre-validation and validation meetings were held in Mombasa County from December 9 – 13, 2024 and on December 19, 2024 respectively. Invited study participants and stakeholders participated voluntarily and were robustly participated in giving feedback on the report and its recommendations.

CHAPTER TWO

2 BACKGROUND INFORMATION ON THE MOMBASA REFUGEE PROGRAMME (PARALEGALS)

2.1 History of the Paralegal Programme

Goal: The paralegal programme at Kituo Cha Sheria is part of the Forced Migration Programme (FMP) launched in 2007. The FMP is devoted to addressing legal and policy needs of refugees, asylum seekers and stateless persons residing in urban areas in Kenya with a view to improving their welfare and guaranteeing access to and enjoyment of the institution of asylum.

2.2 Objective of the Forced Migration Programme

- To develop a detailed strategy including a rapid response programme to address issues of forced migration (i.e. refugees, statelessness, asylum seekers, deportees, evictees, detainees).
- To expand legal service community outreach to areas outside Nairobi (namely Mombasa, Kakuma, Dadaab Garissa, and other parts of the country) through volunteer networks and branch offices entry points on priority basis.
- To establish a “Poor man’s Kitty” and link needy communities to micro-financing institutions.
- To carry out advocacy on the rights and durable solutions for forced migrants, refugee and people with special needs issues including policy and legislation for national legal framework on refugees and the international refugee law like local integration, repatriation, and resettlement.
- To strengthen the research component of the programme for advocacy and learning (e.g., on statelessness, asylum seekers,

refugees, and migrant generally).

- To Monitor and evaluate all programme activities.

2.3 Governing Legal Framework

In Kenya, the law governing protection of refugees is the Refugees Act (cap. 173). The Act creates the legal framework to provide for the recognition, protection and management of refugees; to give effect to the 1951 United Nations Convention Relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees and the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa and for connected purposes. This not only domesticates Kenya's legal obligation to accept, process and protect refugees, but also gives a broad enough definition to encompass all categories of persons including those who are the subject of this study as refugees.

Section 3 of the Refugees Act (cap 173) defines a refugee in the following terms

“...a person shall be a refugee for the purposes of this Act if such person

(a) being outside of his or her country of nationality and owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion who is in Kenya and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of his or country of nationality or the country of habitual residence;

(b) not having a nationality and being outside the country of his or her former habitual residence owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, who is in Kenya and is unable or, owing to such fear, unwilling to return to the country of his or her habitual residence;

(c) owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or whole of his or

her country of origin or nationality is compelled to leave his or her place of habitual residence in order to seek refuge in another place outside his or her country of origin or nationality; or

(d) the person is a member of a class of persons declared under subsection (2) to be refugees.”



A photo with village elders and chiefs in in Mombasa County

CHAPTER THREE

3 RESEARCH FINDINGS AND ANALYSIS

3.1 National Government Administration Officers (NGAO) (Chiefs, Assistant Chiefs and Village Elders (11 Study Participants)

Eleven (11) NGAO officers participated in the study. Overall, NGAO officers drawn from Mombasa County reported working with paralegals at the Kituo Cha Sheria Refugees Justice Programme in handling different aspects of the refugees' and asylum seekers problems. Some of the areas of collaboration with the paralegals include: -

- Assisting the refugees/asylum seekers alleged to have committed offences in the county in processing their issues at the police station.
- Working closely with the paralegals to process/renew relevant documentation/IDs for refugees and asylum seekers.
- Guiding several refugees/asylum seekers who have become victims of domestic abuse to link up with paralegals for pro bono legal support.
- Working closely with paralegals to resolve historical communication/language barrier when handling cases involving refugees/asylum seekers, especially from none Swahili speaking countries. Paralegals act as translators since they mostly come from the same countries as refugees/asylum seekers.
- Invited paralegals to participate in barazas or community sensitisation meetings aimed at educating locals/host communities and the refugees/asylum seekers on rights of refugees/asylum seekers under the laws of Kenya.
- Acting as first point of contact between the OCS and the refugees/asylum seekers, especially when a new OCS has been

appointed. This helps to avoid arbitrary arrests and harassment of refugees/asylum seekers, especially those whose IDs have expired and pending renewal.

- In collaboration with paralegals, making sure that the children of refugees/asylum seekers are enrolled in school, particularly those who do not have birth certificates as required under NEMIS.
- In situations of disease outbreaks, working very closely with paralegals to sensitize the public/host communities to avoid situations of stigmatisation of refugees/asylum seekers based on their country of origin. This happened during the cases of Mpox breakout.

3.1.1 Sample Case Studies involving NGAO

(i) Case Study 1: A young girl in refugee household defiled by stepfather linked to paralegals. Paralegals helped in locating safehouse. Police arrested mother who had aided the stepfather to escape. She was sentenced to 3 years in prison.

(ii) Case Study 2: A minor refugee who gave birth as a minor (teenage pregnancy). Child enrolled in school.

(iii) Case Study 3: Nigerians and Cameroonians deported. Chief could not help as some of the refugees' communities are not represented – Nigerians and Cameroonians do not have paralegals in Mombasa County.

3.1.2 Challenges Identified by NGAO Officers in the Paralegal Programme

NGAO officers who participated in the study identified several teething challenges in the paralegal programme that ought to be addressed to enhance sustainability of the programme.

- Several NGAO officers expressed concern that the programme's management is not able to point out people who are victims to be assisted by paralegals.
- NGAO officers also lack of resources and financial capacity to mobilise paralegals, refugees, and police in their jurisdictions for efficient response to incidences of abuse.
- Incidences of unwillingness of refugees/asylum seekers to open-up regarding their legal issues due to trauma and stigma.
- Language barrier in some instances.
- Sense of lack of belonging.
- Partial racism.
- Cultural disconnect/different beliefs.
- Some refugees do not have valid alien ID cards. They have forms which most police officers do not recognise.
- Refugee children joining juvenile gangs.
- Inadequate of legal aid.
- Refugees lack of registered telephone numbers

3.2 Paralegals and Representatives of Refugees Host Communities in Mombasa County (30 Study participants).

Thirty (30) paralegals and representatives of refugees' host communities participated in the study. The paralegals and representatives of host communities have actively been involved with the Mombasa Refugee Justice Centre and are still engaged as paralegals in the programme. Some of the areas they identified as part of working and collaborating with the Centre include the following: -

- The Centre/Paralegal Programme provided trainings thereby helping them acquire knowledge on the law applicable to

refugees and paralegals. These include trainings on legal aid, mental health, and paralegal work.

- Collaborating with the Centre/Paralegal Programme in advising targeted refugees on their rights and obligations including problem identification, especially when they encounter the police.
- Based on their own initiatives, some paralegals and members of host communities have been giving food, shelter and advise to refugees and asylum seekers.
- Building a network and community of refugees and asylum seekers by enrolling them in CBOs and local churches. This has helped many refugees with spiritual growth and developed a sense of belonging and community acceptance.
- Some paralegals and representatives of host communities reported working with the Centre/Paralegal Programme to help refugees/asylum seekers engage in gainful employment, acquire stock, and pay rent. This includes helping them access seed capital for starting businesses amongst others.

3.2.1 Challenges Identified by Paralegals/Representatives of Host Communities.

Paralegals and Representatives of host communities who participated in the study identified several challenges in the paralegal programme that ought to be addressed to enhance its sustainability. These include: -

- Incurring out-of-pocket costs in supporting the refugees.
- Not being recognised as a paralegal (identity crisis) especially within the community and formal government structures for processing refugees.
- Communication barrier in certain instances, especially secluded refugees' communities such as Rwandese.

- Police demanding bribes from refugees/asylum seekers and paralegals, especially for those whose ID papers have expired and are awaiting renewal.

3.3 Refugees and Asylum Seekers (18 Study Participants)

Eighteen (18) respondents from amongst targeted refugees/asylum seekers participated in the study. The refugees are drawn from the following countries: DRC Congo, Eritrea, Somali, Burundi, Rwanda, and Ethiopia. The respondents identified the following areas in which they have collaborated with Kituo Cha Sheria's paralegal programme/Centre:

- Several refugees/asylum seekers reported working closely with paralegals to help them get out of police custody or avoid arrests.
- Several refugees/asylum seekers also reported working closely with paralegals to learn more about their rights as a refugee/asylum seeker so that they are properly equipped to defend themselves.
- The respondents also reported instances where they have collaborated with paralegals to start income generating businesses considering they do not have many opportunities for employment as refugees/asylum seekers and have restricted freedom of movement.

“Mama (paralegal) assisted me with stock and educated me on my human rights as a refugee.”

“Mama helped me to start a small business by giving me small capital”

- Some respondents also reported receiving psychosocial support from the Centre provided by the paralegals and being invited to attend events on human rights supported by the Centre.
- Some respondents reported working closely with the police through the paralegals to resolve security breaches in the refugees/asylum seekers homes. That made them feel more

secure and protected. In one case, a refugee from DRC who had her child nearly abducted reported as follows.

“Papa (paralegal) helped report the incident to police. The case is still pending with the police”

3.3.1 Challenges Identified by Refugees and Asylum Seekers in the Paralegals Programme

Despite general awareness of Kituo Cha Sheria Refugee Justice Centre/ paralegal programme, some respondents demonstrated poor knowledge of the centre. This could be attributed to language barrier as some of the interviews took place at the Centre’s premises and the respondents appeared to be part of refugees/asylum seekers communities that are active and have been hosted on several occasions at the Centre.

- “I have never interacted with them”
- “I have never got any assistance from them”
- “I have never got any information from them”
- “Communication challenges – not fluent in Swahili”

3.4 Kenya National Police Service (1 Study participant)

One respondent from the Kenya National Police Service (KNPS) was interviewed. This is the officer designated to work closely with the centre and has reportedly been at the forefront in collaborating with the centre on welfare of refugees and asylum seekers. He reported collaborating with the paralegals in the following areas: -

- Assisting refugees who have committed offences.
- Assisting refugees with documentation.
- Guiding victim refugees/asylum seekers to link up with paralegals to get necessary help.

