

A CRITICAL ASSESSMENT OF THE SOCIO-ECONOMIC  
EFFECTS OF CIVIL WAR ON WOMEN: A CASE STUDY OF  
SOMALI WOMEN REFUGEES IN DADAAB, KENYA  
(1991-2007)

SUBMITTED IN PARTIAL FULFILLMENT OF THE  
MASTER OF ARTS DEGREE IN INTERNATIONAL  
STUDIES

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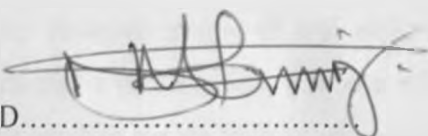
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## Declaration

This dissertation is my original work and to best of my knowledge has not been presented for a degree in any other university.

SIGNED.....

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This research project has been submitted for examination with my approval as a university supervisor.

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## Dedication

TO

My parents Mbithi Mulinge and Elizabeth Kanini Isika who several decades ago bore in me the dream for Academic pursuit. Mum and Dad may God grant you health and happiness all the days of your lives.

And

My nucleus family who were the hope, inspiration, strength and the determination to go on. To Bernadette and son Pascal Maingi I say thanks a million for being there for me. An exercise of this nature is physically, psychologically, and emotionally demanding, and one needs strong pillars of posterity to endure. You were the pillars, you made it happen. May Gods blessings be with you always.

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## **List of Acronyms and Abbreviations**

AP	- Administration Police
AU	- African Union
CAT	- Convention against Torture
CEDAW	- Convention on the Elimination of All Forms of Discrimination Against Women
CDS	- Community Development Sector
CMS	- Community Management System
CRC	- Convention on the Right of the Child
CSM	- Community Self Management
CTLC	- Computer Technology Learning Center
CWS	- Church World Service
DRC	- Danish Refugee Council
EWG	- Environmental Working Group
EXCom	- Executive Committee
FGD	- Focus Group Discussion
FGM	- Female Genital Mutilation
GTZ	- German Technical Cooperation
HI	- Handicap International
ICCPR	- International Convention on Civil and Political Rights
ICESCR	- International Covenant on Economic, Social and Cultural Rights
IDPs	- Internally Displaced Persons
IOM	- International Office for Migrations
KRCS	- Kenya Red Cross Society
NCCCK	- National Council of Churches in Kenya
NFD	- Northern Frontier District
NGOs	- Non-Governmental Organizations
OAU	- Organization of African Unity
PEP	- Peace Education Program
SGBV	- Sexually Gender Based Violence

<b>STIs</b>	- Sexually Transmitted Infections
<b>TFG</b>	- Transitional Federal Government (in Somalia)
<b>UN</b>	- United Nations
<b>UNDP</b>	- United Nations Development Program
<b>UDHR</b>	- Universal Declaration of Human Rights
<b>UNHCR</b>	- United Nations High Commissioner for Refugees
<b>UNICEF</b>	- United Nations Children's Fund
<b>UNODC</b>	- United Nations Office on Drugs and Crime
<b>UNOSOM</b>	- United Nations Operations in Somalia
<b>USA</b>	- United States of America
<b>VCT</b>	- Voluntary Counseling and Testing Center
<b>WFP</b>	- World Food Program



## Abstract

This study was premised on the fact that the effects of civil wars on civilians is mixed because they occasion severe socio-economic losses while at the same time inaugurating a long term process through which civilians in a polity secure their liberation from traditional structures largely viewed as oppressive. A paradox therefore exists. Civil wars turn out to be both a curse but also a blessing to civilians in the long run. This study focused on the conditions of Somali refugee women in the Dadaab camps. Modernization provided the theoretical and conceptual guide.

Data obtained from the three refugee camps in Dadaab – Ifo, Hagadera and Dagahaley – showed that refugee women have suffered immensely at three different stages, that is, in their villages/localities in Somalia when the war broke out in 1991, during their flight to Kenya through Liboi town, and eventually upon their settlement in the camps. Refugee women in Dadaab have faced the problems of rape, poverty, trauma, and dearth of basic necessities for subsistence such as food, shelter, and security. Women have also suffered a sudden shift of gender roles which demands that they take up male responsibilities at a time when oppressive cultural practices such as female genital mutilation, early marriage, divorce/separations, etc are still religiously upheld by the Somali refugee community.

However, the dislocations wrought by the civil war and the consequent movement of the war survivors to the camp has put the refugee women as well as other refugees to the direct aid by international and local agencies. Various organizations and agencies operating in Dadaab has made positive efforts to increase the educational and awareness levels of women in various spheres including legal and medical. A combination of police surveillance and application of international and national laws has also improved the protection of women and ensured slow but steady demise of the oppressive traditional practices. The aggregate impact of local and international interventions, coupled with unconscious adjustment of the refugee women to changed social context has led to their emergence as a more liberated individuals compared to their counterparts who remained still live in most parts of Somalia.

The study thus confirms the hypothesis that mixed impact of civil wars on women results from the covert pressure to abandon traditional practices and world views that are contradictory to the demands of modernity as advanced by the developed Western world.

## 1.0 Chapter I: Issues in Conflict and the Effect of Civil War on Civilian Population

### 1.1.0 Introduction

The Cold war in which superpowers sought to maintain a global balance of power without resorting to nuclear arms masked many local intra-state conflicts by internationalizing them. The end of the Cold War thus left open unprecedented number of civil wars. Of 108 violent conflicts between 1989 and 1999, 92 were considered to be intra-state.<sup>1</sup>

Within the African continent, violent intra-state conflict has been the order of the day with a number of countries having just emerged from war or still embroiled in internal conflicts. Since 1970, more than 30 wars have been fought in Africa, the vast majority of them intra-state in origin. In 1996 alone, 14 of the 53 countries of Africa were afflicted by armed conflicts, accounting for more than half of war related deaths world - wide and resulting in more than 8 million refugees, returnees and displaced persons.<sup>2</sup>

In the Horn of Africa region the Somali civil war remains one of the most protracted conflicts. Not only has the conflict spanned a long period- often appearing resilient to a lasting resolution- it has also generated severe humanitarian crisis that has made Somalia the focus of international community. The Horn of Africa itself has been affected tremendously by other internal wars, which form a complicated Horn of Africa Conflict System of which Somalia is seen as the epicenter.<sup>3</sup> The Somali civil war has a

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<sup>1</sup> Colleta N., & Cullen M., *Violent Conflicts and the Transformation of Social Capital: Lessons learnt from Cambodia, Rwanda, Bangladesh, Guatemala and Somalia.*, World Bank, Washington DC. 1999 pg 4

<sup>2</sup> Annan K., *Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa: Report of the Secretary General*, United Nations Development Program, Washington DC 1998

<sup>3</sup> Mwangiri M., *Conflict and Peace Management in the Horn of Africa : A Paper Presented at the IGAD Conference on Peace and Security in the Horn of Africa*. Entebe, Uganda. July. 1999 p 8

long history that dates back to 1960s when the country gained independence. Somalia gained independence in 1960 after years as an Italian and British colony with Aden Abdullah Osman as its first president.<sup>4</sup> In 1969 Mohammed Siad Barre led a coup and assumed control of the country as a dictator. In 1970s and early 1980s, clan based militias developed in order to oppose and overthrow Barre. Outright civil war erupted from 1988-1991 culminating in the exile of Barre in 1991. The deposition of Barre worsened the crisis as various clan-based military factions especially Aideed and Mahdi supporters fought for the control of the country.<sup>5</sup>

In late 1992, United States (US) and UN forces intervened in Somalia to help alleviate humanitarian crisis. But the assistance of the foreign troops was short-lived because by March 1994 they had all left. Although a few non-governmental relief organizations continued to operate, the unceremonious departure of foreign troops came at a time when the infrastructure of the country had crumbled and Somalia had no effective government.<sup>6</sup>

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Between July 1992 and August 2000, the UN declared Somalia to be a country without a government. During this period, various militias developed into security agencies for hire, leading to improvement of security in selected areas as well as revitalization of some businesses.<sup>7</sup> After a series of internal and international efforts to restore Somalia back to order Somali Parliament members assembled in Nairobi, in October 2004, elected Abdullahi Yusuf to be the next president leading the Transitional

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<sup>4</sup> Wood p., *The Horn of Africa: State Politics and International Relations*, Tauris Academic Studies, London. 1995 pg 68.

<sup>5</sup> Adam H., *Somalia: Rural Production Organization and Prospects of Reconstruction* in Doombos M., Cliffe L., *Beyond Conflict in the Horn of Africa*, Institute of Social Studies, The Hague 1992. Pg 155

<sup>6</sup> Clarke W., & Harbst J., (eds) *Learning the Lessons of Armed Humanitarian Intervention*. Westview Press, USA. 1977 pg 20

<sup>7</sup> Little P., *Somalia: Economy Without State*, Indiana University Press USA. 2003 Pg 5

Federal Government (TFG). Other institutions adopted at this time were the Transitional Federal Charter and the selection of 275 Transitional Federal Parliament. The TFG met for the first time inside Somalia in February 2006 in Baidoa. Despite international recognition of Yusuf's government, some Somalia clans and militias have dismissed it and fighting continues against government forces in urban centers especially Baidoa and Mogadishu.<sup>8</sup> Yusuf's call for the support of African Union (AU) Peacekeeping Force has yielded slow response, and his government is in deep security crisis. Somalia is, therefore yet to know a legitimate and functional government, let alone peace since the outbreak of full-blown civil war in 1991.

The socio-economic crises that the Somali civil war has generated both internally and internationally are immense. The civil war has led to the displacement of a massive number of Somali population leading to an increasing number of internally displaced persons (IDPs) as well as refugees. The events in Somalia triggered the flight of an estimated 800,000 Somali refugees into Kenya. Other neighboring countries in the Horn of Africa Region such as Djibouti, Ethiopia, Sudan, Uganda, Tanzania, Eritrea as well as the Europe, Asia, and America have hosted Somali refugees.<sup>9</sup>

### 1.2.0 Problem Statement

Women constitute 60 per cent of the adult Somali population and are the most vulnerable sector of the community.<sup>10</sup> In the hope of saving their families from the danger of civil war, many Somali women decided to flee with their families to "safer havens" of which

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<sup>8</sup> In may 2006, the Islamic Courts Union took over control of the capital in the Second Battle of Mogadishu, defeating ARPCT

<sup>9</sup> Affi L. *The Somali Crisis in Canada: The Single Mother Phenomenon* (in) Adam H., Ford R.. (eds) *Mending Rips in the Sky: Options for Somali Communities in the 21<sup>st</sup> Century*, Red Sea Press, Asmara. 1997 p 442

Kenya has offered itself as a viable option. The Somali refugees in Kenya are found in urban centers, especially Nairobi's Eastleigh area and refugee camps like Liboi, Utange and Dadaab located in the Northeastern part of the country.<sup>11</sup>

The civil war has exposed Somali women to severe socio-economic strains. Not only has the traditional network of male protection been lost, the war has caused fragmentation of families.<sup>12</sup> In addition to the fear of being killed or injured, starvation, injury, insecurity, and suffering loss of loved ones, Somali women have become the victims of torture, sexual assault and rape. The situation has been worsened by the fact that civilian populations have been targeted to destroy support base of opposition forces.

Studies indicate that refugee camps, particularly camps found in Kenya, are exposed to sexual harassment and rape. The rapists are both Somali bandits and Kenyan officials who are supposed to defend the camps from attack.<sup>13</sup> Such human rights abuses in the refugee camps has led to increased cases of anxiety, depression and even suicides among Somali women. Another complicating factor for Somali women refugees is that they do not have recourse to laws or legal systems to protect them from rape. Within the Muslim religion, rape is ethically and morally unacceptable. Victims of rape suffer physical damage, psychological trauma, and carry with them a feeling of guilt.

Somali women refugees also face discrimination, racism, and linguistic and cultural problems. Besides, many are divorced by their husbands or are forced to sue for divorce due to economic strain or changes in gender roles. Many divorce cases have led

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<sup>10</sup> Hamdi M, *Somali Refugee Women's Experience in Kenya Camps and their plight in Canada*, in Adam H., Ford R., and *Mending Rips in the Sky: Options for Somali Communities in the 21<sup>st</sup> Century*. Op Cit pg 368

<sup>11</sup> Goldsmith P., *The Somali Impact on Kenya, 1990-1993: The View from Outside Camps*, in Adam H., Ford R., *Mending Rips in the Sky: Options for Somali Communities in the 21<sup>st</sup> Century*. Op Cit pg 470

<sup>12</sup> Jeong H., *Peace and Conflict Studies: An Introduction*, ASHgate Publishing Company, USA. 2000 pg 37

<sup>13</sup> *Ibid*, pg 433

to an increase in single-mothers phenomenon among Somali women refugees. Compounding these difficulties is the sudden transformation of roles and status of women. When thrust into the role of refugees, many become sole decision-makers, responsible for economic well being in a very strange land outside traditional cultural context. Unemployment and income problems as well as food shortages are also common among Somali women refugees given low educational attainments among majority of the female folk.<sup>14</sup>

Apart from socio-economic strains highlighted above, the civil war has been also seen an important factor in Somali women's liberation. The war has instilled a sense of independence among Somali refugees and enabled them to control their lives by breaking off from the captive power of kinship.<sup>15</sup> The disruptions wrought by the civil have also allowed divorce to be a realistic mode of dealing with dysfunctional marriages. It has also made the Somali women refugees to explore employment opportunities abroad that are not controlled by their men folk. Paid work and work outside the community domination has given the Somali women increased independence which is still lacking in comparatively stable countries (like Bangladesh) where male domination is high.<sup>16</sup> Their refugee situations have also forced Somali women to learn international languages as well as languages of the host communities thus expanding their employment chances.

Women have also been forced to take on new roles that were previously assigned to men only. Women refugees have taken the dual role of mothers and fathers. According to 2004 World Bank Survey, women are the breadwinners in 70% of Somali refugee

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<sup>14</sup> Colleta N., & Cullen M., Op Cit pg 98

<sup>15</sup> Lewis I. M., *Blood And Bone: The Call of Kinship in Somali Society*. Red Sea Press, Asmara 1997 p xii

<sup>16</sup> Colleta N. & Cullen M., Op Cit pg 217

household.<sup>17</sup> Somali women refugees have taken to trade and are quickly adapting to other cultures and worldviews other than the one customary bequeathed through their immersion in the clan system. This has expanded their interactions, enabling them to make friends and exposed them to a number of socio-economic opportunities, including formal education that are otherwise not available in Somalia or restricted to men.

A paradox therefore arises. Although civil wars cause severe strains to women, they can also be gainful in certain perspectives. Civil war can therefore turn out to be costly and beneficial at the same time. This begs the question as to what extent do civil wars enhance or undermine social and economic emancipation of women caught up in the conflict. It is against this background that this study will assess the effects of Somalia civil war on Somali women refugees living in Dadaab group of camps situated in northeastern Kenya.

### **1.3.0 Study Objectives**

The main objective of this study is to assess the effect of Somali civil war on socio-economic welfare of Somali women refugees living in Dadaab refugee camps between 1991 and 2007. Specifically, the study aims to assess the conditions under which Somali refugees live in the refugee camps; to examine the socio-economic problems faced by the refugees and adaptation mechanisms and; to establish the overall socio-economic gains that have accrued to Somali refugee women in the refugee camps compared to the women folk in Somalia.

### **1.4.0 Study Justification**

Literature on Somalia civil war continues to expand. However, much of the literature that already exists does not concentrate on the effect of the war on women population. In

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<sup>17</sup> See World Bank Survey Report on Somalia, Washington Dc 2004



particular, women and children are often grouped together in the discussions on the effects of the war on Somali population. Besides, much of the literature discusses the effects of the war within Somali and falls short of analyzing its effects on Somali refugees.

This study promises to fill the gap. The study will be one of the most focused attempts to investigate the effects of the civil war on women. More importantly, it will offer a critical assessment of the effects of the war on Somali women refugees by bringing to the fore both its costs as well as the benefits that may have accrued to the victims as a result of the disaster. The critical nature of the study makes it a strict departure from previous studies and surveys that have, by concentrating on the negative side of conflicts, overlooked the short or long-term benefits of such phenomena. .

The academic value of the study cannot, therefore, be overstated. It will contribute to the expanding body of literature as well as debate on the effects of conflicts in general and civil wars in particular. This, the study promises to do by making a practical assessment of the situation of Somali women refugees, the conditions under which they live in Kenya, the strains they face and the socio-economic gains that have incidentally accrued to the victims. The study will thus be one of the most recent academic initiatives in Kenya that has attempted to capture the existing reality (as opposed to theory) of the consequence of civil disturbance on women rights as well as their liberation.

At the policy level, the study will highlight the actual plight of Somali women refugees in Kenya, which could serve as important entry point for the formulation of policies and interventions on refugees issues by governments, non-governmental as well as international organizations. More immediately, the study could provoke the mobilization of local action to address the plight of women refugees.

## 1.5.0 Literature Review

### 1.5.1 Leading Issues in Conflict

Conflict is a widely discussed subject in the academia. Mwangi defines conflict as that which arises when two or more parties have incompatible goals about something.<sup>18</sup> He notes that political conflicts have increased with the role of the state because the state has penetrated all sector of life including social life. Mwangi further notes that politics have diverse causes ranging from personal conflicts, political and international. He posits that while conflict can ruin much that is valued in life, it can also be beneficial. Conflict can help people to understand themselves and their relationships better. It provides chance to re-examine relationships and to make them better and strong.<sup>19</sup>

Debates have also emerged over the sources of conflict. The most far-reaching debate has been about whether conflict comes by nature or whether it results from nurture. This debate is also known as the debate between inherence and contingency.<sup>20</sup> Psychological explanations of conflict have also emerged that include relative deprivation and frustration aggression theories. Objective and subjective views of conflict have been discussed as well as the issue of empowerment.

Fundamental to the study of conflict has however been the understanding of structural conflict/violence of which Johan Galtung has emerged the leading scholar. Galtung refers to structural violence as any constraint on human potential caused by the structures in the society. He notes that structural violence is present when human beings are being influenced so that their somatic and mental realizations are below their potential realizations.<sup>21</sup> He notes the endemic nature of cultural violence in the modern society that

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<sup>18</sup> Mwangi M., *Conflict: Theory, Processes and Institutions of Management*, Watermark Publications, Nairobi. 2000 pg 6

<sup>19</sup> Op Cit pg 8

<sup>20</sup> Munne M. et al, *Understanding Conflict and Its Management: Some Kenyan Perspectives*. Watermark Publishers, Nairobi. 1998 pg 6

<sup>21</sup> Galtung J., *Journal of Peace Research*, Vol 6 1969, pg 167-191.

he defines as those aspects of culture-the symbolic sphere of our existence – that can be used to justify or legitimize direct or structural violence.<sup>22</sup>

Curle further argues that societies can be in either conditions of peace, or of war, or in neither.<sup>19</sup> He calls this condition “unpeaceful” because despite the absence of physical manifestations of violence, peace is absent because the relations in those societies are organized in such a way that the potential for development of some (Significant) members of society is impeded by socio-politico-economic and psychological factors. Because conflict occurs as a result of the dis-equilibrium and inequalities that are manifest in the structures in society, and since this is made possible by the relations and interactions between groups in society, conflict can only be resolved if these groups are involved in the reforming processes.

Winter and Diana propose that the very structures in society that breed structural violence could be used to encourage and empower citizens to develop systematic ways to mitigate and reduce its effects.<sup>20</sup> A gender analysis involves questioning notions of “peace”. Even where there may be an absence of fighting, women frequently face not only structural disadvantage in economic, political and sexual terms but also high levels of violence in the private sphere.

Apart from conflict theories, scholars have concentrated on the study of civil wars and their causes. The World Bank defines civil war as that, which occurs when an identifiable rebel organization challenges the government militarily and the resulting violence results in more than 1,000 combat-related deaths with at least five per cent on

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<sup>22</sup> Galtung J., *Journal of Peace Research*, Vol 27 no 3, 1990. Pg 291-305

<sup>19</sup> Curle A., *Making Peace.*, Tavistock Publication, London. 1971 pg 54

<sup>20</sup> Winter P, & Diana L., *Structural Violence: An Introduction*, Sage Publishers, London. 1985 pg 42

each side. It notes that civil wars are a major impediment to development and has spillovers that make it a problem of global concern. More importantly, the bank notes that “although civil wars are intensely political, some of the most important factors affecting proneness to conflict turn out to be closely associated with economic development.”<sup>23</sup> This comes out as a challenge to conventional interpretations of civil war most common in industrial countries that either treat them as wholly an outcome of primordial ethnic and religious hatreds or force them into familiar frameworks of Western politics.

Quincy Wright enriches our understanding of conflict by differentiating it with competition. He identifies conflict as opposition among social entities directed against one another and competition as opposition among social entities independently struggling for something of which the supply is inadequate to satisfy all.<sup>24</sup> Michael Brown rejects the “ancient hatred” explanations for the causes of ethnic and internal conflicts by observing that there is no single factor explanation that can account for the variations we see in the incidence and intensity of ethnic and internal conflicts.<sup>25</sup> He identifies the underlying factors that make some situations more predisposed to violence than other as structural factors, political factors, economic/social factors and cultural/perceptual factors. Under economic and social factors, he notes that discriminatory economic systems, and the trails and tribulations of economic development and modernization are potential sources of ethnic and internal conflicts.

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The UN Secretary General noted in his 1998 Report on Conflict in Africa that “the prevention of conflict begins and ends with the promotions of human security and

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<sup>23</sup> World Bank, *Breaking the Conflict Trap: Civil War & Development Policy*, Washington DC. 2003 pg 53

<sup>24</sup> Wright Q., *The Nature of Conflict*: Western Political Quarterly, IV (2) June 1951 pg 19

<sup>25</sup> Brown M., *The Causes and Regional Dimensions of Internal Conflicts* in, ed. Michael B., (ed) *The International Dimensions of Internal Conflict*, Cambridge. MIT Press. 1996 pgs 1-37.

human development.”<sup>26</sup> He identified sources of conflict in Africa as historical legacies, internal factors, external factors, economic motives and particular situations. Mwangi notes that while the structural elements of the Horn of Africa conflicts is pervasive and only rarely addressed, the overt dimensions of the conflicts goes through alternative phase of quietude and eruption into violent conflict.<sup>27</sup>

Levi identifies war with the struggle for survival that contributes to the evolution by ridding the world of unfit species. War is therefore deemed inevitable on the assumption that struggle for survival is law of nature.<sup>28</sup> To Synder, war is conflict that is produced by the desire for the fruits of victory such as booty or dominion over the vanquished which can be said to have success-oriented goals.<sup>29</sup> According to Stocklom, war is the result of a variety of economic goals, of the desire for treasure, raw materials, means of production, market outlets for investments and places to settle populations and to direct political ambitions.<sup>30</sup>

### 1.5.2 Women Issues in Conflict

The situation of women in conflict has been the subject of intensive media focus, research, discourse as well interventions. In particular, women rights issues have received increased international attention over the last two decades. Globally and regionally, a number of human right instruments have emerged that seek to protect women. These include the Universal Declaration of Human Rights (UDHR) – 1948, the International Convention on Civil and Political Rights (ICCPR) – 1966 and, the Convention on the

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<sup>26</sup> Annan Koffi Op Cit pg 18

<sup>27</sup> Mwangi M, Op Cit. pg 29

<sup>28</sup> Levi W., *On the Causes of War and the Conditions of Peace*, Journal of Conflict Resolution, Vol. 4 Pgs 11-420

<sup>29</sup> Synder J., *Deterrence and defense: Towards a theory of National Security*. Princeton University Press. 1961 pg 15-18

<sup>30</sup> Frank J., *Human Nature and Nonviolent Resistance* (in) Quincy Wright and Deutsch M., (eds) *Preventing World War*, New York. 1962 pg 54

Elimination of All Forms of Discrimination against Women (CEDAW) – 1979, the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) – 1984.

The Covenant on Civil and Political Rights are political and civil freedoms as well as rights that seek to defend the individual against the state. The International Convention on Economic, Social, and Cultural Rights (ICESCR) recognizes that the ideal of free human beings enjoying freedom from fear and want can only be achieved where everybody enjoys his/her economic, social and cultural rights as well as civil and political right. The Covenant provides in Article III the right to equality between men and women to the enjoyment of all economic, social and cultural rights as set forth. The African Charter on Human and People's Rights adopted in 1981 reaffirms in its preamble that civil and political rights cannot be dissociated from economic<sup>31</sup>, social and cultural rights in their conception as well as their universality.

From the ICSECR, it is clear that women have been accorded the right to self-determination, a right to work, adequate pay and subsistence, the right to wages, and the right to appropriate standard of living. Women are also accorded a right to equality with men, right to education, health and medical care, and right to participation in cultural life of a community.

There exists just but scanty literature that captures specific situation of women caught up in conflict on a country by country case. Non-Government organizations (NGOs) operating in the areas/regions affected by conflicts as well as local and international media have, however, provided important information in this regard. Meredith Turshen observes a high presence of human rights abuses targeted at women

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<sup>31</sup> See *The Charter on Human and Peoples Rights*, Organization of African Unity, 2000

during the course of civil wars in Africa.<sup>13</sup> He notes that during wartime human rights violations are systematically targeted at females of all age, from children to the elderly. Key among these abuses is rape which is not only recognized as a human rights violation but also as a war crime. Annlee Ng'eny argues that women and children form the majority of the suffering population in the war-affected areas. They are the displaced, the hungry, and the sick, and are caught in a never-ending battle for survival. This has a negative impact on children and women survival and development.<sup>14</sup>

Elizabeth on the other hand argues that violence, against women in war time is one of the great silences of history.<sup>15</sup> She points out that in the conflict and post- conflict areas, a wide proportion of women face sexual assaults including rape, torture and sexual slavery. She further observes that violence against women derives essentially from the lower status accorded to women in the family and in society; physical, psychological or sexual violence, whether occurring in the home or in society, is linked to male power, privilege and control. Violence against women is abetted by ignorance, lack of law to prohibit violence, inadequate effort by public authorities to enforce existing laws and the absence of educational and other means to address its causes.

Helse, argues that 95 percent of victims of violence in France are women, 51 percent of these are at the hands of their husband, in the US, more women are injured in domestic violence, rapes and mugging. In South Africa, a woman is raped every 96 seconds, totaling approximately 320,000 women raped each year. While all civilians suffer when war breaks out, it is women and girls who face the highest risk and danger -

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<sup>13</sup> Meredish T & Clotilde T., *What Women Do in War-time: Gender and conflict in Africa..* Zed books, New York. 1998 pgs 180.

<sup>14</sup> See Annalee-N, *The Report of the United Nations Development Fund for African Women.* New York. 1995

not just the risk of being killed or injured, but also of being raped, sexually assaulted or abused.<sup>16</sup>

Women have been subjected, throughout history, to especially brutal forms of rape as part of war. Rape is used as a symbolic weapon of war by combatants to humiliate their enemies and force submission. In recent years, mass rape as a systematic weapon of war has been documented in the former Yugoslavia, Somalia and Uganda.

### **1.6.0 Conceptual and Theoretical Perspectives.**

#### **1.6.1 Modernization Theory**

The concept of modernization is conceived of as the response of Western social science to the many challenges faced by the Third World in the decade immediately following the Second World War. The paradigm emerged after the war when preoccupation with the reconstruction of Europe receded and interest shifted to development including colonial and the so-called backward areas. The existence of backward areas on the globe required a rethinking of conventional ideas about political economy and the State, and incorporation of new kinds of knowledge about exotic cultures, customs, social practices, values and beliefs. The following questions were asked: Which combinations of norms and institutions would impede, and which would facilitate development? Which type of political system might best induce growth became a matter of the creation of new societies, social organizations and political economy.

The theory of modernization was therefore an attempt by mainly First World scholars to explain the social reality of the “new states” of the Third World. The attainment of modernity was seen as the strategic goal for these new nations, and this was defined as a social system based on achievement, universalism, and individualism. The

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<sup>15</sup> Elisabeth R. & Elben J., *Women, War and Peace*, Peace Journal Issue No. 1085, 1999

<sup>16</sup> Helse L. et al, *Violence Against women: The Hidden Health Burden.*, World Bank Discussion Paper No. 255, 1994.



Western world of social mobility, equal opportunity, the rule of law and individual freedom was contrasted with the traditional society that was based on ascribed status, hierarchy and personalized social relations. The purpose of modernization was to explain and promote the transition to modern society. Modernization theory argued that this transition should be regarded as a process that would see traditional societies "catching up" with the modern world. Modernization thus involved total transformation of traditional or pre-modern societies to the types of technology and associated social organization that characterized the "advanced," economically prosperous and relatively politically stable nations of the Western world.

The solution to backwardness was to educate the traditionalist on the virtues of the Western world and especially Western ideas. Walt Rostow argued that there were five stages of development through which all societies passed: the traditional stage; preconditions for take off; take off; drive to maturity; mass consumption. The Third World societies were regarded as traditional and so needed to develop to the second stage. This required the development of trade, beginnings of rational scientific ideas, and the emergence of elite that reinvests rather than squanders its wealth. The theory argued that this process could be speeded by encouragement and diffusion of Western investment and ideas. Writers in this tradition also argued in favour of industrialization saying that it would promote Western ideas of individualism, equality of opportunity and shared values which in turn would reduce social unrest and class conflict.<sup>32</sup>

In a nutshell, modernization paradigm saw development in an evolutionary perspective and the state of development defined in terms of observable differences

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between rich and poor countries. Development implied the bridging of these gaps by means of an imitative process in which the less developed countries gradually assumed the qualities of industrialized nations, hence Westernization.<sup>33</sup>

Late in 1950s, some early and tentative versions of this concept began to appear. The effort was intensified in the first half of the 1960s and by the mid-1960s a powerful interdisciplinary school had grown around the concept.<sup>34</sup> By the end of the decade however, it had spent much of its force and was losing ground. In the early 1970s, the inadequacies of the modernization theory fully emerged.

Modernization has been the subject of strong criticism from social scientists in Third World, particularly Latin America, where it formed a background to the emergence of the 'dependency' theory. The paradigm came into disrepute even in the West and there have been a number of analyses of its rise and fall. It was faulted on the basis of its core assumption based on an evolutionary model of development where all nation states passed through broadly similar stages of development and called upon the West to help promote the transition to modernity in the traditional Third World. The theory also assumed that there is non-problematic transition from traditional society to modernity. The cause of transition is either Western individualism or Western technology, or a mixture of the two.<sup>35</sup>

Modernization theory has been challenged on many grounds especially by post-modernism. At the heart of post-modern social theory lies a critique of universal

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<sup>32</sup> Dube S., *Modernization and Development: The Search for Alternative Paradigms*, Zed Books London. 1986 pg 17

<sup>33</sup> Blomstrom M. & Hettne B., *Development Theory in Transition: The Dependency Debate and Beyond*, Zed Books, London. 1985 pg 19

<sup>34</sup> The interdisciplinary school widely embraced economics, sociology, political science and anthropology

<sup>35</sup> Apter D., *Rethinking Development*, Sage Publications, London. 1987 pg 23

pretensions of enlightenment. The enlightenment narrative is given shape in the assumed emancipation of humankind: liberation from slavery and ignorance.<sup>36</sup> Post-modern social theorists challenge this radical separation of fact and value, and argue that all social theories are inherently value laden. According to this view, there exists no objective science or truth, and all sciences rest on implicit values that cannot be easily refuted. Post-modernism is therefore identified as a disbelief in meta-narratives. The theory posits that all truth claims are simultaneously claims to power. That claims to know universal justice were, in fact, claims that the West was a model for other parts of the world to follow including in the field of development and rights. Despite its criticism, modernization theory has continued to inform development pattern and process in most of the Third World.

How then can we explain the contradictions manifest in the mixed impact of the Somalia civil war on Somali women refugees?

From the above examination of modernization theory, the obtaining contradictions can be best understood as the effect of modernization process on traditional Somalia culture. Modernization was to transform traditional or pre-modern societies into the types of technology, political values and associated social organizations that characterize the advanced economically prosperous and relatively politically stable Western world. The practical understanding and implementation of Western values in Somalia started in earnest during the colonial period, resulting in the creation of nation-state, which stands out as a major element of modernity. Apart from the gradual disruption of Somali political values based on the clan system, the slow but steady

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<sup>36</sup> Kiely R., *Sociology and Development: The Impasse and Beyond*. UCL Press, London . 1995 pg. 153

penetration of Western values percolated into other socio-economic spheres of life thus causing disembedment.<sup>37</sup>

The consequent outbreak of the Somali civil war can be understood as an unconscious attempt to adjust to the demands of nation-state modernity and to shake off pre-mordial clan system. The war itself disrupted internal clan structure in which Somali women, though oppressed culturally, sought security and lived as “happy slaves.” The Somali who migrated to Kenya got exposed to extreme socio-economic difficulties owing to abrupt disengagement from traditional security system offered by the clan. In the process, the women refugees were compelled to adjust to new lifestyles and even to secularize in response to the demand of modernity. Civil war, though causing internal disruptions, therefore turned a blessing in disguise to the Somali women have migrated from other countries like Kenya where Western values ad lifestyle is in vogue.

While negative effects arise from the pressure to modernize and integrate Somali polity and economy into the global capitalist structure (of which the civil war is a major component), some benefits also accrue from the very dislocations that result from such pressure. The application of modernization theory, therefore, best explains the contradiction of the mixed effect of Somalia on Somali women refugees living in Kenya.

### **1.7.0 Hypothesis of the Study**

Mixed impact of Somalia civil war on Somali refugee women result from the pressure to abandon traditional culture in preference for modern lifestyle and worldview as defined by Western values.

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<sup>37</sup> Giddens A., *The Consequences of Modernity*, Polity Press, Cambridge. 1991 pg. 7

### **1.8.0 Research Methodology**

The main objective of the study was to investigate the effects of civil war on socio-economic welfare of women refugees. The study was based on the hypothesis that the mixed impact of Somali civil war on Somali women refugees results from the pressure to abandon traditional culture in preference for modern lifestyle and worldview as defined by Western culture. The main research instrument was questionnaires, but secondary method was also employed. The study was conducted in Kenya not only because of insecurity still obtaining in Somalia but also because Kenya has since 1990 hosted a significant number of Somali women refugees that offers a critical sample for the study.

The interviews targeted three different categories of respondents i.e. the Somali refugees (both men and women) living in the Dadaab refugee camp, non governmental organizations working with refugees in the area and, the Kenyan government officials represented by various ministries. The Somali refugees were targeted for interview because they have individually experienced both the effects of the civil war and the costs and benefits associated with their displacement and current life in Kenya as refugees. Non-governmental organizations have immense capacity not only in responding to the needs of the refugees but also in conducting research related to refugee problems thus filling an important gap left by the government. This made the non-governmental organizations an important source of information for this study. The government of Kenya (through various ministries) was targeted because it is directly in charge of policy issues regarding encampment, integration, security and general freedom of refugees.

Interviews were held with officials and staff of United Nations Development Program (UNDP), United Nations High Commissioner for Refugees (UNHCR), World Food Program (WFP), and the Government of Kenya. The study targeted the following government ministries for information regarding the conditions and welfare of women

refugees: Ministry of Justice and Constitutional Affairs, the Ministry for Internal Security and Provincial Administration, and the Ministry of Foreign Affairs.

Other sources of primary data included interviews with the staff of national and international human rights organizations working on refugees protection and development such as International Commission on the Red Cross (ICRC), CARE-Kenya, Human Rights Watch, Kenya Human Rights Commission (KHRC), the National Commission on Human Rights (NCHR) as well as a number of non-governmental and community-based organizations working with women in general and Somali women refugees in particular. The project also relied on interviews with refugee camp management staff.

Secondary data was obtained from refugee resource centers and national libraries. Specific sources of relevant data included books, journals, human rights reports, development reports, brochures, studies, unpublished works (including studies already conducted on the area under investigation), magazines, and newspaper articles.

For purposes of personal interview, both open ended and closed questionnaires were formulated and administered by trained research assistants. Separate questionnaires were developed for each category of respondents.

The study targeted a total of 150 respondents distributed as follows: 100 Somali women and men refugees (in the ratio of 5:1), 20 Somali community/clan leaders, 20 non-governmental/community based organizations and 10 government officials (ministries/departments and staff directly responsible for refugee welfare). Questionnaire I was administered against Somali women aged 15 and above and men aged 18 and

above.<sup>38</sup> The study specifically targeted refugee respondents who currently live in any one of the three Dadaab groups of camps. Each camp was allocated a representative number of respondents taking into account the number of Somali women refugees in each camp. Questionnaire II targeted non-governmental and community-based organizations working with refugees in the area, and questionnaire III targeted government officials, including the provincial administration. The three sets of questionnaires were developed and pre-tested before resumption of the study.

Multi-stage random sampling was used to arrive at the 100 Somali refugees, while target interviews or deliberate sampling method was employed to access Somali community leaders, non-governmental/ community based organization staff and government officials. Multi-stage random sampling was deemed appropriate because it gives each refugee respondent an equal opportunity of being chosen while deliberate sampling was deemed vital for the purposes of this study because it helps to ensure that individuals with vital information area not left out.

Apart from interviews, direct participant observation method also employed in the study. This involved seeing and recording observable habits, objects on the ground and interaction patterns in the project area especially those related to human rights, development and lifestyle. The technique helped to complement and lend credibility to data already obtained from secondary sources. The researcher developed a checklist that detailed possible things to observe and where to find them.

The direct interview method of data collection had several advantages that made it appropriate for the study. It facilitated direct contact with the respondents and enabled in-depth probing of responses received. This proved useful for the acquisition of detailed

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<sup>38</sup> This is the age at which Somali women and men begin to assume their traditional gender roles.

information, some of, which could have been overlooked during questionnaire formulation. It also aided in the recording of responses (as they were received) hence avoided the common risk of losing questionnaires. The method also assisted in making respondents understand the purpose of the study and in eliminating suspicion in the course of interviews.

Sets of questions were formulated upon the conclusion of the interview, which guided focus group discussions (FGD) that were organized shortly thereafter. 13 refugees attended the group discussion whose main aim was to probe general effects of the Somali civil war on Somali and to discuss in greater depth some questions that had not been well responded to during interviews with individual respondents.

### **1.8.1 Project Limitations**

The study encountered a few problems. Most refugees that were regarded key informants do not speak English or *Kiswahili* because both languages are not popular in Somalia. The number of fluent English speakers in the camp (which are only individuals who have been to school up to secondary or upper primary levels) is extremely small. Yet the refugees also detest *Kiswahili* as they associate it with the Kenya police or the military that are fond of harassing them. The refugees were thus deeply suspicious of any *Kiswahili* speaker. The predominance of Somali language in the camps thus wrought communication difficulties between the respondents and the interviewers. Although interpreters were used to facilitate interviews, it was not possible for the researcher to acquire deeper feelings and thoughts of the respondents, which are vital for the study. Interpretation also unnecessarily lengthened the time scheduled for each interview.

The fact that the questionnaires were formulated in English made it even more difficult to get qualified research assistants in the camps who could be relied upon to effectively administer them against fellow refugee respondents. It therefore became



necessary for the researcher to move around the camps without interpreters and to personally administer the questionnaires.

The subject matter under investigation proved sensitive not just because it touched on the conditions of a people away from their traditional homeland but also because some of the questions asked evoked emotions as they necessitated bad memories. Some women respondents who had been victims of rape or who had lost their loved ones in the Somali war were deeply overtaken by emotions when they recollected the past and burst out into tears, leading to a discontinuation of the interviews. The researcher also believes that some respondents concealed important information on suspicion that the interviewer would have them victimized notwithstanding assurance to the contrary.

The demand for material gain in return for information was another problem encountered among some respondents. The refugee situation in Dadaab has been the subject of intense study over the last 15 years yet the conditions seem to have only worsened with time. A significant proportion of the refugees are getting weary and are beginning to wonder what they stand to gain from more studies about them if such studies cannot lead to the improvement of their situation. The situation of perpetual desperation has influenced some refugees to demand immediate material rewards for any information volunteered.

Problems were also encountered with the key agencies in charge of refugee welfare in the Dadaab camps. The key agencies – UNHCR, CARE Kenya and the government of Kenya (police) retain a rigid control over the refugees and limit refugees' interaction with outsiders. This overbearing attitude makes it difficult (and almost illegal) for a researcher to interact freely with the refugees or move around the camps

without an official letter from UNHCR and CARE Kenya. UNHCR and CARE Kenya further demand that researchers who visit the Dadaab camps must obtain a consent letter from their headquarters officers in Nairobi before they can grant an interview. The project therefore suffered lack of full cooperation, concealment of information and even misrepresentation of actual facts from government officials and a few field officers directly in charge of refugee welfare.

Since most of the problems highlighted above were envisaged before the field visit, the researcher was well prepared to manage them and to counter their negative effects on study. Necessary adjustments were, therefore, made in the field as the situation demanded.

#### **1.9.0 Chapter Outline**

This study is organized into four chapters. Chapter I is the project proposal which seeks to capture historical background of Somalia Civil war and its effects on Somali population, key issues in conflict and women rights and, conceptual and theoretical framework of the study. Chapter II deals with the general conditions under which Somali refugees presently live in the Dadaab group of refugee camps. Chapter III of the study captures socio-economic problems faced by Somali refugee women as well as gains that have accrued to them in the camp. The study ends with Chapter IV in which an analysis is attempted and conclusions drawn. This last chapter also includes some recommendations and the way forward in respect of the phenomenon under study.

## **2.0 Chapter II: General Conditions in the Dadaab Refugee Camps**

### **2.1.0 Introduction**

This chapter captures general conditions in Dadaab refugee camps from the standpoint of the situation in which Somali refugee women find themselves. The chapter highlights ecological environment in which the three camps – Ifo, Hagadera and Dagahaley camps are located, the security situation in Dadaab division and the relationship between the refugees and the host Somali community. The chapter also focuses on life in the camps as experienced by various categories of men and women. The services provided by the Kenya government of as well as other organizations and agencies operating in Dadaab are also captured in this chapter.

#### **2.1.1 The location of Dadaab**

Dadaab refers to a group of three camps – Ifo, Dagahaley, and Hagadera in Kenya's remote eastern zone near Somali border. The town of Dadaab is located in Garissa district in the Northeastern Province, some 500km from Nairobi and 80km from the Kenya/Somalia border. Since the camps are located in a semi-arid desert, there is little rainfall, groundwater or vegetation beyond the scruffy tree that sprinkle the landscape. The camps were set up around Dadaab beginning in 1991 when civil war erupted on a grand scale in Somalia. Specifically, Ifo was created in March, 1991, Dagahaley in March 1992, and Hagadera in June 1992.<sup>39</sup> Before the establishment of camps in 1991 and 1992 the area was used exclusively as a rangeland by nomadic livestock owners. The major feature in Dadaab is the UNHCR base that serves the refugee camps around.

#### **2.2.0 Socio-cultural Features of the Refugee Camps**

The refugee population in Dadaab camps as of January 2007 was 171,957 with a 49.5 female to male ratio. Ifo (covering an area of 28km<sup>2</sup>) has 14,041 families all adding up to 60,386 people. Dagahaley (covering an area of 9.1km<sup>2</sup>) hosts 9,780 families with a total of 40,606 people. Hagadera (covering an area of 16km<sup>2</sup>) is the most populous camp. It has 15,535 families all totaling 70,965. Somali refugees make up 97.5% of the entire refugee population in Dadaab camps. The remainder is made up of Ethiopian, Sudanese.

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<sup>39</sup> UNHCR, *Dadaab Operations in Brief*, Nairobi. January 2007

Eritrean, Ugandan, Congolese, Rwandan, Tanzanian, and Burundian refugees. Islam is the dominant religion while Christianity is largely practiced by non-Somali refugees.<sup>40</sup>

Somali refugees arrived in the Dadaab group of camps in different years beginning 1991. Over 90% arrived in the camps in 1991/1992 when war broke in a large scale in Somalia. The other groups that make up 10% arrived in various years between 2000 and 2007 but with a significant inflow registered in 2006 in the aftermath of renewed violence in Somalia. Most of children born of the first (1991) refugees' families to arrive in Dadaab are already adults.

The civil war and lawlessness that broke on a large in early 1990s is the main force that displaced refugees from their villages in Somalia. Most of the refugees arrived in Dadaab within the same year of their emigration from their homeland. A large proportion of the victims were received by UNHCR staff at Liboi (a small town on the Kenya/Somalia border) where they were accommodated for between one to six months before they were registered and consequently transferred to Dadaab as refugee. Some refugees relocated to various towns (i.e. Doble, Kismayu, Badhadhi, Hargeysa etc) before they reached Liboi, while others came by foot from Somalia to Dadaab where they were scrutinized and accorded refugee status by UNHCR. .

The language of Somali refugees is Somali, an afro-Asiatic language that is closely related to Oromiffa and more distantly related to Swahili and the Semitic languages of Arabic, Hebrew and Amharic. Arabic is the second common language and the most popular television and radio stations in the camps are those broadcast in Arabic language.

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<sup>40</sup> UNHCR, *Dadaab Operations in Brief*, Nairobi January 2006 Report

The vast majority of the population is Moslem (99%) and almost all Somalis are Sunni Moslems. Islam presents itself as a belief system, a culture and a way of life for the refugees. Thus attitudes, social customs, and gender roles are primarily based on Islamic tradition. An insignificant number of Somali refugees (estimated at 1%) profess Christian faith. The Christian denominations represented (by churches) in Dadaab include Roman Catholic, Seventh Day's Adventists and Ethiopian Orthodox Church. However, the majority of Christians in Dadaab are non-Somali refugees from Ethiopia, Sudan, Rwanda, Democratic Republic of Congo and Uganda.<sup>41</sup>

Subtle forms of religious tension between Christians and Muslims exist in the camps. Muslims are accused of practicing intolerance against other faiths and Christians are in particular subject to isolation, ridicule and even prosecution. Some five Ethiopian refugee Christians had been murdered by Somalis in vengeance over Ethiopian and American role in the ongoing conflict in Mogadishu. The UNHCR has responded by grant the remaining Ethiopian Christians special protection. Children from diverse denominations also find it difficult to mix up and play together due to the obtaining tension between Christian and Muslim families. Hundreds of children from Christian families are daily victims of bullying and intimidation by fellow pupils both in the camp schools as well as camp play grounds.<sup>42</sup>

The camps have educational facilities for pre-school, primary and secondary education. Facilities for special education, adult literacy and peace education are also available. The total number of pupils enrolled in Pre School as of November 2006 was 4,378 with girls constituting 40% of this number. The number of pupils enrolled in

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<sup>41</sup> UNHCR, *Dadaab Operations in Brief*, Ibid pg 3

primary schools at the same period was 26,596 with girls constituting a mere 28%. The total number of people registered for adult education in 2006 was 3, 530. A quarter of this number was women.<sup>43</sup> Secondary school graduates are rare in the camps because they are either urban based or have sought opportunities outside the camps.

Males and female circumcision is widely practiced in the camps. Circumcision is viewed as a rite of passage, allowing a person to become a fully accepted adult member of the community. The practice is commonly regarded as a prerequisite condition for marriage, as uncircumcised people are seen as unclean. Circumcision is performed at various times between birth and five years of age. It is accompanied by a celebration involving prayers and ritual slaying of a goat. Only traditional doctors with many years of experience are allowed to perform circumcision.

About 85% of the Somali refugees live in the camps with members of their immediate families (i.e. children, husbands, wives, parents, and siblings). An estimated 15% of the women are single mothers who lost their husbands in the Somalia war or left them behind. Others have had their relatives flee to other countries unknown to them or yet to be established. Sections of refugee women who live in the camps without close members of their families are not certain about their whereabouts and whether they are still alive. A strong clan and kinship network serves as a safety net for the protection of persons without close relatives in the camp. Some widows and widowers live with as many as 12 immediate and close family members under their care. Living with extended families is the norm in Somalia. Divorce cases in the camp are rare and must be initiated

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<sup>42</sup> The information was obtained from an interview with the Chairman of the Ethiopian Refugee Community

<sup>43</sup> UNHCR, *Dadaab Operations in Brief*, Ibid pg 7

by the husband. Islamic culture also prohibits cohabitation or "come we stay" marriage arrangements.

Refugee camps are largely a patchwork of informal dwellings. The Somali dwellings are mostly round turkuls, which are made out of long thin sticks that are bent and tied. The sticks are harvested from sparse jungle in the neighborhoods of the camps. Since quality sticks for construction can only be obtained deeper into the jungle, it requires many trips outside the camp to harvest and transport bundles that can complete one dwelling. The first refugees who arrived in 1991 were provided iron sheets for roofing. When their number eventually soared in later years UNHCR could only provide plastic sheets for roofing. About 70% of the Somali dwellings are roofed with blue UNHCR plastics, while 20% of the households have used iron sheets.

Refugees have complained however, that even the plastic sheets have not been forthcoming to the late arrivals. The UNHCR requires refugees to make an application for the plastic sheets, which takes long to process. Lack of plastic sheets has forced about 10% of households to cover their dwellings with cardboard, blankets, tins, or dry vegetation. Most dwellings are smeared with mud easily obtained by digging topsoil within the vicinity of the camps. Once obtained, the soil is mixed with water to form a hard paste, which is then squeezed between the sticks to act as a wall. Women are responsible for smearing while men do the roofing.

The manners in which the dwellings are constructed make them highly vulnerable to strong wind and heavy rains. Severe flooding that affected North Eastern province in November 2006 led to the destruction of more than 2,000 homes in the Ifo refugee

camps, forcing the relocation of more than 10,000 refugees.<sup>44</sup> The floods resulted in the displacement of hundreds of families within the camp and massive destruction of physical infrastructure including latrines, residential buildings and hospitals. The closeness of the dwellings also predisposes them to fire outbreak. Life expectancy at the camps of 47 is low, though it compares favorably with the level currently obtaining in Somalia.

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All refugees (except the infirm and physically handicapped) are responsible for the construction of their dwellings as well as the cleaning and the maintenance of general hygiene of their compounds. Upon registration, the UNHCR provides the refugee with site at which the dwellings are constructed. A refugee is allowed to construct additional shelter within the space provide by UNHCR to accommodate grown up sons and daughters as well as livestock.<sup>45</sup> Grown up Somali girls and boys sleep in separate houses from each other and their parents. Refugees are also encouraged to construct pit latrines in their compounds as a means of containing sanitation-related diseases.

Hygiene is a big health problem in the camps. Due to poor disposal of solid waste, used polythene bags litter camp environment. Besides, just a small fraction of the refugees have observed the requirement of constructing pit latrines in their compounds. Since there are no public/common toilet facilities in the camp many refugees use their neighbors' pit latrines or simply relieve themselves in the open. The pressure on pit latrines is therefore immensely high. A survey conducted in 2006 indicated that there was an average latrine-user ratio of 12.96. In particular, Ifo has 3,079, Dagahaley 2,949 and Hagadera 3,633 number of pit latrines. Not only do the pit latrines get filled up fast, the

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<sup>44</sup> UNHCR Report, July 2007

<sup>45</sup> Some refugees keep goats, sheep and poultry in the camps



manner in which the few available are constructed make them a health hazard especially during rainy seasons when cholera outbreaks become a great threat. One person was reported dead while seven others were admitted at the Dadaab health center following an outbreak of cholera in the camps in April 2007.<sup>46</sup> Measles, meningitis and Kenya's first cases of polio in 20 years have also been recorded in the camps.

The first slum in Dadaab, Ifo was unplanned. However, UNHCR has made attempts to ensure some planning in the construction of the new dwellings at Hagadera and Dagahaley by preserving and allocating land for market, roads, pass way, playground, parking, and other public facilities. The dwellings in each camp are categorized in blocks for easy identification. But the planning has done little to contain congestion and encroachment spaces reserved by UNHCR.

Refugees from Somalia cluster together within individual camps, as do other nationalities. This trend has served to isolate Somali refugees from the Ethiopian, Rwandese, Sudanese, Congolese and Ugandan refugees. Different Somali clans also cluster together in the same refugees camps. Hagadera is for instance associated with refugees from Mogadishu.<sup>47</sup> The habit of clustering together is observed even at the sub-clan and family levels where close relatives prefer to settle in the same block or within very close proximity. There is very little activity that ever brings camp residents from various nationalities together. Clustering together according to nationalities and clans has the danger of predisposing communities to the risk of vulnerability especially when a particular group, clan become the target of another. The UNHCR has created special settlements (called Transit Blocks) within each camp for minority and vulnerable groups.

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<sup>46</sup> Rono J., *Kenya News Agency*, April 14, 2007

<sup>47</sup> This information was obtained from a Somali clan leader in Hagadera camp

The purpose of the Blocks is to afford the groups and communities in danger special attention. The Ethiopian Christian refugees, minority communities such as the Somali Bantus traditionally enslaved by Somalis, rape women victims, the old and infirm, and mentally/physically challenged people fall under UNHCR's category of vulnerable groups.

Cooking fuel is a scarcity in the Dadaab camps. The sheer difficulty in transporting Kerosene to this remote part of the country and comparatively high cost of paraffin has left firewood as the main source of cooking and lighting energy. Rapid and uncontrolled harvesting of trees and wood fuel by the earlier refuge arrivals led to fast depletion of indigenous trees leading to abrupt firewood scarcity. The refugee groups who still depend on firewood for cooking and lighting have had walk long distances into the jungle for firewood. Since men fear being killed by the bandits or members of the local community widely spread in the jungle, women mainly perform the task of fetching firewood. But the bandits have not spared women either: Many women who venture into the jungle without armed police escorts have been raped, robbed or murdered. Some have also had their hand or donkey pulled carts confiscated or destroyed by members of the local Somali community.

The relationship between the local (host) community and the refugees is marked with occasional conflicts. Environmental factors is at the center of these conflicts especially firewood harvesting and uncontrolled cutting down of trees. The local community is united in opposing to tree cutting or firewood harvesting by the huge refugee population in Dadaab on the ground that the practice will lead to environmental degradation. Members of the local community have therefore joined the bandits by raping

women and destroying or confiscating facilities used for collecting firewood such as handcarts. With the financial support of the United States government, the UNHCR responded in May 1997 by taking up the task of firewood to household on a fortnightly basis. This step did not resolve the conflict because the firewood supplied to the refugees is still harvested from the local community, though this time by hired labor. Secondly, the refugees have complained that the quantity of firewood provided by UNHCR is inadequate to last them even a week. Firewood fetching is therefore an ongoing practice notwithstanding the prevailing risks.

Water is another challenge in the refugee camps. Although UNHCR has made some water available in each camp by digging bore holes and drilling water wells, there is immense pressure on the existing water sources. Dagahaley and Hagadera camps have four bore holes each while Ifo has five. The fact that most blocks have only one bore hole serving all residents has meant that families wake up early to make long queues that consume almost half of their day only to 20 litre jerry can of water to last them a day.

About 98% of the adult refugees are unemployed and depend almost entirely of relief food (rations) provided by UNHCR. A small number of men and women are employed in small-scale businesses in the camp market stalls where they sell vegetables, rolls of cloth, goat and camel's milk and *miraa*. Some refugees also run shops and food kiosks distributed within the camps. Non-governmental organizations operating in Dadaab are the main source of salaried employment. These organizations have engaged refugee with secondary school education to serve them as interpreters, cleaners, cooks, trainers, etc albeit on a contractual basis. Salaried employment and close interaction with international staff in these organizations have had a slow but steady effect on the lifestyle

of refuge employees. The effect is especially evident in their slow disregard of traditions and the development of ambition and the desire to break free from camp life.

There is free interaction between males and females who live in the camps. However, interaction and socialization patterns assume clan/kinship relations. Women and men from the same clan interact more often than those from different clans. Women (especially girls in their puberty) interact with men only during daylight. They meet to discuss their country and a wide range of local and international issues. Since Somali culture prohibits fornication or sexual intercourse between unmarried couples, much of these interactions among the youth are devoid of sexual activity.

The dominant attire among most women, as demanded by the Mohammedan faith is called *hejab*, and the traditional clothing for a man is called a *maawis*. Unmarried girls in the camp wear clothes that cover their entire face except the eye, while women's dress leaves part of their face (eyes) open. Refugees males, young girls and boys appear in more secular dressing (jeans, long trousers, T-shirts, etc) than do girls in their puberty and women in general. As proscribed by Moslem tradition, all married women are expected to cover their bodies including their hair.

The social and economic burden borne by the widows and widowers in the refugee camps is immense. Widows and widowers are responsible for the feeding and general protection of their children. Since UNHCR does not provide shelter or bear the cost of shelter construction, household heads either construct the dwellings themselves or hire labor to do the work. This places a lot of burden on widows and widowers. Surveys in the camps have shown that most of dwellings occupied by widows and or widowers

are sketchy and more vulnerable to leakage during rainy seasons. Some also lack basic facilities such as pit latrine.

Marriages take place within and between the camps. The parents of both the bride and the bridegroom play an active role in arranging and planning marriages. The most popular ages for marriage is between 13-15 for girls and 18-21 for boys. Most Somali marriages are accompanied with Islamic wedding. Early marriage among girls is a common practice in the camps. The practice arises out of material need to acquire resources from the bridegroom for sustenance in the camps. Camel is the most highly valued animal that serves as dowry. Goats and sheep also serve as dowry for those who cannot afford the camel. In recent years, money is quickly emerging as an equally acceptable mode of dowry payment.

The host Somali community also interacts with the refugees notwithstanding occasional conflict and tension. Locals own most of the small-scale businesses in the refugee camps and run major commercial enterprises in Dadaab town whose economy is based on services for refugees. The common language, religion and cultural heritage which refugees share with the locals have facilitated deep interactions from which intermarriages have resulted. Many girls have left the camps and found husbands from members of the host community. Equally Somali refugee men have married from the host community. However, only brides have moved to or from the camps to live with their spouses. The chief reasons that motivate refugee men and women to marry from the local community is the desire to acquire a Kenyan national identity card, which permits the holder an uninhibited travel, employment and other citizen privileges within the country.

Other than occasional raids by bandits for food, refugees are generally secure within the neighborhoods of the camps. There exists traditional respect between and among families and clans which facilitates smooth co-existence of both men and women. Somali men tend to respect women as the weak gender and each family and clan is responsible for the protection of its women. A community leadership structure has been established in the camps, which rely on Somali clan elders as a strong source of authority. The clan elders are especially instrumental in the resolution of conflicts or disputes among Somali tribes and between the Somali community and refugees from other nationalities.

There are two police stations in each camp established chiefly to protect the refugees in an area otherwise affected by high level of insecurity. The refugees have been trained to collaborate with the police through traditional leadership structures in the management of crime and general insecurity in the area. Cases of rape, theft, assault, murder, etc are reported to the police who respond by instituting investigation, apprehending the offenders and effecting their prosecution as required by the laws of Kenya. In collaboration with the Ministry of Justice and Constitutional Affairs, a mobile law courts sits once a month in Dadaab town to hear cases from the camps.<sup>48</sup> To augment services provided by the police, UNHCR has engaged a private security firm (AGK) which monitors security situation within the camps.

The Dadaab region where the camps are situated has been prone to security problems and banditry activities since the *shifto* wars of 1970s. A number of violent crimes including rape and armed banditry occur in and around the camps. Insecurity

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<sup>48</sup> The Mobile Court was established in 2004 through a Letter of Understanding between the Dadaab Sub-Office and Senior Resident Magistrate of Garissa.

problem was further aggravated by the Somali civil war, which broke out in 1991. The bandits operating in Dadaab are ethnic Somalis who live in the area, and Somalis who cross with fire arms backwards and forwards between the two countries. The area is awash with guns, which have flowed easily from Somalia, Ethiopia and Sudan due to porous and poorly policed borders. As a security policy, the police demands that no aid staff or persons from the local community should drive outside Dadaab without armed escort, and everyone must return before dark. The insecurity situation have thus made the refugee camps and UNHCR headquarters mere mini-fortresses in the middle of a flat, scrubby and insecure area. The compounds where the camps aid workers live are lined with rolls of barbed wires that make them comparatively more secure than the camps, which are surrounded by, live thorn fencing.<sup>49</sup>

UNHCR has constructed two police posts in each camp and has provides vehicles and telecommunication equipment to the police officers based in the area. It has also facilitated the construction of more than 160km of live thorn fencing around the refugee camp for the protection of refugees. These measures have reduced incidents of armed banditry, murder and rape cases within the camps but have left women who have to walk further into the jungle to find suitable trees for firewood at severe risk of attack, rape and murder. The introduction of Community Policing initiatives in early 2006 and the revival of monthly camp security meetings with refugee leaders have helped enhance overall security situation in Dadaab. Community policing initiatives are geared towards facilitating community involvement in the day to day management of security issues.

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<sup>49</sup> Cathy Jenkins, *Hopes and Fears of Refugees from the Dadaab Camps*, BBC Report April 2007

Life of a refugee is generally confined to the camp. The government of Kenya maintains a strict encampment policy that restricts refugees to the camps.<sup>50</sup> Like other governments hosting refugees, the Kenyan government does not allow refugees to integrate with the local community, live/work outside the camps, or to cultivate land or graze livestock outside the camp premises. According to a decree passed by the Minister for Internal Security and Provincial Administration in March 2007, refugees are not allowed to go beyond Dadaab unless they hold a valid travel permit. Refugees have complained that the degree is meant to restrict them within the camps their entire life. In particular, they found permit application process an unduly long and cumbersome procedure, taking between two weeks and one month to process.<sup>51</sup> Vehicles from Dadaab are prohibited from carrying any refugees from the camps and a number of roadblocks have been erected between Dadaab and Garissa to ensure strict adherence to this rule.

The camps are thus a classical example of what is called “refugee warehousing” – with few opportunities provided and focus put on “care and maintenance.” Refugees are compelled to obtain special permission from the Kenyan government – even if they wish to leave the camps to further their education or obtain medical treatment outside Dadaab. The conditions in the camp, where basic needs are provided but with little opportunity for movement and personal initiative, contrasts markedly with that in surrounding area, where the host community has freedom to continue their livelihood – but lack the most basic social services.<sup>52</sup>

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<sup>50</sup> UNHCR, *Dadaab Operations in Brief*, Op Cit pg 8

<sup>51</sup> The application forms are obtained from UNHCR Sub-Office in Dadaab, filled and taken to the District Officer for approval before it is returned to UNHCR for final processing.

<sup>52</sup> See Danish Refugee Council Report, Nairobi June 2007



The new travel ban has affected Dadaab refugees in a number of ways. Before the Minister's decree, buses used to operate between the camps and Garissa or Nairobi, enabling refugees to visit their relatives in town and return. Refugees operating small-scale businesses took advantage of the situation to travel to Nairobi or Garissa where they would obtain goods cheaply and resell for a profit back in Dadaab. Following the travel ban, businesses operated by refugees have been drastically affected because the cheap supply sources of trade goods are no longer accessible. Ambitious traders have had to rely on middlemen who charge them exorbitantly. The fact that buses no longer reach the camps has imposed additional transport expense on traders which they have passed on to the buyers thus leading to an abrupt increase of key consumer goods in the camps.<sup>53</sup> And given the bad roads and security risks involved in plying routes between the camps and Dadaab, private vehicles (taxis) are rare and the few that are available from time to time charge exorbitant fees.

The Minister of Internal Security and Provincial Administration did explain that the travel ban aimed to curb the infiltration of elements of insecurity and instability from Somalia.<sup>54</sup> Though many Somalis already live in Kenya, they are very much marginalized and often made the scapegoat for many of the country's ills especially fire arms proliferation and the escalation of terrorist threats. The Kenya government is very reluctant to accept more Somalis into the country and equally unready to allow those already living in the camps to leave and assimilate into Kenyan society, claiming concerns over Islamic militants who are feared to have infiltrated the camps.

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<sup>53</sup> Traders have had to hire taxis from Dadaab town to the camps which is no longer reached by passenger service vehicles

<sup>54</sup> See *Hii Dunia, Quarterly*, March 2007

Though a party to the 1951 Geneva Convention and the 1969 Organization of African Union (OAU) Convention, Kenya has not yet adopted enabling legislation, nor has it established a domestic framework for refugee governance. Article five of the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa states that “members states shall undertake to apply the provisions of the convention to all refugees without discrimination as to race, religion, and nationality, membership of a particular social group or political opinion.” Article six of the same convention requires member states to issue refugees (lawfully staying in their territories) travel documents in accordance with UN Convention Relating to the Status of Refugees for the purposes of travel outside their territory, unless compelling reasons of national security otherwise requires.<sup>55</sup>

The Conventions and Protocol Relating to the Status of Refugees requires contracting countries to accord to the refugees lawfully staying in their territory the most favorable treatment accorded to the nationals of a foreign country in the same circumstances as regards the right to engage in wage earning employment.<sup>56</sup> Indeed, the plight of refugees is fundamentally a human rights issue. Human rights treaties have become effective tools to use in the international protection of refugees, particularly the 1984 Convention Against Torture, and the International Convention on Civil and Political Rights.<sup>57</sup>

Indeed, the history of Kenya -Somali conflict is critical to the understanding of the harsh stance taken against Somali and the sheer neglect of Kenyan Somali community. Dadaab camps are situated in a disputed region, formerly known as the

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<sup>55</sup> See the *Convention Governing the Specific Aspects of Refugee Problems in Africa*, 1969

<sup>56</sup> See *Article 17 of the Convention and Protocol Relating to the Status of Refugees*, UNHCR

Northern Frontier District. Subsequent to independence, Somalia continued irredentist claims to these regions until it collapsed in 1991. These claims led to tense, at times hostile relations between Somalia and Kenya. Due to this tension, Kenya has kept NFD, now North Eastern Province of Kenya, and its population under a permanent state of emergency from independence until 1992, crushing viciously any aspirations to join Somalia. Presently, this region remains neglected and peripheral in its socio-economic status within the country, and Somali-Kenyans themselves only marginally enjoy their citizen rights.

The refugees in the Dadaab camps therefore suffer from the consequences of politics informed by historical animosities between Kenya and Somali.<sup>58</sup> The Kenyan government has still not granted Somali refugees legal refugee status, despite their presence in Kenyan territory for over a decade and only categorize them as “aliens in transit” – thereby denying them legal status as stipulated in international refugee covenants which Kenya has ratified. The socio- economic and psychological cost of this denial is very high. The strict travel restriction has left the refugee population almost entirely dependent on aid from UNHCR and other donor agencies operating in Dadaab.

Kenya achieved a milestone in its history of hosting refugees on 29<sup>th</sup> November 2006 when the long pending Refugee Bill was finally passed as by Kenya’s Parliament as Refugee Law. The Law came into force on 15<sup>th</sup> May 2007. It clearly stipulates how the government intends to manage refugee matters in Kenya. The Law recognizes however, that refugees are no entitled to all the rights that Kenyans enjoy, hence only seeks to

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<sup>57</sup> Elisa M., *Guide to International Refugee Law Resources*, May 2007

<sup>58</sup> Awa M., *Refugees, Gender-based Violence and Resistance: A case Study of Somali Women Refugees in Kenya* (in) Evangelia T., *Women, Migration and Citizenship: Making Local, National, and Transnational Connections*, Routledge, London 2001. Pg 231-252.

protect the rights that give them a chance for a dignified existence while making sure that the rights of Kenyans are protected too. With lack of a comprehensive legislation that guarantees refugees the enjoyment of rights as stipulated in the international refugee conventions and protocols, refugees were entrusted to the emigration Laws of Kenya and Aliens Restriction Act.<sup>59</sup> Both these domestic instruments did not accord the refugees the rights as enshrined in the international instruments. Notwithstanding the coming into force of the Refugee Law, the situation of refugees in Dadaab has not changed. The refugees are largely ignorant of the key provisions of the Law neither has the government or human rights organizations moved fast to sensitize the refugee populations about this Law provisions of which are discussed in the next chapter.

### **2.3.0 UNHCR and Other Organizations Operating in Dadaab.**

UNHCR is responsible for the protection and provision of assistance to refugees in close cooperation with its implementing partners.<sup>60</sup> It also carries out Refugee Status Determination as one of its core responsibilities. In 2003, the eligibility process was transferred from Nairobi to Dadaab where a Sub-Office was established. CARE Kenya, UNHCR's main implementing partner is responsible for camp management, food distribution, water and sanitation, education and community services. The other partners comprise of GTZ<sup>61</sup> Health providing medical care; HI<sup>62</sup> organizing medical referrals to Garissa Provincial Hospital, GTZ RESCUE<sup>63</sup> managing firewood and environment; and NCCK<sup>64</sup> promoting productive health, HIV/AIDS and peace education.

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<sup>59</sup> Refugees Consortium of Kenya, *Refugee Insights*, Issue No. 12, 2007

<sup>60</sup> UNHCR, *Dadaab Operations in Brief*, January 2007

<sup>61</sup> German Technical Corporation

<sup>62</sup> Handicap International

<sup>63</sup> Rational Energy Supply, Conservation, Utilization and Education

<sup>64</sup> National Council of Churches of Kenya

The government of Kenya is responsible for the overall management of the programme and for the security of refugees and humanitarian workers while the KRCS<sup>65</sup> carries out tracing activities within the camps. Operational partners such Handicap International and Bethany Hospital (Kijabe) assists the physically challenged persons. IOM<sup>66</sup> facilitates resettlement programs. GTZ operates a theatre at Dadaab, which treats at least patients per month, majority of which are birth related complications. Complications are refereed to Garissa or Nairobi.

The scope of agricultural activity is negligible in the semi-arid region of Dadaab, and hence refugees are totally dependent on food aid. Refugees are provided with food ratio once after every two weeks, that is, twice a month. Food provision is undertaken by CARE Kenya in collaboration the WFP<sup>67</sup>. The foodstuffs provided include cooking oil, sorghum, maize, and wheat floor. According to WFP's standard global ration scale, each refugee is entitled to receive a daily ratio of 2,100 kilocalories. Food is delivered to refugees a twice a month through centralized food distribution points in each camp. Non-food items (NFI) such as blankets, soap, jerry cans, clothes, and kitchen sets are distributed to only new arrivals and to needy refugees.

CARE oversees the sanitation situation in the camps and organizes regular cleaning, garbage collection and drainage activities. Through the Hygiene and Environmental Sanitation Promotion (HEESP) program, CARE trains the refugee population to safe hygiene practices in order to keep in check the spread of communicable diseases caused by poor sanitation.

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<sup>65</sup> Kenya Red Cross Society

<sup>66</sup> International Office for Migrations

<sup>67</sup> World Food Programme

CARE is also responsible for providing refugee children with education and training at pre-primary, primary, post-primary and secondary levels. Special education is offered to elementary learners with hearing, visual, mental physical and other impairments. Post primary opportunities are offered to refugee through adult literacy program for mature learners and through vocational; training for learners not enrolled in secondary schools. In April 1998, Peace Education Program was started as a pilot program in Dadaab camps. The aim is to continuously develop knowledge, skills, values and attitudes that lead to peaceful behavior and to the prevention/reduction of the level of conflict among the various refugee communities. PEP is implemented by NCKK through a structured school program on the one hand and community based program on the other.

GTZ with the assistance of staff seconded by the ministry of health of the Kenyan government provides the refugees with basic medical services. Services provided focus on preventative and curative care, and inpatient as well as outpatient services available in hospitals and health posts in each camp. Complicated medical cases that cannot be attended to at camp level are referred to Garissa Provincial Hospital or to Nairobi for further specialized treatment.

NCKK is the agency responsible for reproductive health activities. Though its reproductive health motivators, the urgency educates refugees and locals on family planning, on preventative health to curb the spread of STI's/HIV/AIDS , on the benefits of breast feeding and on the possible dangers of cultural practices such as female genital mutilation (FGM), child marriages and wife inheritance. Also VCT centers in all the three camps.

UNHCR undertakes community development through Community Services Team, and by the CARE Community Development Sector (CDS). CST focuses mainly on vulnerable groups in terms of monitoring the support given to unaccompanied minors, initiating support to the elderly, identifying and addressing the needs of minority communities and providing assistance and counseling to self-support groups. The team also handles individual refugee's concerns on a regular basis. Moreover, it is responsible for overseeing the implementation of vocational training projects targeting the youth and women. Community Development Sector works towards enhancing community participation generally and towards ensuring the provision of support services.

#### **2.4.0 Summary and Conclusion.**

The condition of living in the Dadaab refugee camps is generally harsh. With specific reference to Somali refugees the obtaining conditions exhibit patterns of continuity with and disengagement from traditional lifestyle experienced in Somalia dominated that is dominated by Islam as the religion, Somali as the language and traditionalism (evident in circumcision, early marriages practices), and the underprivileged position of women in the society. Life in the camps has become even more unbearable due to government's confinement policy, inadequate supply of basic needs and limited opportunities available for socio-economic advancement. But it has also brought gains to various categories of Somali refugees.

As we shall see in the following chapter, women have suffered at the same time benefited in a number of ways from the obtaining situations in the camps. The services that UNHCR and other agencies operating in the camps offer have been a crucial source of livelihood and hope for women. Yet the strict application of the Kenya government's encampment policies and existing cultural rigidities against women within the camps and

as well as violence from the host community have served to take away the little gains that have over time accrued to Somali refugee women in Dadaab.



### **3.0 Chapter III: Socio-economic Challenges and Developmental Gains that have accrued to Somali Refugee Women in the Dadaab Camps**

#### **3.1.0 Introduction**

As the previous chapter has shown Somali refugees are confronted with immense socio-economic challenges, some of which are specific to women and others general to all refugees in the camps. But it is also interesting to learn that some positive gains have accrued to the Somali refugees which their counterparts who remained in Somalia have not been privileged to access. The aim of this chapter is to highlight the socio-economic problems as well as developmental gains that have accrued to Somali women refugees in particular. The first section of the chapter discusses the problems specific to women such as rape resulting from insecurity, female genital mutilation (FGM), early marriage, and the strains associated with adjusting to new roles traditionally performed by men. General problems are also discussed in terms of their direct effect on women refugees such as food and water shortage, confinement to the camps, poverty resulting from lack of economic opportunities, low educational standards and poor living conditions that predispose inhabitants to diseases.

Section two of the chapter seeks to highlight those vital gains and benefits that have so far accrued to the Somali women refugees compared to their counterparts who remained in Somalia. Although it is difficult to draw a line between the beneficiaries of the socio-economic benefits based on gender, the study holds that some of the gains can be regarded as specific to women while others are common to all refugees. The gains and benefits discussed in this chapter that are specific to refugee women include security, anti-FGM campaigns, anti-natal health care, assumption of male roles and the development of business skills/entrepreneurship. The general gains common to all

refugees include improvement of educational opportunities and technical skills development, resettlement abroad, provision of basic needs (i.e. food and water and shelter materials), cultural integration, and the slow but steady disengagement from cultural conservatism. An attempt has been made to examine some emerging local and international legal instruments such as the Refugee Law 2006, Sexual Offense Law and EXCom Conclusion in terms of their long term benefits to women at risk as well as all refugees living in Kenya.

### **3.2.0 Socio-economic Problems Faced by Somali Refugee Women**

One of the key problems that refugee woman in Dadaab face is living in perpetual fear of being robbed, killed or raped by bandits and fellow refugees. Rape is no longer just a fear but an experience among many refugee women in the Dadaab camps. Men believed to be militiamen fighting in Somalia frequently invade women in their dwellings and rape them in turns in front of their husbands and children. Girls, as young as 11 have also been gang-raped. Aid workers at the Dadaab camps have confirmed that traditional clan rivalries, heightened by war, are a major reason why many women get raped in Dadaab.<sup>68</sup> An inter-clan clash that occurred on January 21, 1999 was particularly calamitous for refugee women. Six Somali men were found killed and tied to trees about 3 km from Hgadera camp. The killing triggered a series of inter-clan violence the following week leaving 25 people with wounds and 91 huts torched.<sup>69</sup> Over 100 women, identified as members of Sheikal and Auliyahaan sub-clans, were raped during the incident. It has become a practice since then to rape women of rival clans whenever conflict rises. This tradition confirms UN's categorization of rape as a weapon of war.

The problem of rape is made worse by the fact that men in the camps are idle, frustrated and mentally traumatized by their experience during the war. Some men cannot cope with the reality of living in the camps with members of the very clans were

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<sup>68</sup> The information was obtained from CARE Field Officer based at the IFO Refugee camp

responsible for the slaughter of their family members and are bent on exploiting any little opportunity to ignite inter-clan conflict. Many husbands are in the tradition of blaming their wives for rape and some get abandoned thereafter.

Somali women have a long experience with rape that predates the Dadaab incidents. It has been widely reported that UN soldiers massively raped Somali women during their brief stay in Somalia under UNOSOM (United Nations Operations in Somalia).<sup>70</sup> Many of the rape victims who eventually found their way to Kenya are yet to recover from trauma associated with violence they either witnessed or individually experienced. A significant number did conceive after rape and had babies out of wedlock. Some women gave birth to "white" or half-cast children (arising out of forced sexual intercourse with soldiers of the white race) leading to their automatic rejection and insecurity in the camps. Many of such women victims have had to move from camp to camp or to seek special protection from humanitarian organization because Somali men do not console but reject women victims of rape.

The high degree of violence meted against Somali women by UNOSOM is best captured in a study conducted by Ana Ljubinkovic in Dadaab refugee camps on socio-psychological consequences of UNOSOM operations in Somalia in 1992 to 1994. The study reveals the presence of significant negative effects of the UNOSOM operations in Somalia, which can be classified according to different criteria. The types of victimization included death, mutilation, torture, rape and humiliation. Ljubinkovic has also distinguished between a series of intentionally and unintentionally provoked traumatization that resulted from UNOSOM intervention. The study points out that many

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<sup>69</sup> *Kenya News Agency*, January 23 1999

<sup>70</sup> *The People Daily*, Nairobi. March 6, 2003

women in the camps are still bereaved because they were either directly involved in UNOSOM victimization or witnessed as UNOSOM soldiers inflicted violence against their loved ones. The study summarizes notable consequences of UNOSOM operations on women (as well as men) as physical disability, mutilations, depression, anxiety, and madness, loss of hope and loss of trust among victims.<sup>71</sup>

Firewood gathering, which demands that women venture beyond the camp perimeters - sometimes walking 30 kilometers into the jungle - further, makes them vulnerable to rape. Exposed and far from help (which is otherwise confined to the camp), many women have suffered brutal sexual assault. Often the victims are shot, knifed or beaten into submission. Many are the occasions in which girls of 10 and women of 50 have been gang raped by groups of up to a dozen armed bandits. Statistics in Dadaab camps show that the incidents of rape have since 1997 assumed an upward trend, notwithstanding the fact that shame and guilt engendered by cultural belief leads to gross under-reporting of rape. This denies the victims access to treatment for the psychological and physical aftermath. Refugee women who have been raped remain traumatized and have little hope of ever leading a normal life.

UNHCR admits that protecting women is a major challenge, especially when they must roam far and wide to accomplish their daily tasks. The United States government contributed \$ 1.5 million in 1997 to buy firewood as one way of reducing women's exposure to potential rapists. But contracting out the collection of firewood to large outside suppliers have served to undermine small, local businessmen and relations between the refugees and the host community, further complicating women security. Firewood supply program has therefore met with local challenges leading to its poor

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<sup>71</sup> See Ljubinkovic, A., *Report on Field Research Conducted in Dadaab Refugee Camps*, May 2005 pg 4

implementation. Women have for instance complained that the ongoing firewood supply is far too inadequate to meet their domestic demands.<sup>72</sup> Firewood scarcity therefore remains a permanent problem confronting women in the Dadaab camps.

Rape carries a heavy penalty to women victims. The humiliation resulting from rape is strong among the Somalis because female chastity is central to family and community honor. If a man believes that a woman had sex with another, whether by force or not, he must reject her to salvage his own male pride. If the women were lucky and did not get pregnant, she will keep the story to herself to spare the family the dishonor. Traumatized, many women rape victims have chosen isolation, or have had to contend with divorce. A few cases have been reported where women opted to committing suicide due to unbearable shame. Rape in this context not only affects women victim. it also humiliates the husband , bothers, fathers, and sons of the victim because it demonstrates the men's inability to protect their women.<sup>73</sup>

Besides trauma, women who have experienced rape also undergone health problems, some long lasting. In the first place, chances of contracting HIV/AIDS and other sexually transmitted diseases are high among women who have been gang raped. Secondly, rape leads to automatic rapture of the unmarried women's vagina, which is traditionally stitched during circumcision. This leads to profuse bleeding that can result into death unless the victim gets immediate medical attention. Most gang rapes result into death not only because of exhaustion of the victim during the intercourse but also due to the tendency to beat the women into submission.

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<sup>72</sup> Women respondents affected by firewood shortage confirmed that person gets 8 sticks after 2 weeks

<sup>73</sup> *East African Standard: The Big Issue*, June 19 2000. Pg 8

Female genital mutilation (FGM) is another problem unique to Somali refugee women. Infibulation is the most common form of female circumcision in the camps as well as in Somalia. It involves the removal of the clitoris, the entire labia minora, part of the labia majora and suturing of the labia majora, leaving a posterior opening for passage of urine and menstrual flow.<sup>74</sup> Most of the girls circumcised are very young, aged between one to six years. Other members of the refugee community (Ethiopians, Rwandese, Sudanese, Ugandans, and Congolese) practice sunna circumcision which is a milder form of practice and involves the pricking, or slight cutting off, of the tip of the clitoris.

Somali people in the camps practice FGM for a variety of reasons. First, they claim that circumcision is a core religious obligation and a tradition. Second, they believe female circumcision ensures virginity among women until marriage hence controls sexual immorality. Third, the community claims that FGM gives sexual pleasure to men and enhances their manhood during intercourse. The community also believes FGM controls sexual desires of women and girls. Others feel that their daughters would not be accepted by society if they did not undergo the process. As one of the women respondents confirmed in an interview, "the practice adds to a family's honor and prestige in the community. Who would not want to bring honor to her family?"<sup>75</sup>

Although Kenyan national law – which has jurisdiction over Dadaab refugees – bans the practice of FGM under the 2002 Children's Act, the practice is still rampant. When the first case of FGM was prosecuted in the Dadaab camps in August 2002, the refugees and the local community held demonstrations claiming that their right to

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<sup>74</sup> Toubia N., *Female Circumcision as Public Health Issue*, *NEJM*, London. Sept 15, 1994 Vol 331. No 11, pgs. 712-716

practice their culture and their religion was subjected to violation. Many refugees blamed the international community and the government for idleness and engaging in petty activities. Not only did the legal approach cause widespread resentment, it also led many Somali families to find alternative mechanisms of avoiding the law. For example, during an exercise involving the resettlement of Somali Bantus refugees to the United States, many took to circumcising their daughters, some as young as one and half, in the camps once they were informed that FGM is a criminal offense in the country of resettlement.<sup>76</sup>

Chronic infection, intermittent bleeding and abscesses resulting from clitoridectomy and excision cause discomfort and extreme pain which constitute a violation of women right to health. Sexual intercourse can only take place after a gradual and painful dilation of the opening and in some cases cutting is necessary before intercourse can take place. In addition FGM increases risk of contracting HIV/AIDS because of the sharing of un-sterilized equipment during the exercise. FGM can also cause complications during childbirth when existing scar tissue on excised women may tear. In many cases infibulated women have to be cut to allow the baby to emerge. And after giving birth, they are often re-infibulated to make them "tight" for their husbands. FGM practitioners command a lot of respect in the camps, more than even the religious leaders. It is also an income generating business for the women practitioners who are reluctant to relinquish their livelihood and therefore encourage families to have their daughter circumcised.

The challenge of taking up male roles is another problem confronting Somali refugee women. Resulting from the Somali civil war, many women in the Dadaab camps

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<sup>75</sup> Information obtained from Khadija Ali, Chairperson of Ifo Women Group

<sup>76</sup> Munala J., *Combating FGM in Kenya's Refugee Camps*, Human Rights Dialogue. London. Nov. 2003

overnight became breadwinners and physical protectors of their families. Traditionally, Somali men are the providers of their families' basic needs. However, when the war erupted, thousands of them were killed, maimed or exiled. Close to 10% of the Somali women refugees are widows, having lost their husbands in the Somali war. A further 5% simply do not know whether their husbands are or whether they are still alive, having separated from each other as the war intensified. Uncertainty surrounding the whereabouts of family members contributes to stress and trauma in the camps.

The burden of assuming new roles affects non-widows as well. About 5% of the adult males in the camps are physically incapacitated by the war to a level that they cannot work and are therefore totally dependent on their wives and relations for support. Some men had their legs amputated or hands cut while others are still nursing gunshot related ailments incurred many years ago. Apart from death, maiming or displacement, *miraa* (khat) chewing among male survivors of the Somali war is so rampant and its effect incalculable. *Miraa* is a stimulant whose use is part of the Somali social fabric and is therefore widely accepted. Among the effects of *miraa* is that it stops users from being productive to their families.

The UN Office on Drugs and Crime (UNODC) describes the short-term effects of *miraa* as mental alertness and excitement. But once the euphoria has worn off, the users become morose, irritable and slack. Prolonged use of *miraa* also leads to depression, aggressive behavior and psychological dependence. The deeply entrenched habit of *miraa* consumption has therefore complicated the task of women who have had adjust to new social and economic roles hitherto unknown to them. According to 2004 World Bank



survey, 70% of Somali households in the Kenyan refugee camps are breadwinners.<sup>77</sup> The assumption of this new role by nearly 70% of the women refugee population has placed unbearable demands upon them, causing stress and leading to rising cases of domestic violence.

The education of Somali women in camps is severely constrained by cultural factors such as early marriages and general community apathy to girls as compared to boys. Over 90% of the women refugees fled Somalia before obtaining any formal education. An insignificant 7% were educated up to various grades within primary level. Little effort has been made by women who left Somalia illiterate to advance their education in the refugee camps. As January 2007 statistics confirm, less than half of girls or women population are enrolled in educational institutions established in the three camps. Only 3,619 girls are enrolled in Ifo primary schools compared to a figure of 6,157 accounted for by boys. Another 2,813 girls are enrolled in Dagahaley primary schools compared to 4,370 for boys. Hagadera has camp has 3,892 girls enrolled in primary schools compared to a figure of 5,745 accounted for by boys.

Girls' enrolment in secondary schools is more pathetic due to cultural practice of early marriage. Out of a total of 605 students enrolled in Ifo secondary schools, only 66 were girls. The same trend is evident in other camps: Out of a total of 418 students enrolled in Dagahaley secondary schools in 2006 only 166 were girl; and out of a total of 514 enrolled in Hagadera schools, girls accounted for a dismal 104.<sup>78</sup> Severe survival challenges in the camps have made dowry a form of material relief thus making teen age girls highly vulnerable to exchange for camels, goats, sheep and money. Parents get their

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<sup>77</sup> IRIN, *United Nations Office for the Coordination of Humanitarian Affairs (OCHA)*. May 2005 p. 1

<sup>78</sup> UNHCR, *Refugee camp profiles and statistics*, Nairobi. November 2006

daughters from schools and marry them off to individuals as old as 55 years provided they can pay the demanded dowry.

Cultural challenges have also led to poor enrolment of women for special education courses as well as in adult literacy institutions. According to UNHCR Camp Profiles and Statistics report released in November 2006, only 224 women compared to 366 men were enrolled for special education in Ifo, while an insignificant 127 women compared to 339 men were enrolled or the same in Dagahaley. Hagadera had the leading number of women enrolment where some 359 women compared to 573 men were enrolled for special education. Adult literacy has also attracted comparatively smaller number of women compared to men. Only 361 compared to 618 men were attending adult literacy lesson in Ifo and Dagahaley during the same period, while Hagadera had a mere 570 women compared to 1,002 men.

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Other than cultural challenges, survival difficulties in the refugee camps militate against girls' education. Many families are forced by circumstances to assign their daughters domestic tasks at a fairly tender age because their parents must leave in the morning to attend to other businesses such as collecting firewood, fetching water, queuing for the ration, selling in the market place etc. Child labor (especially among girls) is therefore a serious problem in the camps as most of the school going girls discontinue their education either to work at home or sell commodities at the camp markets so as to generate income for family survival. High levels of poverty has exacerbated the rate of early (teenage) marriage as families have opted to "selling" away their daughters to old men in return for material wealth required for survival. Girls have

therefore been become assets in the sense that they become commodities for exchange once they attain their puberty age.

Girls who attend primary and secondary schools meet other problems associated with harsh life in the camps such as limited textbooks, extreme heat that is less conducive for reading, poor housing and lack of electricity after dark. There is also the problem of general insecurity that has resulted into girls' abduction and rape. Many Somali men (and even women folk) still view education in a negative light. A significant proportion of the refugee community hold the suspicion that educated women become prostitutes and eventually abandon Somali culture and religious faith. Such women who may prostitute and abandon Somali culture bring shame and disappointment to their families.

Greater challenge to girls educational progress is the fact that bright girls have no future and their lives inclined to stagnation owing to apparent lack of opportunities for furthering their education outside the camps, especially for those who excel in the Kenya Certificate of Secondary Education (KCSE) exams. The government's encampment policy, exorbitant fees charged by local educational institutions on foreign students (including refugees) and the cultural pressure in the camps naturally serve as deterrence against girls' education.<sup>79</sup> Currently, the ministry of education considers refugees in public schools as international students, not as "unfortunate lot." The former pay school fees in terms of US dollars, an amount that is usually four times higher, translating into huge burden to refugees or persons sponsoring them.

Apart from the problems discussed above that are particular to women as the female gender, there are other general problems in the camps, which equally affect women severely. Key among the problems that refugees generally face is food shortage.

The refugee program in Kenya has since 1991 been characterized in terms of protracted relief with little possibility of breaking the mould of dependency. The forecast for large-scale repatriation has not been promising with resettlement providing a solution to relatively few refugees. The obtaining problem of food scarcity can best be understood by underscoring the fact that refugee self-reliance is traditionally contingent upon external economic opportunities, e.g. integration, trading, mobility and employment. Such options are not available to individuals who have sought refuge in Kenya.<sup>80</sup>

Resulting from their inability to engage in farming or large scale economic activities Refugees are fully dependent upon WFP for food supply (otherwise known as *rations*). Main foodstuff provided includes maize, sorghum, porridge flour, beans and oil. Rations are supplied twice a month. The refugees have complained that foodstuffs provided are less nutritious and the ration is also inadequate, especially for single people. Poor food quality and quantity is blamed for widespread malnutrition among women and children.<sup>81</sup> A large number of refugees admitted in the local refugee hospitals in August 2007 were people suffering from malnutrition. WFP is also accused off having sullied expired foodstuffs, lading to hospitalization 17 people in the same month.

Leading organizations operating in Dadaab admit to the problem of food short. In July 2007, UNHCR, the WFP and United Nations Children's Fund (UNICEF) warned that the levels of malnutrition in Dadaab camps in Kenya had reached an alarming level and jointly appealed to donors for more money (US\$ 32 million) to improve the care for refugee children and their mothers. A survey conducted in mid 2006 showed that despite WFP providing 95% of general food distribution ration for the last two years, the acute

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<sup>79</sup> The People Daily, August 18, 2006 pg vi

<sup>80</sup> See the *Encampment Policy* captured in the previous chapter

malnutrition rate was 22.2 in Dadaab, well above the World Health Organization's (WHO) emergency threshold of 15 percent.<sup>81</sup> UNICEF appealed for US \$ 600,000 to support the support the management of acute malnutrition and to tackle underlying causes that include poor infant feeding and breast feeding practices.

The threat of cholera, meningitis and measles, which were recorded in the camps in 2006, have aggravated the fragile nutritional status of young children. Malnutrition is currently associated with at least half the deaths of children refugees under five years. Recent reduced donor funding to UNHCR has had a negative impact on the provision of essential nutrition services, complementary foods and non-food supplies to refugees.

In absence of a complete package of assistance, many households have had no option but to sell their food ration so as to raise money for survival. It is estimated that over 20 per cent of WFP food items are sold by refugees so as to obtain other essential commodities (including different foods). Some of the basic requirements which refugees sell the rations to obtain include firewood, energy saving stoves, soap, and sanitary towels/pads. Refugees also sell their rations to raise cash for purchasing other foodstuffs such as meat, sugar, rice, milk etc thus etc thus enabling them to break from the monotony of WFP diet.

The threat of food scarcity became acute in February 2003 following the withdrawal of donor communities from supporting refugees, thus leading to food rations by 75%. The November 2006 flooding severely that affected the region further compounded the problem. The sole access road to the camp was cut off by floods, effectively inhabiting access to Dadaab town and refugee camps by road. This made it

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<sup>81</sup> Information obtained from a medical doctors based at Hagadera hospital

<sup>82</sup> *East African Standard*, Nairobi, 9 July 2007

practically impossible (for nearly two months) to transport food and other essential supplies to the camps.

Most donor countries withdrew their support to Daddab refugees when it became evident that the camps had assumed a form of permanence.<sup>83</sup> Acute food shortage was further aggravated by US-led war against Iraq, which shifted attention towards Arab countries hence making food scarcity even worse.<sup>84</sup> The influx of 34,00 refugees fleeing renewed conflict in Somalia in 2006 further stretched the limited food aid available. UNHCR has noted with concern that donors are slow and reluctant to respond to their appeal for aid placed in July 2007.

Food scarcity has led to an increase in conflicts within the camps. It has also compounded refugees' insecurity and tension between the refugees and the host communities as both groups engage in competition over scarce resources. Education of children, especially the girl child is also threatened as cases of school drop-outs increase because children (who should otherwise be in school) get involved in pursuit of alternative means of survival. Women and girls are usually the most affected by the problem of food scarcity. Owing to their vulnerability, many resort to trading their personal belongings (including offering themselves for sex) in order to obtain food and other basic needs.

UNHCR blames the government for laxity to establish a refugee policy that will cover access to employment, income generating activities and put into place structures relevant for refugee administration. The encampment policy has particularly come under

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<sup>83</sup> Dadaab has been cited as the oldest refugee camp in the world having existed since 1991.

<sup>84</sup> *The People Daily*, Nairobi February 27, 2003 p 15

intense criticism for denying refugees chance to invest outside or grow their own food hence contributing to perpetual food shortage in the camps.

Water and sanitation networks within the camps are dilapidated and cannot cope with the pressure of the huge refugee population. Out of 17 bore holes, for example, only 13 were operational as at August 2007. Women spent half of the day struggling to collect water for just a day's family needs, while access to drinking water is already a struggle. The high pressure on water facilities has given rise to water vending, where a few refugees with connections with bore hole managers collect and sell water to the camp residents. Although CARE – Kenya oversees the sanitation situation in the camps and organizes regular cleaning, garbage collection and drainage activities are in a pathetic state. Coupled with the increasing number of full or curved in latrines but few newly dug ones, the poor hygienic condition in the camps readily invites the spread of communicable diseases caused by poor sanitation such as cholera.

Flooding caused much damage to the camp in 2003 and 2006 leading to fears of waterborne disease outbreak resulting from pollution on the camps' clean water supply.<sup>85</sup> The 2003 flooding left 3,000 families homeless and impeded access within and around Ifo and Hagadera camps. Pit latrines also collapsed while some were overflowing. Diseases such as malaria and other illness caused by exposure to poor living conditions are already common. The services of medical personnel at the camp are therefore vital, yet the personnel and facilities cannot cope with the pressure. Each of the three camps has just one hospital and three health posts. The Ifo hospital has a bed capacity of 75, Dagahaley 65, and Hagadera 120.<sup>86</sup> The existing bed capacity and medical staff cannot

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<sup>85</sup> See *Hii Dunia Quarterly*, March 9, 2007

<sup>86</sup> UNHCR, *Annual Report on Camp Facilities and Social Services*, Nairobi, January 2007

cope with health emergency especially in cases of cholera outbreak like the one witnessed in April 2007. Furthermore, UNHCR is yet to create a mechanism that can enable the ministry of health staff work cohesively with their staff at Dadaab to contain emergency situations. Life expectancy of 47 years - though comparable at least to that of Somalia itself- is very low.

Lack of sanitation pads is another health problem that refugee women in the camp face. Given the high rate of poverty and the sheer inability to meet basic needs, many women cannot afford sanitation pads and have to contend with difficulties during their monthly periods. UNCHR does not provide sanitary towels/or sanitation pads or any forms of clothing to refuge women.

UNHCR used to provide shelter materials (but not houses) to all refugees at the initial stages of camp establishment. Owing to budgetary constraints, however, shelter materials are presently distributed to new arrivals and vulnerable refugees only. The shelter materials provided include iron sheets, tents and plastic sheets. The most unfortunate development following the withdrawal of international support to the Kenya refugees is that UNHCR has found it difficult even to meet this obligation to the new arrivals. Most of the refugees who arrived from Somalia in 2006 spent in the cold for months before they could be assisted with shelter materials. Refugees have complained that applications for shelter materials take unnecessarily long to process. Families without shelter are exposed to all forms of violence. Women and girls become extremely vulnerable to rape when exposed to such conditions. Children in particular get vulnerable to diseases when exposed to hostile weather conditions.



Refugee dwellings in most parts of Africa are temporary or make-shift structures that are only meant to serve the occupants for a short period pending return to their countries of origin or resettlement to other areas and countries. That is the manner in which the dwellings in Dadaab were constructed by the majority of the refugees who arrived in Dadaab in 1991. Most of the dwellings are no longer sustainable in a context in which the camps have acquired a form of permanence. The dwellings have had to be demolished and rebuilt a fresh so as to adjust to the ever-increasing number of refugees. In particular the surging populations of girls and boys who have matured enough to marry and start their own families have made transformation and rebuilding of dwellings a necessity. Owing to poor planning, however, space for expansion to accommodate same families within the same compound has been a major problem.

Refugees' dwellings are therefore a replica of slum settlements in many Kenyan urban centers. The closeness of the dwellings, the sketchy manner in which they are constructed and poor sanitation and drainage network makes them a health hazard to the residents. Besides, the dwellings are vulnerable to both fire and flooding. Almost half of the residents are forced to revamp their dwellings during rainy seasons so as to withstand heavy floods that have in the past swept away thousands of dwellings and to contain the threat of leakage. Maintenance of the dwellings in a habitable condition has therefore proved expensive in the long run especially to widows and other women household heads who have been forced to hire labor to undertake the frequent reconstruction work. The informal nature of the dwellings is a contributing factor to the escalating cases of crime and rape in the camps (especially because rapists can easily access their target). Boys also take advantage of the narrow camp corridors to molest girls at dark.

Double registration is another problem facing Somali refugee women. In the wake of increased hardships and insecurity in the Dadaab camps, many Somali refugee women sneaked into urban centers (especially Garissa and the Eastleigh estate of Nairobi) where they obtained illegal registration as Kenyan citizens. A wide population of girls also sneaked into the host community where they got married to enable them obtain Kenyan national identity cards. But economic hardships in urban centers as well as in the host community have forced some refugees back into the camps. The UNHCR has reacted by de-registering such women or men who already possess Kenyan identity cards claiming that they have no grounds to seek refuge in the camps any longer.

The problem of double registration has had serious impact on the culprits. In the first place, it has given rise to a situation in which a significant proportion of Somali refugee women live in Kenya as legitimate citizens without fulfilling mandatory migration requirements thus bringing them into conflict with migration authorities. . Secondly, the refugee women who possess Kenyan identity cards have been de-registered by UNHCR hence denied routine food rations and other benefits accorded to registered refugees. A scenario is also arising where women marry men from the host community but live with them in the camps, thus further increasing pressure on available facilities. Lastly, many victims of double registration have been forced by survival difficulties to surrender their newly acquired Kenyan identity cards to UNHCR as a condition for their re-acceptance into the camps as registered refugees.

The scenario that unfolds is one in which many refugee women are under immense pressure to vacate the camps and lead authentic lives in towns or among the host community yet the situation does not allow them. To avoid harassment from the

Kenya police, they have been forced to use corrupt and illegal means of obtaining Kenyan identify cards. But life outside the camp, though free, has proved a major challenge to the women, forcing some back into the camps where UNHCR are unwilling to re-accept them unless they give up Kenyan citizenship. A significant proportion of such women who are intent on retaining their illegally acquired Kenyan identity cards continue to live with their relatives in the camps but miss rations.

It has also been reported that even some refugees who were voluntarily repatriated to Somalia have found their way back to the camps following outbreak of renewed hostilities in 2006 which led to the inflow of a further 34,000 refugees to the Dadaab camps. Thorough screening by UNHCR and Kenyan security personnel revealed that some of the new asylum seekers are old refugees seeking second registration to boost their rations. Others claiming to have fled fighting in Kismayu and Mogadishu were found to have come to the camps with the hope of getting relief following the loss of their livestock to the drought that had hit the horn of Africa in the past two years. This development has influenced UNHCR to underscore economic hardships still prevailing in Somalia as a long term issue to deal with in a bid to achieve a successful resettlement of refugees in their original home countries.<sup>87</sup> Rumors are also rife that some mischievous Kenyan Somalis were taking advantage of the new influx to register as refugees with the hope of going abroad through refugee resettlement program.

Poverty is a leading problem facing Somali refugee women in the Dadaab camps. Poverty among refugee women is a consequence of many factors. Refugee women seldom flee with any property other than their clothes, some bedding and food for

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<sup>87</sup> Candidates for voluntary repatriation obtain some money from UNCHR, which is intended to aid them in stabilizing and restarting their lives upon return to their countries.

survival. This compels them to start live from scratches in the countries in which they seek asylum and to depend wholly on the support provided by UNHCR. Such is the situation in which the Somali women refugees found themselves when they arrived in Dadaab. They had no money to spend or property to sell.

Complicating widespread poverty among refugee women in the camps is their inability to engage in legitimate trade owing to the strict encampment policy pursued by the Kenya government. Somali women are inveterate businessmen and many families did opt for business as the only means of coping with harsh economic reality in the camps. Until April 2007, a few women would defy the odds and travel to Garissa and Nairobi where they would purchase commodities cheaply and to sell for a profit in the camps. As an evaluation jointly conducted by WFP and UNHCR in 1999 on Kenya refugee program found, trade has enabled surprising level of economic integration between refugees and local population. Women have been the pioneers of this integration process especially because they play a leading role in trade involving camp the refugees and the local community.<sup>88</sup>

With the slapping of travel ban by the Minister for Internal Security and Provincial Administration in early 2007, business conducted by refugee women has come to an abrupt standstill. Most women are vegetable eaters. But since the government banned buses and public transport vehicles from entering the refugee camps, vegetable trade, whose main source is Garrisa has nearly collapsed, causing financial strain on women who rely solely on the trade for income. Further, a few women who have stuck to

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<sup>88</sup> UNHCR, *Summary Evaluation Report of the Joint UNHCR/WFP: Evaluation Mission for Assistance to Somali Sudanese Refugees in Kenya* Jan 1999

business are forced to foot from refugee camps to Dadaab to buy goods, thus exposing them to danger of rape.

With the reduction of food rations following donors' withdrawal and the decreased inflow of consumer goods from the urban centers, the cost of living in the camps has registered a sudden upshot. Yet without any property to exchange for cash in order to obtain money for the purchase of other basics, many household have reclined to selling their food rations thus aggravating malnutrition and attendant diseases among children and women. The most common foodstuffs sold in the refugee camps are beans, maize/wheat flour, sorghum and oil supplied by WFP in collaboration with UNHCR. Many household are forced to sell these food stuffs cheaply when they are in serious need of cash but to re-purchase them expensively in situations of extreme food scarcity.<sup>89</sup> As one respondent put it "there is no economy in the camps apart from illegal trade in UNHCR provided foodstuffs."<sup>90</sup>

For majority of the refugee who are not unemployed, many years of idleness has bred hopelessness and desperation. Although some refugee women have still been able to find something to do in the form of income generating activity, the attitude held by Somali men about women has served to entrench poverty. Most married men prefer their wives to stay home as housewives. Thriving businesses in the camps such are shops, hotels, are dominated by men. Secondly, many men whose wives are engaged in petty trade have been accused of spending income accrued on *miraa* thus making it impossible to expand the business through reinvestment.

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<sup>89</sup> The selling and re-purchase price of maize flour may vary between Ksh 20 and 25 in a month

<sup>90</sup> Information obtained from the chairman of Dagaley youth group

And with limited capital, largely generated from the sale of rations, the kinds of business in which women are engaged can ill-afford to sustain them and their families. Well stocked shops and established eating kiosks are owned either by locals or refugees with relations abroad. Many women traders are engaged in selling camel milk, vegetables, juice, *miraa*, etc from which the returns are low owing to poor cash inflow in the camps. Most women respondents asserted that women run businesses would perform much better if they benefited from micro-credit facilities or loans from financial institutions. Women in the camps can be economically active and less dependent on UNHCR and other organization if their business ambitions are supported. They also need moral support from the local community and the go.

General insecurity in the camps is also a contributor to the overwhelming situation of poverty afflicting women. Although petty crimes such as pick pocketing, mugging and theft are severely controlled, large scale businesses are often an easy target for armed robbers. The fact that there are no banks in Dadaab where money can be banked and withdrawn at will also serves to discourage big business investments.

Discriminatory employment terms that UNHCR, CARE, WFP and other agencies operating in Dadaab uphold against the refugees also contribute to poverty situation. Although the organizations have over the years engaged educated refugees women on a contractual basis (especially secondary school graduates) as cooks, cleaners, interpreters, secretary's etc, they are poorly remunerated on the account of their refugee status which only allows them to serve as "incentive workers." The organizations argue that the refugee employees do not deserve good pay as do their non-refugee counterparts because they obtain most of the basics (especially food) free of charge. Most of the refugees

contracted by the organizations earn between Shs3, 000 – 4, 500 which is hardly enough to meet their basic requirements. Complicating the unemployment situation is the fact that most of the NGOs training programmes are not geared towards 'marketable skills' within the camps but rather towards employment skills 'upon return.' Majority of the refugee women are therefore people with no employment or trading opportunities.

Rampant poverty and desperation among refugee women has a negative impact on their human rights conditions in the camps. In the first place, men take advantage of this situation and subject them to violence and other forms of inhuman treatment. Young girls are taken out of school and married off to economically endowed old men who are ready to pay the demanded dowry. Equally, married men are inclined towards harassing, beating, and divorcing their wives because they are an unbearable economic burden. Traditionally, the women's parents have a direct influence on sustainability and stability of marriages and mistreatment of women is highly sanctioned by culture. But refugee lifestyle presents itself as an abrupt break with traditions. Most women have lost their parents in the war or left them in Somalia hence cannot rely on parental or family networks for marital stability.

Some form of women protection is provided by clan elders, block elders, the formal security (AMOR) that UNHCR has contracted and the police. But these agencies are far incapable of resolving intricate domestic issues conflicts sustained by a a deeply ingrained societal structure biased against women. Whereas not all marriages have become dysfunctional, divorce and separations cases are quickly becoming a reality in the refuge camps. So too are the temptations to prostitution among economically deprived

women as evident in the steadily rising cases of HIV/AIDS. The fact that there are no legal or counseling services available to women has made them suffer in silence.

### **3.3.0 Socio-economic Gains that have Accrued to Somali Refugee Women**

By referring to the definition of a refugee as "a person who is outside any country of such a person's nationality, and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of that country because of fear of persecution or a well founded fear of persecution on account of race, religion, nationality, membership in a particular social group or political opinion,"<sup>91</sup> we can support the claim that UNHCR and the government of Kenya have offered protection to Somali refugee women in the Dadaab camps. The Dadaab camps are secured from potential or actual large-scale hostility and lawlessness that result into loss of life and destruction of property from which womenfolk suffer most.

Security as a key benefit to refugee women can best be appreciated by understanding the situation in which women found themselves in Somalia before their eventual flight to Kenya. The horror that was the Somali civil war cannot be overstated.<sup>92</sup> All women refugees interviewed during the study testified that life in Somalia during the war marked the height of brutality and unpredictability. In particular, they watched their family members slain by militias and a significant number only managed to escape death narrowly. Many women also had their children (especially boys) kidnapped and property either destroyed or confiscated. The obtaining situation of lawlessness opened up an opportunity for rapists: militias, UNOSOM soldiers and male members of rival clans raped and tortured women, leading to the death, injury or permanent disability of many

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<sup>91</sup> See *The Lectric Law Library's Lexicon on Refugees*, UNHCR, New York 2006

<sup>92</sup> See chapter I and II for details about the nature and extent of suffering those women survivors went through during the Somali civil war.



women and girls. The number of persons with disability in the camps currently as of January 2007 stood at 3, 776, with women accounting for over 50 per cent.<sup>93</sup>

Such a situation no longer obtains in the refugee camps, thanks to the Kenya government and UNHCR who identified, registered and consequently found a settlement area for the displaced. The UNHCR is responsible for the protection of and the provision of assistance to refugees in close cooperation with its implementing partners, while the government of Kenya is responsible for the overall management of the program and the security of the refugees and humanitarian workers. Police posts have been established in all the three camps to ensure the maintenance of law and orders and to specifically secure the refugees from external and internal aggression. Police presence in the area as of August 2007 was as follows: 50 in Dadaab town; 25 in Dagahaley; 28 in Hagadera; and 31 in Ifo. There were an additional 31 administration police (APs) who act as escorts and area guards for local administration.<sup>94</sup>

The presence of state provided security has significantly minimized bandit attacks on the camps as well as intra-clan conflicts that quite often provoke large-scale violence reminiscent of 1991 Somalia. UNHCR has stepped up security by hiring the services of a private security firm (AMOR) which undertakes surveillance (i.e. closely monitoring of the activities of the refugees) to ensure strict compliance with the rules and regulation that govern refugee conduct in the camps.

Some studies have faulted security situation in the Dadaab camps, asserting that the refugees are more insecure in the camps than they were in Somalia. Mohammed Abdi has argued in a study conducted in the Dadaab camps in 2003 that violence against

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<sup>93</sup> UNHCR, *Community Services Statistics*, January 2007

<sup>94</sup> UNHCR, *Police Presence Statistics*, January 2007

women is still widespread and that the efforts by UNHCR to surround the refugee residents with live fencing has increasing women's sense of vulnerability as they now feel fenced for the enemy.<sup>95</sup> The findings of this study disconfirm Abdi's assertion. Not only has he author concentrated on just one aspect of insecurity i.e. rape, facts on the ground confirm that the rate of rape and sexual gender based violence (SGBV) has drastically declined in the camps compared to the situation that prevailed in Somalia during the war. Although reliable data is difficult to obtain, the agencies operating in Dadaab estimate that only 1 out of 10 women has chance of being raped in the camps compared to a figure of 7 out of 10 that prevailed in Somalia during the war.<sup>96</sup> Besides, most of the refugee women exposed to rape are those who, for unavoidable reasons find themselves outside the camps especially those gathering firewood or conducting trade.

Key among steps that the Kenya government has taken in the recent past to ensure the safety of the refugees is the launching of an intensive military campaign that has managed to contain bandit and *shifita* threats in the northeastern province as a whole and Dadaab division in particular. The government has also established a number of check points along the Dadaab-Garisa and Dadaab- Liboi road to contain the flow of firearms to and from the camps.<sup>97</sup> Restricted flow of firearms into the camps has rendered frequent intra-clan conflicts less violent because the option for firearms among conflicting parties is minimized. The prevalence of law and order in the camps has also provided a conducive environment for the operation of Somali informal security organs based on clan system which assists the Kenya government and UNHCR to protect women.

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<sup>95</sup> Mohammed A., Ibid pg 231.

<sup>96</sup> Information obtained from CARE Field Officer based at Ifo camp, Dadaab

<sup>97</sup> Liboi is a border town between Kenya and Somalia believed to be the base of Shifita operations.

A five-tier security system operates in the camps, each playing a significant role towards the protection of women and refugees in general. At the top of this arrangement is the government which uses the police and provincial administration to defend all refugees from external attack and makes the refugees subject to the Laws of Kenya. Second in the arrangement is UNHCR, which has hired private security to monitor the activities of all refugees but whose jurisdiction is confined to the camps. Third in this order is the Somalia national security system which serves as the protector and defender of all Somalia women against attack or abuse by members of other nationalities represented in the camps. Followed closely as the fourth security arrangement is *Masla*, a clan dispute resolving structure, which protects women of a particular clan against violation by other members of rival clans. Lastly is the family security arrangement, which serves to protect a woman of a particular family from violation by other individuals or families.

The Kenya government and UNHCR tightened security in and around the camps in February 1999 after an outbreak of inter-clan violence that was triggered off by the murder of six Somalis by bandits who crossed from Somalia. UNHCR donated 4 Toyota Land Cruiser vehicles valued at 4.7 to help boost security in the region while the government deployed more military personnel to patrol the area. In total, UNHCR has so far provided 27 police vehicles to patrol the camps as a security enhancement measure. UNHCR has also installed radio network for the police linking Dadaab with Garissa and Liboi.

The UNHCR has established a reporting and response mechanism on sexual abuse and exploitation (SAE) and sexual gender based violence (SGBV). The mechanism has

succeeded in confronting the double tragedy of high rate of sexual abuse of refugee women and girls at the hands male refugees and UN officials and others who are charged with their protection. A focus group discussion held with various stakeholders in Dadaab in February 2005 to establish the efficacy of this mechanism showed that women as well as other stakeholders were impressed with the mechanism. A review of investigative process of handling official complaints consequently conducted in November 2005 has enhanced response system. The mechanism assures women victims of sexual violence of confidentiality, yet criminals are effectively dealt with according to the laws of Kenya. Through the mechanism, criminal cases are reported directly to the police with the assistance of agency staff. Civil cases are referred to clan elders and religious leaders (*Masla*). The FGD observed that refugee women are beginning to overcome fear associated with sex related matters, but noted that religion and culture are still deterring factors to dealing with sexual abuse and exploitation.<sup>98</sup>

The fact that refugees are subjected to the laws of Kenya has had a positive impact on the security of women. Individuals who violate the law by engaging in rape, FGM, and other forms of criminal activities are arrested and taken to court in Garissa or at a mobile court which sits once a month at Dadaab. The consistency application of this procedure over the last 16 years has created a situation of predictability and civility among the refugee in respect of criminal penalties, which have had the aggregate value of minimizing crime. It has also accorded women an opportunity to worry about other things related to their socio-economic development other than their security, as was the case in Somalia. Child kidnapping, property confiscation and destruction are already considered

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<sup>98</sup> Mahamed A., Ibid pg 234

things of the past. In a worst case scenario, women have only rape to worry about, but the offenders hardly walk away freely as the conditions in Somalia assured them.

Education is another core benefit that Somali women refugees have gained in the Dadaab refugee camps. UNHCR has engaged CARE to provide refugee children with education and training at pre-primary, primary, post primary and secondary levels. Special education is offered to elementary learners with hearing, visual, mental, physical and other impairments. Post-primary school opportunities are offered to the refugees through an adult literacy programs for mature learners and through vocational training for learners not enrolled in secondary schools. Even libraries (with limited stock of text books) operate, providing hope to younger refugees of one day being able to live and study in places such as USA and Canada.<sup>99</sup>

UNHCR and CARE launched “Together for Girls” in 2003 as a project that specifically aims at the promotion of girls’ schools enrollment and retention through a number of activities. The program has registered tremendous success in increasing the number of girls enrolment in camp schools. Only 24 out of 158 students had attained Kenya’s mandatory university entry grade of C+ in 2003 when the project was launched, and not a single girl was among group. The number that qualified to join university subsequently increased in 2004 when 63 out of 194 scored C+ and above. Among this group were two girls with C+ and one with B -. The three girls were among the best in the northeastern province. Twelve girls scored C and C-, which allowed them admission into middle level colleges.

“Together for Girls” tackles a series of other educational problems at the camp, which keep girls way from schools and impeded their ability to advance their education

to higher levels. Not only are more girls given the right facilities when they get to school, the project has built new latrines for girls to reduce their harassment by cam boys in the few shared toilet facilities. Indirectly, inadequate toilet facilities have in the past deterred refugee girls from attending school. With a ration of one latrine to 190 students strong boys tend to push the girls away, sending them running home and making them miss lessons as a result with the consequent effect of poor performance at the end of the term.<sup>100</sup> The toilets already built through this project last along and offer more space and privacy for the refugee girls, thereby boosting their attendance and enrolment. "Together for Girls" has also introduced sports activities like volleyball and badminton to involve girls more deeply in school life when they get there. New classrooms, desks, textbooks and newly trained teachers are also availed.

Girls usually encounter cultural difficulties such as early marriage, female circumcision and community apathy. But Together for Girls distinguished itself as an organization that is set to build on the outstanding success so far realized by providing confident, better educated young women who will have greater opportunity to rebuild lives and communities on their eventual return to Somalia.

There already exists 17 primary and three secondary schools in Dadaab camps serving 33, 188 students. The provision of free primary education has been well received by the refugees: basic primary education enrolment has more than trebled in the past 12 years. The proportion of girls going to school, in certain cases up to secondary school has risen consistently despite the traditional cultural barriers faced by women at home. Education, according to many families, has become the primary reason why people

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<sup>99</sup> See *Hii Dunia Quartely*, Friday, March 9 2007

<sup>100</sup> UNHCR, *Water and Sanitation Statistics*, January 2007

remain in the camps. The refugees are already conscious about the importance of education: "it teaches you everything, and makes aware of what is happening in your society".<sup>101</sup> Secondary school students appreciate the fact that they do the Kenya curriculum and compete with all other students in Kenya during exams despite the fact that they lack facilities. Success stories have begun to emerge despite many drawbacks faced by refugee students and pupils. Bright students have won scholarship that has enabled them to join international universities.<sup>102</sup>

WFP has used food containers (sacks and oil tins) in a number of innovative ways aimed at encouraging school enrolment. Between October 1998 and July 2006, WFP distributed 1 million sacks and 900,000 tins to girls in schools to encourage both enrolment and regular attendance. From 1993 to 1999 girls' attendance in schools rose from 1, 524 to 8,295, in part attributable to this incentive program. Sacks and tins were also distributed within the various income generating and skills program to encourage female attendance. WFP has raised 2.52 million by selling tins and food containers to CARE, and used the money to construct classrooms. Tins have also been used in constructing school wall and latrines.

Other organizations other than CARE and WFP have also supported girls education in the camps. UNHCR and Software giant Microsoft Corporation signed an agreement in December 2003 designed to bring training and computer education to refugees in Kenya's Dadaab camps. Computer Technology Learning Center (CTLIC), fully funded by Microsoft, is already established in the Dadaab refuge camps. Refugee youth, including women were targeted under the program that is designed to offer them

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<sup>101</sup> Information obtained from the Chairman of Emerging Youth Leadership (EYL) based in Hgadera Camp

<sup>102</sup> IRIN, Nairobi, February 23, 2007

the latest software and hardware, giving them new perspectives on the broader world and skills that they will eventually use once they return to Somalia. Specifically, the curriculum that has been developed at CTLC covers basic information technology skills and literacy, focusing on software application such as word processing, databases and spreadsheets that can be used in a variety of jobs once the refugees are repatriated or settles in the host country.<sup>103</sup>

Nike has also supported sports through UNHCR as means of encouraging girl's education. In 2003, Nike designed a 'streamlined *hijab*' sports suit which allows freer movement for volleyball players and which covers most of the body. Since most Somali men still think that girls who play outside are prostitutes, many parents have been reluctant to allow their daughter to engage in sporting activities because of embarrassment. With the introduction of volleyball and streamlined *hijab* instead of the abbreviated shorts and form-fitting tops that woman's volleyball players in other parts of the world wear, attitudes have begun to change.

Nike's design has enabled girls to use something conservative, conformable yet suitable for out door games. The Dadaab community was called together in July 2004 to assess the designs, prompting a spirited discussion on the future of Dadaab's young women. Although some of the traditionalists condemned sports, the view of the old women who support the girls won out. Eventually, the most conservative designs were passed over in favor of the one the girls preferred, which retained cultural norms, covering from head to toe, but with less fabric to impede the game.

Sports have proved vital for health and psychological development of the girls in the camps. Not only has sports offered a preferable means of exercising the body, girls on

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<sup>103</sup> UNHCR, *Micro Soft Computers in the Refugee Camps*, December 12, 2003



the volleyball court say their troubles fade a way for a while because they have no time to worry what clan the girl next to them or across the net might be. They also have no time to think about the man their parent might be arranging for them to marry, or the work that awaits them when the match is over.<sup>104</sup>

Peace Education Program (PEP) is another critical component of education carried out in the Dadaab camps. PEP was started in April 1998 as a pilot program in the Dadaab camps. The program, initially designed for schools, eventually evolved to a program for the entire community, allowing youth, women and elderly to participate in its activities without barriers. The aim of PEP was to continually develop knowledge, skills, values and attitudes that lead to peaceful behavior and to the prevention /reduction of the level of conflict among the various refugee communities. PEP is implemented by NCKK through structured school programs on the one hand and a community based program on the other.

Peace education has added immense value to UNHCR's work. It has improved the quality of protection given to refugee women by enabling education and community services sector of UNHCR to develop and utilize that capacity within communities to proactively prevent and minimize domestic violence and other forms of violent conflicts. By adopting a right-based approach, PEP has made international legal instruments such as the Universal Declaration of Human Rights (UDHR), the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of all forms of Discrimination against Women and the 1951 Refugee Convention concrete, practical and meaningful to conflict-affected people. Above all, it has enabled peace to remain part of the public discourse among refugees. Women and the refugee community at large are beginning to

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<sup>104</sup> Marc L., *New York Times* March 20, 2006

appreciate that conflict achieves nothing other than creating refugees populations and exacerbating other community problems such as gender inequalities, HIV/AIDS scourge and a downward spiral of economic and environmental degradation.<sup>105</sup>

Studies have revealed that girls in refugee camps go to school at a significantly higher rate than those whose families remained in war-ravaged Somalia: 58 percent in the camps, compared to 7 percent in Somalia.<sup>106</sup> The ratio of male to female enrolment in the camp schools as at January 2007 was 63: 37. Illiteracy is still widespread in Somalia, particularly among women. According to survey conducted by UNICEF, Somalia had only 22 percent in primary school enrolment in 2004, a mere 9 % of which were girls. The figure had dropped to 6% for secondary school because of the war.<sup>107</sup> Cases of domestic violence and rape are also on the increase. CARE has noted that education has a positive impact on women's rights awareness even though they are still overwhelmed by conservative Somali culture.<sup>108</sup>

Humanitarian assistance to women has traditionally focused on the provision of emergency services such as clean water, food and shelter. Yet the extreme disruption and isolation of women experience have also and serious consequences on their reproductive health. Thousands of women experience complications due to unsafe abortions and suffer crippling injuries, lifelong pain or infertility.

UNHCR and UNFPA sponsored a symposium on reproductive health in a refugee setting for more than 50 UN agencies and NGOs in June 1995,. The participants created an Inter-Agency Working Group (IAWG), comprising UN Agencies, refugee assistance

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<sup>105</sup> See UNHCR, Nairobi Feb. 22, 2006

<sup>106</sup> Marc L., Ibid

<sup>107</sup> UNHCR, *Human Conditions in Hargeysa, Somalia*, May 3, 2005

groups and reproductive health NGOs to strengthen reproductive health for refugees. Important achievement for IAWG include: training programs and training materials for field managers to address a full range of reproductive health needs, including guidelines for treating abortion complications; development of specialized supply kits to meet the contraceptive needs of, assisted child birth, sexual violence, prevention and treatment of STIs and complications of unsafe abortion and; Policy and advocacy activities to explain reproductive health strategies for refugees. Others are: improved supplies of contraceptives to prevent unwanted pregnancy, emergency contraception to prevent unwanted pregnancy from sexual violence and; the treatment of complications of miscarriage and unsafe induced abortions.

NCKK initiated the project in 1999 as part of UNFPA-supported program of expanded Reproductive Health Services in Refugee Camps in Kenya after a baseline assessment demonstrated the need for comprehensive PAC services. The communities and health administrators expressed enthusiasm for improved and comprehensive PAC Services. NCKK has trained four clinical officers, 10 nurses and four reproductive health co-ordinators hence enabling the provision of high-quality, low technology, decentralized post abortion treatment services for women in the refugee camps.

HIV /AIDS awareness and anti FGM campaigns are also a key components of health education in which refugee women have made impressive progress. NCKK has registered success its HIV/AIDS awareness campaign. The organization has reported that many refugees have acknowledged the facts on the ground and their awareness level of the people has changed a lot, thanks to VCT center at Dadaab. By using community

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<sup>100</sup> CARE field officers working in the camps confirmed that less than 10 percent of women with secondary school education are prone to rape.

education that targets women, children and religious leaders, NCKK and UNHCR have been able to overcome some of the barriers raised by the conservative Somali culture to inform people of the dangers of the epidemic.

NCKK has recruited a nine-person committee HIV/AIDS committee whose pivotal responsibility is to consolidate the community and health educators. Among the issues tackled is male circumcision, and female genital mutilation. Both types of circumcision are always carried using a single blade on several children without the benefit of sterilization between the procedures thus increasing chances of infection and heightening the risk of exposure to HIV. More than 90 percent of Somali women undergo FGM. A study by UNICEF in 2004 confirmed 98 per cent FGM rate in Somalia.<sup>109</sup>

NCKK trains people who circumcise children by observing cleanliness. Besides, they educate women of health risk of FGM, urging them to stop it once for all, as it has neither religious nor medical value. Girls in the camps are educated about HIV/AIDS and are beginning to heed the message. NCKK urges girls to refrain from sex before marriage and to acquire information on AIDS. Some women are already beginning to demand HIV status disclosure before marriage.<sup>110</sup>

Since the eradication of FGM in refugee camps is particularly challenging because of the diverse backgrounds and cultures represented in the camps, NCKK works closely with Human Rights Dialogue through the Sexual and Gender-based Violence Program to combat FGM. The program targets all communities that practice female circumcision in the camps, irrespective of the form of mutilation. The Gender-based violence program, which began work in 1993 also emphasizes on preventative rape

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<sup>109</sup> UNICEF, *Summary Report on Health Conditions in Kenyan Refugee Camps*, November 2007

<sup>110</sup> URL, *Report on the Situation in Kenyan Refugee Camps*, February 26, 2007

within camps. By 2000, the program expanded to other harmful cultural practices such as FGM. The program has focused on changing people's perception on the practice particularly by emphasizing people's right to health within a larger human rights framework.

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Most of the refugees have already been exposed to human rights messages through the UNHCR Protection Units' mass information campaigns on human rights issues affecting the refugees. Because people are aware of their basic rights and needs, NCKK find it relatively easy to address FGM in the context of human, women's and children's rights. More significantly, a human rights perspective sets FGM in the context of women's social and economic powerless. The strategy that has worked best as a primary tactic is emphasizing the right to health. Many people are aware of their right to attain the highest standard of health and recognize the health risks to which female circumcision exposes women and girls. The program believes that key to ending this harmful practice is to increase women's empowerment. NCKK has noted that the practice of harmful cultural practices such as FGM decreases with higher rates of female literacy since education empower girls and women to understand and appreciate their bodies and value themselves, enabling them to make informed decisions about their own lives.

NCKK health program, therefore, supports all initiatives to promote girl's education. The program intends to influence change in long-standing cultural and societal norms that perpetuate the dis-empowerment and oppression of females. It seeks to empower women and engage men in promoting gender equity to reduce some of these harmful traditional practices.<sup>111</sup>

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<sup>111</sup> Munala J., *Combating FGM in Kenya's Refugee Camps*, Human Rights Dialogue, November 5, 2000

UNHCR takes steps to promote and facilitate resettlement to third countries where refugees cannot repatriate to their countries of origin and are at risk in the country of asylum. The resettlement at Dadaab is one of the largest in the world, promoting cases to countries including the United States, Canada, Australia, and on a small but increasingly significant scale, certain European countries. The largest resettlement movement out of Dadaab occurred in 2002 and early 2003 when 12, 445 Somali Bantus were resettled to the United States. In 2003, a joint resettlement project with the Canadian and Australian government screened Somali refugees of the Midgan ethnic group, which resulted in approximately 1,000 people being submitted for resettlement consideration. In 2004, approximately 2,000 members of Ashraf and Benadir minority clans were promoted for resettlement consideration under the auspices of United States Resettlement Program.

A more outstanding achievement in this area has been the resettlement of Somali Bantus to USA. The Bantus are members of a tribe that was forcibly transported to Somalia from Mozambique, Malawi and Tanzania by Arab slave traders two centuries ago. They lived in constant slavery, persecution and dispersion across Africa and the Middle East in Somalia and are mostly illiterate and almost untouched by Western life. During the 1990 civil war, most Somali Bantu fled to Kenya, where they remained in Dadaab camp for a decade – a long with Somali refugees who had been their oppressors - while UNHCR unsuccessfully sought a home for them. As refugees, the Bantus farmed, cooked, cleaned and labored in construction jobs in the Dadaab refugee camps. US agreed to accept 12,000 of the Somali Bantu, in 1999 moving then in 2002 from Dadaab to Kakuma.<sup>112</sup>

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<sup>112</sup> *New York Times*, New York, July 21, 2003

Church World Service (CWS), a network of faith-based and other community organizations welcomed the first group of Somali Bantus in May 22 2003. CWS agencies and local communities of faith became hosts to the refugees, helping to guide them through the systems process, then into the education, training and employment they need to become contributing people in their communities. Despite the fact that up to 12, 000 Somali Bantus were approved buy US state department in 1999 for resettlement in about 50 US cities, refugee admission dropped significantly following 9/11 as tightened US security. Caught in the squeeze, some Somali Bantu have remained in suspension since, living in Kakuma Camp in Kenya during the past four years.

UNHCR launched a large-scale protection profiling exercise in 2005 to systematically identify disabled refugees with substantial legal and physical protection problems, in addition to survivors of severe violence. This project, known as the Disabled Refugees and survivors of violence Profiling Project, has screened over 10,000 individuals in the Dadaab refugee camps over the course of 12 months beginning July 2005. Of that population, approximately 2,600 refugees have already been identified as meeting UNHCR resettlement criteria and promoted for settlement consideration. Most of the refugees targeted for resettlement exhibited additional protection needs, related for example, to their status as women at risk, youth at risk, elderly persons, and ethnic minorities. The United States has accepted the majority of cases from this project, although the governments of Australia and Canada also received cases.

With the facilitation of International Office for Migrations (IOM), a total of 2,600 Somali refugees had been resettled in USA as of January 2007, 55 per cent being women. The families were resettled in Houston, Salt Lake City, Utah, Nashville, Tennessee, St.

Louis, Missouri, Rochester, New York, Concord, New Hampshire, Tucson where the cost of living is relatively low and entry jobs are available. The resettled refugees are offered accommodation, protection and are assisted to acquire jobs. Refugees in some states receive federal refugee assistance for several months after which they are expected to support themselves.<sup>113</sup>

As noted in the previous chapter, many refugees live in small huts that collapse under heavy rain and share a door-less pit latrine with some 200 people. Most of the refugees do not have a structure that can guarantee them protection and privacy. Over the years, living conditions have deteriorated below minimum accepted standards. The crowded living space also makes it easy for diseases to spread.<sup>114</sup> Provision of shelter is another central goal that has contributed to refugee protection. After years of fundraising effort, the UNHCR has started a shelter project which aims to build 1,500 housing units in Dadaab, replacing tunkuds with houses that are hardier, more spacious and weather proof. Under the project, UNHCR provides gum poles, doors, windows, rafters, trusses and iron sheets for roofing.

UNHCR staffs also offer brick-making equipment and technical assistance to the community. The refugees are responsible for clearing, excavating, collecting water, and making bricks and overall construction. Known as Community Management System (CMS), this approach involves refugees in solving their problems at all levels. They contribute unpaid manpower and skills towards the care and maintenance program. UNHCR shelter project coordinator has noted that refugees have begun to feel significant improvement in their lives as they await repatriation or some other form of intervention.

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<sup>113</sup> *New York Times*, New York July 21, 2004.

<sup>114</sup> Each refugee is allocated 3 m<sup>2</sup>



UNHCR's shelter project also seeks to improve the poor sanitation facilities in Dadaab. Many of the latrines have flimsy walls and doors. They do not last long because the structure disintegrates after a short while, and the constant repair and reconstruction has had a negative impact on the environment.<sup>115</sup>

By the end of February 2007, 1, 4088 housing units had been completed for some 6, 000 refugees. Another 1, 575 toilets have been built for 10,000 people. By the end of 2007, it is expected that another 3,000 improved shelter and 1000 latrines will be completed. But this still leaves a huge gap of 38,000 housing the UNHCR hopes to fill gradually over a number of years. Helping refugees swap twigs for bricks, the Dadaab Shelter project has become an example of a unique project that is bringing more dignified life to people so far from home.<sup>116</sup>

Other important gains are the spread of technology, community development and environmental conservation. Owing to the persistent problem of wood shortage, international experts have worked with UNHCR and GTZ to introduce and expand interest in solar cooking effort. A number of women refugee in Dadaab have been trained on how to use the solar panel/box cooker by organizing a series workshops targeting community trainers who disseminate the skill to other refugees in the camps. Experts have also used the occasion to teach the refugees how to pasteurize water and camel's milk. Although the technology is not widely used yet, many refugee women who already have the solar cookers have found the new technology cooker very useful. The use of solar panel cookers is not restricted to the refugees: even UNHCR and CARE staffs are

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<sup>115</sup> Most pit latrines in the camps are shallow and constructed with weak materials

<sup>116</sup> UNHCR Report, June 2007

getting to like the cookers. About 1,000 families including UNHCR and CARE staff are already using the solar panel cookers.

GTZ has played a leading role in environmental conservation in and around Dadaab. The organization is responsible for the distribution of firewood and enforces environmental policies through the Environmental Working Group (EWG), an organization that was formed in 2001 to ensure the maintenance of hygienic condition in the camps and to reduce deforestation around in Dadaab division. The firewood project was initiated in 1998 to help counter the chronic problem of banditry attacks and rape of refugee women and children while collecting firewood in the bush. This project provides refugee with 30% of their monthly domestic fuel needs. GTZ also fabricates energy saving devices and distributes these to the refugees and the local population. These devices ensure that 50% of the energy needs are met through the use of solar cookers and energy saving stoves.

The dimmed hope of repatriation following renewed fighting in Somali has given Dadaab a sense of permanence. This development has provoked refugees to engage in community development efforts and to regard the camps as homes. International events such as the International Day of Women are celebrated in the refugee camps, presenting women with an opportunity to participate in number of activities including procession, crafts exhibition, poem recitation and sports. During the 2007 International Day of Women marked in Dadaad, certificates were awarded refugee men and women who have made tireless effort to promote education of refugee girls in the camps.<sup>117</sup>

More women and girls are becoming aware of the importance of participating in community development activities of their own. Women are also involved in a range of

income-producing activities in various crafts like weaving, with basic materials purchased through a revolving community loan scheme. CARE has helped to provide economic opportunity for camp residents through vocational training and skills development. The organization also provides loans to enable purchase of tools and micro-credit programs.

With CARE support, a number of women have sharpened their skills in various areas, thus improving their chances of employment encouraged skills development and income generating activities, some of which have an external market value. Loans are given to some refugees to set up business in the market, which in turn relates to the 'export' of food items. The concept of community self-management (CSM) was initiated in the Dadaab camp in 1994 to strengthen community participation in decision-making, planning and implementation of camp activities. UNHCR has noted that capable women leaders have emerged through community development programs that would be very useful as political and civil society leaders when peace returns to Somalia.

Besides improving immediate conditions of refugees, specific programs have been designed which prepare Somalis in the camps for their eventual return home or reintegration. In particular, the Danish Refugee Council (DRC) has initiated a program which focuses on stabilizing Somali refugees by preparing them to return and providing the resources and skills that enable them sustained reintegration of those who so choose. DRC additionally works to advocate among the international community for the rights of the Somali displaced, and maintains links with the wider Somali Diaspora, and in particular the Somalis in Denmark.

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<sup>117</sup> UNHCR, *News & Stories*, March 9, 2005

DRC has also established partnership with CARE Kenya for the implementation of livelihood program in and around the refugee camps. The program aims to facilitate linkages between the camps and Somalia and to strengthen the ability of refugee to return to Somalia once that becomes a realistic possibility. Objectives of the program are achieved by directly supporting microfinance, primary education and vocational training in the camps. To ensure equity, these interventions are available both to the refugees and resident local communities. Local communities are further supported in the wider range of livelihood that are open to them i.e. access to water, veterinary services and fodder for livestock. DRC additionally aims to improve linkages between refugees remaining in Kenya and those who have already returned to Somali. This occurs through both electronic media and via go-and –see visits by both individual refugee and camp management.<sup>118</sup>

Benefits accrued to women can be further understood by examining the contents of emerging local and international legal documents which apply to Kenyan citizens as well as refugees. Kenya achieved a milestone in its history of hosting refugees on 29<sup>th</sup> November 2006, when after protracted advocacy, Kenya's parliament passed Refugee Law. The law, which came into force on 15<sup>th</sup> May 2007, clearly stipulates how the government intends to manage refugee matters in Kenya. The law recognizes that as foreigners, refugees are not entitled to all rights that Kenyans enjoy, hence the need to protect the rights that give them a chance for a dignified existence, while making sure that interests of Kenya are protected too.

Before the enactment of this law, refugees were entrusted to the immigration Law of Kenya and Aliens Restriction Act. Both these domestic instruments do not accord

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<sup>118</sup> Danish Refugee Council, Op Cit

refugees the rights as enshrined in the international instruments. Worse still, there was no clear distinction between economic migrants and irregular immigrants and refugees in the application of these instruments.

The provisions of Refuge Law 2006 are extensive and this study can offer just but a highlight. The Act vests in the government full authority to vet those coming into Kenya, so that those who do not meet the criteria of 1951 UN Convention and the 1969 OAU Convention on Refugees cannot hide under the blanket of refugee to gain entry into Kenya.

Previously, the absence of legal framework placed the colossal task of registration on the UNHCR whose mandate is that of providing protection and durable solutions to refugees. The situation also posed challenges for refugees who could only receive mandates instead of conventional status that is only guaranteed by states. An interview with various respondents, the refugee leaders expressed their delight in realizing that the government would now take up this responsibility.

The Refugee law establishes Refugee Affairs Department, which presently located in the Ministry of State for Immigration and Registration of Persons. The department will have overall responsibility for all refugee matters and coordinate activities and programs. The Act also provides that an asylum seeker has 30 days to report to the Commissioner of Refugee Affairs or to any appointed officers assigned to receive applications. The Commissioner will consider the applications within 90 days and give a decision, either granting or denying refugee status. In the UNHCR process, the period given to asylum seekers to report their presence and for their case to be determined

was unclear. Within 30 days and reporting and 90 days for a decision, asylum seekers are protected from arrests as illegal immigrants.

The Act establishes an Appeal Board that is independent of the Commissioners office, which receives appeals on application for refugee status. In the past, UNHCR process of refugee status determination went against the laws of natural justice. Applications for asylum and appeals were heard and determined by UNHCR only.

The act further recognizes and the vulnerability of women and children and gives the Commissioner the duty to ensure the protection of women, children and other vulnerable groups in the refuge camps. Further, each member of the family that has reached the age of 18 shall be issued with an identity card separate from the head of the family. In the current practice, the wife and the children are included as dependants in the husband/fathers mandate.

Many human rights organizations have expressed the hope that there will be less hostility in refugee hosting areas as the Act directs the Commissioner for Refugees to ensure that economic and productive activities of refugees do not have a negative impact on the host community, naturally resources and the local environment.<sup>119</sup>

It is important to note that prior to the enactment of Refugee Law, the Kenya government had already started to register refugees in Nairobi's Eastleigh area.<sup>120</sup> Many NGOs and individual saw the registration exercise that began in February 2006 as a milestone in the quest for increased protection of refugees and asylum seekers in Kenya because it allowed refugees to go out to look for opportunities while avoiding the idle life in the camps. Another benefit for the government comes in the form of revenue that has

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<sup>119</sup> Refugee Consortium of Kenya, *Refugee Insights*, Nairobi Issue No. 12, 2007 pg 15

<sup>120</sup> *The People Daily*, Nairobi, February, 25, 2006 pg. 7

previously fallen outside the tax bracket by virtue of the owners lacking legal basis. An estimated 50,000 people were registered in this move at the end of the exercise.

Another domestic legal instrument, which has a positive impact on refugee welfare, is the Sexual Offences Law 2006. Many human rights advocates have noted that having the law in place is a good start for the protection of women within Kenyan national boundary (including refugees) against sexual abuse sanctioned by culture and many years of women marginalization. The Act provides platform for attendance.

On the international level, the UNHCR Executive Committee (EXCom) approved a Conclusion on the question of displaced women and girls at risk in October 2006. The EXCom Conclusion can be applied in the case of refugees, returnees and internally displaced women and girls. The Conclusion compels UNHCR and its implementing partners to come up with projects that specifically mitigate against the risk that refugees and displaced women and girls face. Since a UNHCR EXCom also forms a body of soft law, it compels states as primary protectors to put mechanism in place to ensure that the displaced women and girls are not exposed to risk.

The Conclusion complements other UN efforts to address the concerns of women in conflict such as the Security Council resolution 1325 of 2000 on women and peace and security as well as other resolutions. It acknowledges the unique protection problems of displaced women and girls, which are compounded by gender, legal status, and socio-economic status – all of which hinder the exercise of their rights. The Conclusion underscores that the state is the primary responsible agent for the protection of displaced persons. It also emphasizes the need for a holistic approach in securing the protection of women and girls at risk which would involve the creation of protection partnerships

among the government, UNHCR, other international agencies and UN system and local NGOs together with the displaced population.

Marginal gains have been noted on other social fronts such as the mastering of foreign language, changes in dressing, sexual and eating habits all of which are believed to be of long term benefits to the refugees. Whereas the Somali refugees have retained Islam as their religion, the Somali language and traditional dressing attire is slowly yielding to the influence of Western culture. Kiswahili language remains unpopular in the camps because it is associated with the police and military officers who are prone to harassing and mishandling the refugees. However, a significant population has taken interest in English and can speak, at least elementarily. The comparatively high interest in English is explicable on the account that many refugees look forward to resettlement abroad or employment in Kenya where English is the official language.

Equally, the conservative dressing in *hijab* is slowly giving way to a more secular one. Secular dressing is already a practice among girls under 10 years and male adults. An argument has been advanced in many circles that the culture of *hijab* makes Somali women (and by extension women who practice Islamic faith) slaves to culture. Sustained pressure against *hijab* has been experienced from other refugees and agencies' staffs who are less conservative in their dressing.

Through employment by agencies, the few educated Somali women are getting exposed to work ethics, attitudes and aspirations of Kenyan middle class women notwithstanding the poor remuneration. Employment demands have widened the scope of women employees and consequently influenced them to shirk off conservative traditional practices. Not only are they compelled to mix up with men in work places, women



employees have come to discover their abilities especially the fact that they successfully perform the tasks that require skills or those which Somali culture relegated to men only.

The provision of free food in the camps has ensured that each household obtains at least something to subsist on notwithstanding its alleged low quantity. Foodstuffs supplied include maize, meal, sorghum, maize, pulses/peas, vegetable oil, rice, salt, and wheat flour. Reliable food supply has helped contain deaths resulting from malnutrition otherwise common among host Somali and other communities living in the North Eastern Province of Kenya. Food is also used as commodity that can be sold to obtain money or simply exchanged for other commodities. Owing to dependence on imported foodstuff, the eating habits of the Somali refugees have exhibited deep changes.

The extent of sexual habit change among refugee women is difficult to establish because of the difficulties involved in the investigation of this rather sensitive matter. The Somali regard sex as a taboo. It is safe, however, to expect that some changes have occurred in this area given the high interaction between the camp based refugees and those in Kenya's urban center where a permissive culture is prevalent. Furthermore, the desperate situation in which some refuge women have found themselves has forced them into prostitution as the only means open for survival. Easy access to electronic and print media in the camps has also had some influence on men and women's sexuality. Even the rising number of objections to FGM, divorce and separation can help to account for rising secularism in Somali refugees' sexual thoughts and habits.

#### **3.4.0 Summary and Conclusion**

Somali women refugees are confronted with severe of socio-economic problems that have made their life in the camps less authentic and nearly unbearable. The traditional

cultural practices widely upheld in rural Somalia are continued in the camps where they are upheld with a higher degree of strictness. Female genital mutilation, rape, early marriages and deliberate deprivation of educational opportunities are human rights violation, which many societies no longer practice yet they are a way of life in the Dadaab camps. Owing to ignorance resulting from lack of education, religious belief and the hostile camp environment, women have proved incapable of changing their situations overnight.

The general situations prevailing in the camps compound the apathy of women. The unavailability of basic needs such as water, firewood and food to adequate proportions adds to the desperation of women. Confinement within the camps limits options to explore solutions to their predicament through ventures in trade and small-scale business. The very security of the women refugees is in perpetual jeopardy not just because the camps are situated in bandit prone area but because the male folks can no longer play their traditional role of providing for their families.

Yet many refugee women believe they are safe and secure in the camps because they have been forced by circumstances to understand insecurity as invasion by bandits or militias, structural injustice that predispose women to violence such as male domination and the sheer disregard of women rights. The aggregate result is a situation of abject poverty, desperation and resignation among majority of Somali refugee women.

But the situation confronting women in the camps has brought some fundamental gains if only by provoking unconscious adjustment in the form of coping mechanism to relieve the stress placed on women. Other organizations, both local and international, have also come up with programs and projects that target women with various forms of

assistance. Key among these gains is the deliberate efforts by UNHCR to encourage girl-child education and the measures to curtail female genital mutilation. The UNHCR and the government of Kenya have made tremendous efforts to ensure the safety of women and their protection from the rapists and other sexual offenses. Indeed, NCKK has made quality healthcare and health education services available to refugee women.

Other gains noted in this chapter that are common to all refugees include resettlement abroad, provision of shelter materials, water, food and firewood. The agencies (UNHCR, CARE, and WFP) have provided employment opportunities. International organizations have worked closely with UNHCR to extend computer and solar cooker technology to the refugees. The Danish Refugee Council has worked in partnership with CARE to implement a livelihood focused program which has facilitated linkages between the camps and Somalia and strengthened the ability of refugees to return to Somalia once that becomes a realistic possibility. Lastly, the chapter has noted the importance of selected domestic and international legal documents in the protection of refugees.

A scenario has emerged about international concern and sympathy with the situation of the Somali refugees in general and refugee women in particular, provoking various kinds of response. Whereas some responses have been successful in mitigating the plight of refugees, others have been poorly implemented or have met outright resistance. It remains the task of the next chapter to analyze and draw conclusion based on the facts presented in the previous chapters.

## **4.0 Chapter IV: Analysis, Conclusion, Recommendation and Way Forward**

### **4.1.0 Introduction**

This chapter seeks to analyze the information captured in the previous three chapters and to draw a conclusion based on generalizations made. Modernization offers the conceptual and theoretical basis upon which the analysis is attempted. The chapter also offers recommendations and the way forward for human rights activists, international humanitarian organizations and government policy makers seeking to ameliorate the situation of refugees in Kenya.

The main argument of this study is that civil wars cause immense socio-economic strain on women that threatens their very survival as a vulnerable group in the unfortunate event of such crises. However, civil wars have an intended consequence of disrupting the social structure in traditional societies that are largely exploitative against women and serve to contain prospects of their social mobility in the context of a modernizing world. With specific reference to refugees, the search for security force women survivors to flee to comparatively safer countries where they not only become the focus of international humanitarian organizations and subjects of international law but also acquire new values based on the emerging challenges.

International organizations such as UNHCR and other agencies that operate alongside it or directly under its umbrella are an integral part of international liberal institutionalism movement which seeks to integrate the world into one entity with or without the collaboration of the nation-state. Part of the covert strategies that international liberal institutions have developed to integrate the world is the modernization of the periphery widely understood as the simultaneous disintegration of traditional structures

through penetration and inculcation of Western worldview and consumption patterns. The fact that refugee issues are both international and internationalized offers an entry point for the direct intervention of these 'modernizers'. To the extent that UNHCR (and other agencies that aid refugees) and international law refugee law reflect the values the developed West, the programs that they implement in the refugee camps also reflect those values. The long-term impact of these programs is that they leave the beneficiaries comparatively more modernized especially after a long period of intensive contact. This argument serves to explain why the Somali refugee women have derived some gains despite severe socio-economic afflictions that continue to confront them altogether.

#### 4.2.0 Analysis

Civil wars lead to displacement of women and other members of a community from their traditional homes, thus disrupting social life and economic activities. Displacement of populations can be internal (internally displaced persons) or external (refugees). The main cause of displacement is the search for peace, which arises due to lack of trust in the existing order to guarantee security. Since women and children are seldom actively engaged as combatants in civil war, they always constitute the largest proportion of the displaced persons. Continued weakening of traditional security structure forces women and children to flee to other countries where their security can be guaranteed. Most of the refugees in the Dadaab camps suffered periods of internal displacement before they fled to Liboi where UNHCR accorded them protection.

Civil war causes stress and disruption of social order, which predispose women to sexual exploitation and other forms of socio-economic strain. This study has shown that the agony of women caught in civil war begins in their traditional homelands where clan-based militias targeted them for murder, rape and tortured. Somali militias also kidnapped young boys and engaged in the confiscation and destruction of property. UNOSOM, an

Alternative law enforcement agency that were invited to restore law and order during the period following the outbreak of large-scale violence in the country in 1991-92 was accused of targeting women for rape, torture and other forms of sexual violence.

The women survivors of civil wars continue to suffer various forms of violence en route to the countries where they seek refuge. Indeed, sexual violence and assault follow women along the escape journey where fellow refugee males take advantage of the situation and subject them to rape. Most of the security guard women meet when they arrive at border points (i.e. Liboi,) also take advantage of their vulnerability and raped or coerced them to grant sexual favors. And so do many other male groups working for refugees organizations that women and girls encounter en route to the camps. The case of Somali refugees in Kenya has revealed that the bandit and *shifitas* who occupy the region between Liboi and Dadaab took advantage of the refugee inflow to rape, torture and murder women. Even the staff of international agencies such as UNHCR that are entrusted with the care and protection of refugees have been unable to resist the temptation to molest rape or coerce women into sexual intercourse.

Sexual violence against women continue in the refugee camps where situations of lawlessness (such as those that arise whenever inter-clan feuds spark off violence in the Dadaab camps) present an opportunity for men or rival clans to rape women. The host Somali community of Dadaab has also taken advantage of refugee women's vulnerability to rape women who are forced by circumstances to penetrate the jungle while fetching firewood. Occasional *shifita* and bandit incursions into the camps pose a serious threat to the security of women and girls. Not only do *shifitas* murder refugees and loot their property, they particularly target women and girls for rape.

Oppressive tendencies and violence against women continue in the refugee camps. The tightening of security around the camps through police surveillance and live wire fencing has made refugee women a little secured from bandits and *shifita* but not from potential rapists who live with women in the camps. Studies have shown that 'rape from within' is more frequent than 'rape from without'. The threat to women's security from within the camps has influenced many women rights advocates to suspect that women have been enclosed for the enemy. Whereas this might be an exaggeration, many refugee males tend to see women as potential objects for sexual abuse.

The violent nature of civil wars brings trauma and irreconcilable psychological pain to women survivors of civil wars in the countries where they have sought refuge. A key aspect of women's suffering arises from trauma and psychological disorientation that result from their inability to cope with the murder of their husbands, children or close family members. Reflection on brute violence that they witnessed or personally experienced in their countries such as rape, torture, murder (including their family members) remains indelible in their sight and results into severe depressions that make it almost impossible for women to lead normal lives. The mere fact that many women in the camps do not know the whereabouts of some of their family members since their last day of separations invites anxiety, depression and hopelessness. Since many refugee women arrive in the camps without money or property, tracing their family members and relations has proved difficult, making re-union nearly impossible.

Women who incur disabilities or permanent impairments become dependants all of a sudden at a time when family members also look to them for survival due to the shift in gender roles and responsibilities that has become the norm in refugee camps.

Refugees tend to retain and hold strongly to their culture especially in situations where they flee to other countries in large groups and are settled together in isolated camps. Adherence to cultural traditions is more strictly enforced on women, resulting into further strains arising out of an attempt to apply those values in changed cultural and environmental context. This study has revealed how relentless Somalis in the Dadaab refugee camps have been in enforcing female genital mutilation despite opposition from NGOs and the Kenya government. The ongoing practice of early marriage among girls is a major concern to many human rights advocates because it discourages girl-child education. The Somalis uphold the beliefs widely observed in their traditional societies that educated girls become prostitutes. The social pressure against women who do not observe such retrogressive cultural traits is so strong, however, that besides mere intimidation and harassment, some women face outright rejection and are forced to look for alternative settlements in order to avoid murder.

Most of the traditions which refugees communities hold impact more negatively on the female gender especially when they are enforced in a foreign environment and changed social context. The Kenya government has for instance made significant progress in containing FGM, early marriage and child literacy in many indigenous communities through enforceable policies. Whereas some of these policy measures have yet to achieve realize their intended goals fully, especially among the nomadic communities, the conditions in the Somali refugee camps present a direct contradiction of the Kenyan government policy. Above all, Somali women, who are presently denied the advantages of education, are destined to suffer in incredibly in future as education becomes a basic necessity. Even though this study has revealed that strict adherence to



traditional Somali culture is slowly disintegrating with time, change eventually comes only after women have borne immense cost. In any event women have become the last beneficiaries of any positive changes. Data obtained in the during fieldwork can thus allow us to propound a generalization that refugee communities tend to exhibit tendency of rigidity especially during initial stages, which only opens up after many years of intervention. One of the possible explanations behind such rigidity is a feeling of insecurity in a foreign environment and the desire to remain and look different from the many others they encounter in the camps.

The disruptions that civil wars occasion force women to take up roles that were traditionally performed by the male gender. As the study has shown, one of the most unfortunate effects of civil wars is that they lead to abrupt death of a significant proportion of male members of the society. More men die in war than women because they get recruited into clan/tribal based militia such as the various groups that sprung up in Somalia to claim political power and territorial control following the fall of Seid Bare's regime. Significant proportions of males who escape death get maimed through gunshot injuries, which render them disabled. Many other male survivors of war suffer a series of conflict related health complications that render them less capable of performing male roles at the household level. In addition, a great number of men simply disappear during or after the war never to be located. Worse still, war renders men jobless because of the displacement from areas of previous employ and predisposes them to bad habits such as aggression, depression, excessive *miraa* chewing, etc which retard their ability to engage in productive work.

Complicating the situation of male war survivors is the prohibitive cost involved in treating gunshot-related ailments. Many refugee households have been forced to spend a significant amount of family income on treating their ailing family members. Civil war thus produce widows, widowers, disabled husbands and jobless and desperate men who cannot effectively perform their traditional roles of providing and protecting their families. Besides, wars produce orphans, making it incumbent upon adult siblings of refugees' households (especially elder girls) to play the role of a parent and provider at a practically early age. Civil wars lead to separations or divorce. In the context of Somali culture, men get ashamed to live with women and families for whom they cannot provide. As the study has shown, some separations and divorce arise out of rampant rape experienced during civil war.

Abrupt adjustment to male roles causes women immense strain especially in the camps where a lot of physical energy is required for effective protection of families especially in order to obtain basic services such as food and water. When flooding affected the Dadaab camps in November 2006, completely disrupting road transport, WFP resorted to dropping food from low flying helicopters as the only possible means of supplying rations. During the entire period, only families with male parents or adult sons got food because of the physical struggle that was involved. Although UNHCR and other agencies working in the Dadaab camps established some order for supplying goods and services to refugees, a lot of physical energy is still demanded to obtain such goods and services. This has either completely locked out women from those services or relegated less masculine members of the refugee to late beneficiaries of the same. Getting firewood for instance is a physical struggle at the supply source as well as its transportation home.

Building materials and food rations also require a lot of physical strength to obtain and transport.

The fact that UNHCR recognize households through males heads during supply of rations and other services helped entrench centrality of males in the camps and their subsequent domination over women. Women heads of household have therefore found it difficult obtain their rations and other relief services. Although a difficult process, the adjustment to male roles has been slow but steady: a significant number of affected refugee women have already adjusted to the challenge and are successfully providing for and protecting their families. This has been possible through involvement in small-scale business. Others have been forced to sell of their rations so as to obtain other basic needs as well as initial capital to invest in business.

The eventual assumption of male roles by a wide proportion of refugee women has demystified the distinction between males and females in terms of their capacity to perform tasks and reduced the social gap between men and women from the standpoint of capability. Many refugee women are getting to accept the fact that the difference between men and women is merely biological. Through assumption of male roles, the concept of gender equality is slowly achieving a practical fulfillment in the camps.

The general harsh condition of refugees and pathetic socio-economic situation of women notwithstanding, key developmental benefits have accrued to refugee women, which are the direct result of the difficulties they face. In the first place, problems faced by refugee women have drawn the attention of domestic and international organizations and agencies. UNHCR was the first international organization that extended help and relief to the Somali refugees in 1991. As the study as revealed, most Somali refugees

were met by UNHCR at the border town of Liboi, where they lived for some time after registration before *shifita* threats led to their subsequent transfer to Dadaab. Alongside UNHCR a number of other local and international organizations have come to the aid of refugee with different kind of support systems which they either implement directly or through UNHCR. It is against this background CARE Kenya, GTZ, DRC, UNICEF, NCCCK, IOM, and HI operate. The GTZ's firewood project aims to reduce the number of women who go out of the camps to gather firewood in the jungle where they fall pray to rapists. There already exist strong anti-rape and anti- gender violence programs in the camps run by CARE and NCCCK that target practitioners of FGM, potential early marriage victims and rape victims. The efforts that have been made to fence the camps is primarily to protect women from the bandits. Even international organizations such as Microsoft Corporation and Nike have identified areas of support in the refugee camps.

Locally, organizations such as the Refugee Consortium of Kenya, Kenya Human Rights Commission, and found and National Commission on Human Rights have voiced concern over the difficult situation confronting refugees, leading to the pressure for the adoption of Refugee Law. The government of Kenya has also taken close interest in addressing he plight of refugees especially through provision of security and protection from *shifita* attacks. Though not successfully implemented, the effort to stop FGM in the camps through arrest and prosecution can be seen as steps aimed at alleviating the situation of women. Equally, a number of researches and surveys have been conducted on the refugees' situation by local and international academics, leading to development of policies and programs that have informed the process of refugee protection. Individuals

and organizations have also disseminated skills and technology to refugees both for immediate and long-term use when they eventually return to Somalia.

A situation has arisen in the camps where one intervention program creates another so that assistance to women and vulnerable groups is an endless endeavor. It also created a situation where the most vulnerable victims groups in the camps are accorded priority in the allocation of benefits. As the study has shown more than half of the refugees who have been resettled abroad are women who were victims of rape, widows, or women with special disabilities. The gains achieved through resettlement abroad are direct and result into complete disengagement with traditions, which inhibit women's capacity to develop and compete with men. Focus on women also enables them to emerge as leaders and civic educators, a fundamental step which is necessary for their collective emancipation as the oppressed and marginalized gender.

The concerted intervention by local and international agencies as well as individual adjustment to hostile environment has a modernizing (and therefore developmental) impact on refugees in general and refugee women in particular. Modernity, in this context entrenches itself on the refugees through unconscious shifts in values and quality of support systems. Indeed, the nature of short and long-term support accorded to refugee women is qualitatively superior to those available in many villages in Somalia. Enrolment in camp schools presently average 55% compared to 22% in Somalia. Owing to intensive campaigns FGM cases presently stand at 90% in the camps compared to 98% in Somalia. Nearly all the youth interviewed during the study expressed their aspiration to attend school and obtain a good education before they can marry. They applauded the fact that camp schools do the Kenya syllabus and that primary school

is free. Indeed, many parents admitted that almost the only reason why they would wish to stay longer in the camps is because of their children's education.

Health care is another high quality service freely available to the refugees. Antenatal care services are available to women; theatre services run by GTZ help many complications, which arise during deliveries. Due to infibulations (stitching of female genitalia during circumcision) many Somali women experience birth complications which would be fatal were it not for the theatre services run by GTZ. The fact that complications or emergencies are referred to Garissa provincial hospital or Nairobi has served to reduce fatalities among refugees. General health education has reduced the rate of HIV/AIDS infection in the camps. Other quality standard services available to refugees include computers and solar panel cookers, which are generally not available in Kenyan rural areas, let alone Somalia. Many people have observed that most of the health services afforded to refugees are qualitatively better than those available even to a Kenya citizen living in rural areas where people still die of diseases like malaria. This perhaps explains why tension and conflict has been experienced between the refugees and the host community in Dadaab. Indeed, local community feels that refugees are accessible to services that they lack yet they are mere foreigners.

Peace education and environmental awareness are instrumental programs that have expanded the scope of the student refugee leading to behavior change. Technical skills training have equipped the beneficiaries with knowledge that they will apply to improve their lives and to expand their employment options in Somalia. Sensitization against negative cultural practices and conservatism have made many refugee women to question the relevance and merit of their own culture in a fast evolving world even

though they have been unable to change it. During an interview with Somali refugee youth in Dadaab, many made disparaging remarks about their culture and how it is bound to change with time. They agreed that circumstances in the camps required them to alter their behaviors and practice, which in turn amounts to transforming culture. For instance young Somalis lamented that they have no choice but to delay marriage because they do not possess sufficient dowry for a wife. For this reason the number of bachelors in the camps is on the rise. Equally, many girls already resent early marriage and lament the fact that their parents would arrange for them their future husbands.

It can be argued further that even the domestic law and political values that has been made enforceable on refugees and which has ensured order and stability in Kenya since independence is qualitatively more advanced than that which failed to avert war in Somalia. The long-term effect of this law is that it encourages civility among the refugees and their general induction into the rule of law enforced by a state that has a monopoly of violence.

From the foregoing, it is possible to posit that dislocations that ensue from civil wars result into a multifaceted attempt to assist victims in general and refugees in particular. One of the core dimensions of such assistance embedded in all programs is a deliberate effort to re-orient socio-economic values of the affected population to match international developmental standards. A lot of focus is accorded to women who are identified as the most vulnerable group wherever disruptions occur. The aggregate impact of these interventions is their consequent inauguration of a slow process of integration of traditional societies into mainstream western culture through modernization.

### 4.3.0 Conclusion

The disruption and socio-economic crises wrought by civil war, though detrimental to women's short term interests, is always fundamental to their long term emancipation and eventual integration into the dominant Western culture. Part of the explanation for Somalia's disintegration into anarchy was due to its strong predication upon traditional social and political structures that could not withstand forces of modernity. Modern political theory regards clan or tribal systems of political organizations are practically unsustainable in the age of nation-states and supra-national organizations. Specifically, Somalia's clan systems was ill-disposed to guarantee law and order because it produced multiple interests that challenged the authority of these state, culminating into Hobbesian state of nature where life became short and brutish life.

A situation of lawlessness that ensued in Somalia equally militated against economic prosperity at the household level, which is vital process for emancipation of citizens and the attainment of rights. Although the 'modernizers' were well aware of the fact that socio- economic and political organization in Somalia based on clanism was unsustainable, large-scale intervention was practically impossible until 1991 when the civil war broke. This study can enable us to assert that other than slow penetration of modernizing forces which eventually lead to developmental change, the total disintegration of traditional societies (such as happened in Somalia) is a prerequisite condition large reconstruction based on international standards.

The crises that erupted thus gave the international community the green card to intervene on humanitarian grounds. Most of the humanitarian organizations that extended assistance to the refugees espouse the values of the Western world. Individuals who fled Somalia thus country also found themselves at the mercy of the modernizing forces that presented themselves in a number of forms: German Technical Services GTZ offering health care and wood fuel; CARE/Kenya offering social services, NCKK



teaching refugees about family planning and discouraging FGM and early marriage. CARE encouraging trade and industry; UNHCR building modern housing and teaching about hygiene; Microsoft contributing computers. USA offering their country for resettlement, etc.

This study can thus enable us to draw a conclusion that although civil wars cause severe strains various groups engulfed in the conflict and women in particular, they introduce some short and long term gains to women survivors who seek refuge in other countries. This finding departs from conventional literature on conflicts which focus primarily on its negative effects on women by exposing rape, murder, torture, trauma, adjustment to new roles, exposure to difficult conditions in the camps, etc. The focus on the contribution of civil wars to long term liberation of women should not be misconstrued to imply that the female gender cannot progress in peaceful traditional polities. It is to underscore, however that not all the consequences of civil war are necessarily negative in the long run and that some disruption of the traditional order (through various means) is necessary before the liberation of oppressed social groups can be effected.

The study has demonstrated the role of Somali civil war as a fundamental stage at which women survivors began to abandon traditions through exposure to extreme conditions that demand their adaptation to new lifestyle. It has also demonstrated the extent to which deliberate as well as targeted interventions by agencies had the consequent effect of emancipation on women. Wars uproot women from their traditional homelands and force them to seek refuge in countries where they meet people who are not like them but with whom they have to co-exist. Although the geographical location and host community in Dadaab may have not made Somali refugees feel extremely out of

place, refugees camps are excellent centers for cultural integration widely seen as one of the effects of modernity. The Somali women in the camps have gotten to learn about other people, their culture and religion which is distinct from their own. Refugee camps also teach tolerance and accommodation among diverse groups.

The technical skills to which women refugees have been exposed at the camp make much able to compete for employment positions than their counterparts who remained in Somalia. Such skills have also make them potential agents of change (either as leaders, businessmen, civil servants or politicians) both in Kenya and in their country upon return. The refugee women have adopted new eating habits, are getting to freely discuss sexual issues and, are getting a little less conservative about issue of faith (even though they have retained Islamic religion). If Somali women in Dadaab still retain some conservatism in various fields, it is safe to predict that the youth of the next decade will be radically different as already witnessed among urban refugees in Nairobi's Eastleigh estate who have fully embraced Western life style. One can therefore expect that longer the agencies work in Dadaab, the more intensive their interventions, and the longer the students (especially the girl-child) stays in school, the higher are the chances that the culture of the Somalis refugees will so diluted that it will have to adapt to the demands of modernity.

This study thus confirms the hypothesis that mixed impact of Somalia civil war on Somali refugee women result from the pressure to abandon traditional culture in preference for modern lifestyle and a worldview that is defined and determined by Western values. The initial feeling of insecurity and the pursuit of identity has made the Somali refugees to cling on to traditions. But as the conditions in the camps become more

difficult and the forces of modernity act more intensively on women, the aggregate result is a slow but steady advance towards Western lifestyle. These developments causes contradictions at the very beginning but once the strains are eventually overcome; the drive towards modernity becomes automatic and unstoppable. In a nutshell, civil wars encourage modernity (understood in this context as women emancipation) in the long term, even though their short term effects are always severe. This unintended consequence of civil war needs too be understood (through more research) and appreciated by scholars, development agencies, and human rights advocates.

#### **4.4.0 Recommendations and Way Forward**

The thesis of this study opens up an urge for more focused studies on the impact of civil wars on refugees communities in Kenya. A complementary study should be conducted on the effect of civil war on other sections of the Somali refugee community such as male gender and children so as to enable a balanced understanding of the consequences of the phenomenon. A similar study should be conducted in a different refugee camp – preferably Kakuma where the Somali refugees constitute just a minority – to establish whether both negative and positive effects are the same.

The Somali refugee women in Dadaab need special protection from the government of Kenya and local and international organizations. Although some protection already exists, the study has revealed that it is far too inadequate to meet the socio-economic demands of refugee women. The newly passed Refugee Law offers a new front within which to pursue refugee protection. Although the Law came into force in May 2007, the

refugees in Dadaab are yet to benefit from its provisions. In addition, large proportions of the refugee community are ignorant about this law and how they can benefit from its provisions. This study recommends the need for a speedy sensitization of the Dadaab refugee community about the Law as well as its implementation in daily interactions with the refugees.

A number of socio-economic challenges that confront refugee women in Dadaab escape public notice due to poor media coverage. Indeed, the very location of the camps inhibits prospects for frequent visits by journalists and researchers until something unusual happens. Since some of the so-called 'spontaneous incidents' are actually a build-up of years afflictions, there is need to constantly investigate and report on the conditions of the refugees. Such a step could help deter imminent danger to women and other refugee groups in future.

The government of Kenya is still vague about its position on the infamous 'encampment policy' following the enactment the new Refugee Law. Encampment policy has affected refugee women as well as other refugee groups in a number of ways. In particular, it has deterred women from engaging in small-scale business so as to raise money for survival in the hostile camp life. The policy has also prevented the refugees from mixing, integrating and doing legal business with the local Kenyan population. From a human rights point of view, encampment policy is tantamount to slavery. This study recommends that the government of Kenya should consider lifting this policy as a

strategy of unlocking the potential of refugees and encouraging them to lead dignified existence.

The government needs to step up security in the Dadaab region, which is a prerequisite step for effective protection of Somali refugees. The area is still awash with guns which the bandits and local community use to mount raids on the camps, thereby committing rape and murder. The government needs to undertake a thorough campaign in the area to rid it of bandits and to collect all illegally acquired firearms. Policing of the Kenya-Somalia border should also be intensified to reduce illegal movement of people and firearms to and from Somalia.

The government and international organizations need to encourage girl-child education in the refugee camps. