Article

THEOLOGY

Theology
2017, Vol. 120(5) 326–333
© The Author(s) 2017
Reprints and permissions:
sagepub.co.uk/journalsPermissions.nav
DOI: 10.1177/0040571X17710192
journals.sagepub.com/home/tjx

SAGE

The plight of refugees in Africa: A perspective from Kenya

Zablon Bundi Mutongu
St Paul's University, Limuru, Kenya

Abstract
This article examines the plight of refugees in Africa with a special focus on the problems associated with them. Specific issues highlighted include the definition of refugees; the dependency characteristics developed in refugee camps; the economic constraints on the hosting communities; the security problems associated with refugees; efforts by United Nations High Commission for Refugees (UNHCR); and the current working environment in Africa.

Keywords
Al-Shabaab, dependency characteristics, displacement, economic constraints, hosting countries/communities, obstacles to reintegration, refugees, security, terrorism

Introduction

In early 2003, I went to give a lecture to students of theology at Emmanuel Christian College in Yei, Goli in Eastern Equatoria State, South Sudan. When talking with the young pastors-to-be, I came to the realization that every discussion would end up with the question, 'When can I visit Kenya?' On a closer look at the situation, I realized that these pastors had an internal problem of not accepting the fact that they were now in their own country. They had been used to a life where everything was provided for them. They were now struggling with the fact that they had to start a new level of life where they had to fend for themselves. At that time, the issue of church sustainability was a major one, as not many churches were able to support their ministers to do ministry without being dependent on the so called wealthy elites in the society. And so, for these pastors to think about doing ministry, feeding their families and taking care of themselves without the handouts that they used to receive from the refugee camps was not an easy reality to comprehend.

Corresponding author:
Zablon Bundi Mutongu
Email: zablon.mutongu@gmail.com

This article therefore deals with the problems associated with refugees in terms of their own limitations to develop into self-sustaining communities, the dependency characteristics developed in the refugee camps, the quality of life of the refugees, the economic constraints on the hosting communities, the security problems associated with the refugees and the problem of refugees as an economic empire for some 'big brothers'.

Definitions

According to the 1951 United Nations Convention Relating to the Status of Refugees, a refugee is any person who, owing to a well-founded fear of being persecuted for reason of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his or her nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of the country.[1] Regional instruments in refugees expanded the UN definition. For example, the Convention Governing the Specific Aspects of Refugee Problems in Africa, a regional instrument adopted by the Organization of Africa Unity (OAU) in 1969, besides adopting the UN definition, expands it to include people fleeing external aggression, internal civil strife or events seriously disturbing public order in African countries.[2] The 1951 UN Convention definition is normally taken as the standard for 'genuine' refugee status. Before refugees acquire refugee status in the country they have fled to, they are normally called asylum seekers.[3] After their request has been considered genuine, they are registered and given refugee status. This is when they are officially handed over to the Office of the United Nations High Commissioner for Refugees (UNHCR) as mandate refugees.

The magnitude of refugee influx in recent years has generated urgent concern throughout the world. Widely perceived as an unprecedented crisis, these flows have produced a mixture of humanitarian concern for the millions of people forced into exile and fear because of the potential threat to the social, economic and political stability of host states caused by streams of unwanted newcomers.[4] The host states are therefore struggling to strike a proper balance between the need to maintain control over their borders and the need to protect refugees who seek asylum within their borders.

Dependency

It is very easy for refugees to become dependent on the international community. My experience with the South Sudanese people has been that they have become totally dependent on international donors, to the extent that they would attack foreigners whom they perceived to be benefiting from aid intended for them. This dependency syndrome has been one of the greatest hindrances to resolving the problem of refugees as there is a lot of resistance from people who have become used to free provisions. This dependency also affects economic activities as these refugees are not ready to work to provide for their families and their needs.

Therefore, it is my belief, that falling back on camps as the only solution for the administration of humanitarian assistance means turning a blind eye to the short- and long-term detrimental effects on refugees.

Economic constraints

The presence of refugees in a country brings both positive and negative economic impacts. On the positive side, refugees can often bring positive economic impacts to the countries that receive them. First, provisions designed and implemented explicitly for refugees can be more broadly utilized by the host country's population. For example, schools built explicitly for refugee children have also served local students, who might not otherwise go to school at all. This in turn encourages continued investment and can improve the educational infrastructure of the country and boost long-term economic productivity.

It is also important to consider the demographics of the refugees themselves. Many of the factors that drive refugee crises – for example, war or terrorism – may be relatively undiscriminating regarding class. Because of this, refugees can often come from skilled and educated backgrounds. Given that refugees are often skilled and underemployed, they may, if given the opportunity via proactive policy, possess the capacity to boost their host nation's economic output, though this may not always be the case. The oft-cited view that refugees will drain the economy by taking jobs that would have otherwise been taken by locals may be driven more by rhetoric than fact. In reality, refugees often take jobs that native citizens are unwilling to take, such as in construction or low-wage agriculture.[5]

Conversely, refugee crises may also bring negative economic consequences. Although this view is commonly heard in political punditry, existing academic literature has also identified many mechanisms in which these consequences occur. First, refugees can strain the service systems of host countries. These strains occur during the task of processing and receiving refugees, as well as integrating them into the host country. Examples of expenses include housing, healthcare, education, food, water and utilities.[6] Understandably, the quality of a specific service may go down as it becomes strained in order to accommodate more people.

Second, and related to strained services, is the issue of overcrowding in the host nation. When hundreds of thousands of refugees arrive in a concentrated area, disease can quickly break out. Further, overcrowding can lead to environmental degradation, which has become a serious concern in areas faced with a large influx of refugees. The UNHCR concedes that refugee-affected areas may face increased issues of 'deforestation, soil erosion, pollution, and depletion of water resources'.[7]

Third, a negative economic impact can result in civil conflict. In the words of Idean Salehyan and Kristian Gleditsch, 'On a broader level, refugees may increase the potential for internal conflict and war in the host nation.'[8] For example, in the Horn of Africa, famine-driven refugee crises have often led to conflicting tribal and ethnic groups confined to a small geographic area.

Clearly, an influx of refugee crises can have a number of positive and negative effects on the countries that receive them. The key to responding to the current crisis is to take lessons from the past and present, and to employ policy tools that amplify the benefits that refugees have been shown to bring while mitigating the negative consequences. While no two countries or situations are the same, lessons can certainly be gleaned from the past. By discovering how countries have benefited and suffered from refugee crises, and by taking the appropriate scholarly research into account, host countries, like Lebanon, can equip themselves with the potential to turn a seemingly devastating situation into a relatively more positive one for all.

Security

One reason refugees have been associated with insecurity is because they are perceived to possess and propagate illicit firearms, undermining the legitimate authority of the state.[9] International common borders are often not sufficiently policed, and people can – and do – easily cross the border in both directions. Thus, the porous nature of the border makes the trafficking of illegal arms easy. Besides, the number of officers deployed by the government is barely enough for an extensive common border. In the case of the Kenya–Somalia border, the rough terrain and hostile weather make border policing more difficult. Haro and others view the porous Kenya–Somalia border as part of a broader, more complex pattern of state failure and communal violence afflicting much of the Horn of Africa.[10] It is therefore clear that government officials in Africa are caught between their genuine concern for refugees, their wish to honour international agreements to provide asylum and the increasingly hostile grassroots response from their own impoverished people in refugee-affected areas.[11] In an attempt to promote security, the Kenyan government has previously closed down refugee camps near urban centres and stressed the need of refugees to stay within their designated camps. The challenge, however, is that in both of Kenya's 'official' refugee camps – Dadaab and Kakuma – over 200,000 Sudanese, Ethiopians, Somalis and Central African refugees are subject to armed violence on a daily basis. According to reports issued by IRIN, there is a 'very strong possibility' that the 'camps are being used to traffic arms: there have been shooting incidents in the camps . . . it is easy for people to move around with arms on the Kenya–Somali border'.[12]

Of late, a major security threat to Kenya, particularly in the Dadaab region of North Eastern Kenya, is that presented by Al-Shabaab. Al-Shabaab is a terrorist organization alleged to have links with Al-Qaeda, which has been issuing a litany of threats, ranging from mounting attacks on Kenya soil to imposing sharia law in the North Eastern province.[13] It is a remnant of the Islamic Courts Union, crushed by Ethiopian forces during the 2006 invasion of Somalia. Al-Shabaab fighters have frequently crossed the border, killing Kenyans while accusing the Kenyan government of interfering with Somalia's affairs.[14] The most recent kidnappings of humanitarian aid workers and tourists by Al-Shabaab prompted the government of Kenya to declare war on it, accusing it of a spate of killings and kidnappings

in Kenya.[15] As a result, the Kenyan government has closed the border, making it very difficult for refugees to freely seek refuge in Kenya.

Acts of terrorism can have an extremely negative impact on a country's tourism, with ripple effects in several sectors of the economy. From an economic perspective tourism has made a significant contribution to Kenya's gross national product (GNP) as is observed in the national budgets every year. When terrorists strike or target the country, tourism activities are affected due to the fear that is created by these occurrences. In most cases, foreign missions would offer travel advice to their citizens not to visit the affected country, leading to a trickledown effect of reduced tourists in the country. Tourism employs many people in the hospitality and entertainment sector and is also a source of income from agricultural products as well as artefacts. When this loss of tourism happens, it seriously disrupts tranquillity within the sector and economic decline follows immediately.

Efforts by the United Nations

In December 2012 the UNHCR: Africa listed their Strategic Objectives for 2013. Finding a solution for refugee situations was a top priority. Though there has been limited success with repatriation over the last few years, most refugees' situations have no permanent solution in sight. While the plight of refugees has received a great deal of academic attention, the effects of refugee camps on the local host community have not been as comprehensively analysed. When the host community has been considered in the literature, the primary focus has been on a national level. Little attention has been given to the impact on the local community or the local community's impact on the refugees. The effect of refugee situations has received even less attention.

This stalemate leaves a heavy economic and structural burden on the UNHCR, which is left to stand in as the de facto government for the refugees. This role is far beyond the UNHCR's mandate. It also creates a situation where local administrations can adhere to intentional refugee standards à la carte. For instance, the 1951 UN Convention Relating to the Status of Refugees clearly states that hosting nations must grant refugees the rights necessary to live in dignity as they await a durable solution. This includes freedom of movement (Article 26) and the ability to find paid employment (Article 31). Kenya ratified both the 1951 Convention and the 1967 Protocol and yet its refugees are limited in movement to the refugee camp and face negative consequences if found outside of protective custody.[16] Likewise, refugees are forbidden to work or even sell homemade goods through an NGO. Article 35 of the Convention states that signatory nations must inform the United Nations Secretary-General of national laws and regulations adopted to ensure the application of the Convention.

It would seem that Kenya is not in compliance with the Convention, and her refugee laws would be noted as such by the Secretary-General. However, this is not the case; Kenya is considered in compliance with international standards. This is

achieved by exploiting a loophole. Signing the 1951 Convention does not require a nation to enact national laws in reference to refugees. With the exception of identifying and registering refugees, Kenya has few national laws on the topic.[17] However, local legislation is not subject to UN review. Country and regional politicians are under pressure from the local community to protect the weak peripheral job market. Regional laws do not specifically forbid refugees from working but instead limit legal employment to citizens, and impose heavy fines and prison sentences on those who employ non-citizens.[18] Work permits are extremely rare and limited to high end fields which are not in demand in Turkana and Garissa. As most of the Somali refugees are itinerant herders by trade, work permits are nearly impossible to acquire.[19] This effectively shuts the refugees out of the local job market. Kenya is not unique in this respect; almost every host nation limits refugee participation as it was ratified in the 1951 Convention.[20]

Conclusion

The number of refugees and internally displaced people in Africa continues to rise. Between January 2015 and January 2016, some 2.5 million people were newly displaced, fleeing to safety within their country or across borders. There are currently around 20 million people of concern to UNHCR in sub-Saharan Africa, including an estimated 4.4 million refugees and 11 million internally displaced. These numbers are expected to rise in 2017 and beyond if the root causes of the conflicts driving this displacement are not addressed. Conflicts in countries such as Burundi, the Central African Republic, Nigeria and South Sudan continue to produce outflows of people, despite peace talks and agreements.

In 2017, UNHCR will continue providing protection and assistance to these populations in the surrounding countries, as well as addressing protracted situations such as in the Democratic Republic of the Congo, Mali, Somalia and Sudan. While providing lifesaving assistance, their operations across the continent will also focus on finding innovative and lasting solutions, building on positive examples such as those in the United Republic of Tanzania, Uganda and Zambia. UNHCR is concerned by funding shortages for humanitarian programmes and the impact in 2017 of this year's El Niño on harvests, and the cumulative effect on increasing food insecurity across Africa. In 2016, some 76 per cent of refugees faced ration cuts or did not receive a full daily ration.

In South Sudan, with the peace process faltering and conflict breaking out in previously peaceful regions such as Western Equatoria, South Sudanese refugees have sought asylum in previously unaffected areas of the Democratic Republic of the Congo (40,000) and the Central African Republic (5,000). South Sudanese refugees continue to be hosted throughout the region, including in Uganda (374,000), Ethiopia (300,000), Sudan (247,000) and Kenya (90,000). Some 1.6 million people are currently displaced within South Sudan, while the country is also host to 261,000 refugees from Sudan. There was growing violence and insecurity throughout South Sudan in 2016. Fighting between armed groups and government

soldiers continued, mainly near Yambio, about 300km west of Juba. However, in the words of the UN High Commissioner for Refugees Filippo Grandi,

> Refugees have skills, ideas, hopes and dreams . . . They are also tough, resilient and creative, with the energy and drive to shape their own destinies, given the chance.

Notes

1. The 1951 UN Convention Relating to the Status of Refugees, 28 July 1958, United Nations Treaty, Vol. 189, No. 2545, 137.
2. The Organization of African Unity Convention: Governing Specific Aspects of Refugee Problems in Africa, 10 September 1969, OAU Document CM/267/Rev.1.
3. Gil Loescher, 'Refugee Movements and International Security', Adelphi Paper no. 268 (London: IISS, 1992), p. 6.
4. Gil Loescher and Ann Dull Loescher, *The Global Refugee Crisis: A Reference Handbook* (London: ABC-Clio, 1994), p. 7.
5. Omer Karasapan, 'Jordan's Syrian refugees', The Brookings Institution, 25 February 2015, <https://www.brookings.edu/blog/future-development/2015/02/25/jordans-syrian-refugees/>.
6. Shekhar Aiyar et al., 'The Refugee Surge in Europe: Economic Challenges', IMF Staff Discussion Note, January 2016. <https://www.imf.org/external/pubs/ft/sdn/2016/sdn1602.pdf>.
7. UNHCR, 'Refugees and the Environment', 1 January 2001. <http://www.unhcr.org/uk/protection/environment/3b039f3c4/refugees-environment.html>.
8. Idean Salehyan and Kristian Skrede Gleditsch, 'Refugees and the Spread of Civil War', *International Organization*, Vol. 60, no. 2 (2006), pp. 335–66 (p. 350).
9. Jan Kamenju, Mwachofi Singo and Francis Wairagu, *Terrorized Citizens: Profiling Small Arms and Insecurity in the North Rift Region of Kenya* (Nairobi: Security Research & Information Centre, 2003), p. 83.
10. Guyo. O. Haro, Godana J. Doyo and John G McPeak, 'Linkages between Community, Environmental and Conflict Management: Experiences from Northern Kenya', Conference report, Ithaca, NY: Cornell University, 2003, p. 3.
11. B. E. Harrell-Bond, *Imposing Aid: Emergency Assistance to Refugees* (Oxford: Oxford University Press, 1986), p. 15.
12. <http://www.irinnews.org/> (accessed 20 February 2017).
13. Lilian Ahianga, 'Our Territory Is under Attack on Four Fronts and There Is Danger It Could Get Worse', *The Standard*, 10 May 2009, p. 23.
14. Nation Reporter and Agencies, 'Security Fears Stall Dadaab Expansion', *Daily Nation*, 3 April 2011.
15. Galgalo Bocha, 'Security Alert over Al-Shabaab Man', *Daily Nation*, 8 June 2010, p. 6.
16. J. C. Hathaway and R. A. Neve, 'Making International Refugee Law Relevant Again: A Proposal for Collectivized and Solution-Oriented Protection', *Harvard Human Rights Journal*, Vol. 10: (1997), pp. 115–211.
17. Jeff Crisp, 'A State of Insecurity: The Political Economy of Violence in Refugee-Populated Areas of Kenya', Evaluation and Policy Analysis Unit of UNHCR, Working Paper No. 16, December 1999, p. 5. <http://www.unhcr.org/uk/research/

working/3ae6a0c44/state-insecurity-political-economy-violence-refugee-populated-areas-kenya.html>.

18. M. Foster, *International Refugee Law and Socio-Economic Rights: Refuge from Deprivation* (Cambridge: Cambridge University Press, 2007).
19. C. Horst, *Transnational Nomads: How Somalis Cope with Refugee Life in the Dadaab Camps of Kenya* (Oxford: Berghahn Books, 2008).
20. Hathaway and Neve, 'Making International Refugee Law Relevant Again'; K. Jastram and M. Achiron, *Refugee Protection: A Guide to International Refugee Law* (Geneva: IPU and UNHCR, 2001).

Author Biography

Zablon Bundi Mutongu is Senior Lecturer in the Faculty of Theology and Director of both the St. Paul's Institute for Lifelong Learning and the Leadership Development Centre at St. Paul's University, Limuru, Kenya. He currently teaches and mentors both Masters and PhD students in the University. He is also an organization development, strategy implementation consultant and sits on several local and international boards of directors.