- Participating in community sensitisation meetings organised to educate locals and refugees.
- Supported young girl who was defiled in locating safe house in coordination with paralegals. Mother arrested for aiding the perpetrator.

3.4.1 Challenges Identified by the Kenya National Police Service in the Paralegals Programme

The Kenya National Police Service identified the following two major constraints to their participation Kituo Cha Sheria's paralegal programme:

-

- Resource constraints.
- Unwillingness of refugees/asylum seekers to open-up due to trauma and fear of reprisals, especially those from Rwanda.

3.5 Refugees Consortium of Kenya (RCK) (1 Study Participant)

One key informant from Refugees Consortium of Kenya was interviewed for the study. RCK collaborates with Kituo Cha Sheria and Mombasa Refugee Justice Centre regularly in their work on rights of refugees and asylum seekers in the coastal region. Areas of collaboration identified include the following areas: -

- Joint trainings with the Centre (paralegals) on rights of refugees. Approximately 10,000 refugees have been reached in the coastal region.
- Joint community sensitization sessions. This had led to increased awareness, reduced arbitrary arrests, and independence amongst refugees.
- Watched brief in litigation (SGBV cases).
- Referrals to Kituo (paralegals).

CHAPTER FOUR

4 CHAPTER FOUR: RECOMMENDATIONS & CONCLUSION

4.1 Recommendations

A total of over 40 participants participated in the study and the validation workshop, and in the process helped generate dynamic findings on the impact of the Mombasa Refugees Justice Centre. Several recommendations were also given on how the Centre can be sustained and impact enhanced. Some of the recommendations include the following: -

- There is need to create additional targeted trainings and seminars for all stakeholders participating in the paralegal programme on the strategic role and impact of paralegals in assisting refugees/asylum seekers protect their rights under Kenya's Refugee Act (cap. 173) and applicable international instruments.
- Deliberate efforts should be invested in creating many regular networking opportunities to support knowledge and experience sharing amongst paralegals. This is particularly important as part of scaling the paralegals programme to neighbouring counties and across the country.
- It was established that some refugees/asylum seekers communities are under-represented in the paralegal programme. Refugees/asylum seekers from Rwanda, Nigeria and Cameroon are notable examples, whilst DRC, Burundi and Ethiopia are active and well represented. Thus, enhanced community sensitisation, especially unrepresented groups is important. This will ensure the paralegal programme broadened as it represents the most direct contact between refugees/asylum seekers and the formal structures governing operations of

refugees/asylum seekers in Kenya now.

- Collaboration between paralegals and National Government Administration Officers (NGAO) in the paralegal programme ought to be intensified. Both sides affirmed existence of goodwill to participate and sustain the paralegal programme.
- It is important that elections for refugees/asylum seekers in their CBOs that has not been done for over five (5) years be organised. Delay in conducting elections means new refugees/asylum seekers are not represented in the paralegal programme from respective CBOs.
- Most refugees/asylum seekers feel excluded from mainstream public services in Kenya including opportunity to apply their skills in EPZ. It is important that the paralegal programme be scaled to train paralegals to work with other government agencies to help them acquire important documents like KRA PIN, MPESA registration, SHIF/SHA, e-Citizen, driving licence so that they contribute to economic growth of Kenya.
- Support refugees/asylum seekers to join Nyumba Kumi activities, CBOs, welfare issues (funerals), and Churches/Mosques.
- The Centre should support additional spaces for refugees/asylum seekers to interact with the paralegals, police and NGAO.
- Most respondents reported resource constraints in undertaking the paralegal programme. Many paralegals reported lack of item to enable them be more effective in their job. Accordingly, it would be important that the Kituo Cha Sheria mobilises additional resources to ensure the Mombasa Refugee Justice Centre/Paralegal Programme remains well funded and overcome resource constraints.
- Assist with processing Kenyan citizenship (some have lived in Kenya for over 20 years).

4.2 Conclusion

The overall review of Kituo Cha Sheria's Mombasa Refugee Justice Centre/Paralegal Programme shows that it has acquired increased recognition as a platform for refugees/asylum seekers to enforce their rights in Mombasa County. It has provided a community-based network of rights' enforcers who continue to help refugees/asylum seekers interact with the police and integrate with host communities. It has also provided a platform for networking with stakeholders including NGAO officers and partner organisations thereby strengthening understanding of the legal framework governing refugees/asylum seekers in Kenya, and rights and responsibilities of all stakeholders. However, additional challenges continue to be witnessed especially in terms of resource limitations and capacity constraints. It is also important to manage expectations of all stakeholders involved, especially of refugees/asylum seekers, paralegals, and NGAO officials so that the programme is focused on responding to urgent and emergent needs of the refugees/asylum seekers. This is particularly important at this stage because the paralegals programme is yet to be designed to respond to socio-economic needs of the refugees/asylum seekers.

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Welcome the stranger.
Protect the refugee.



KITUO CHA SHERIA
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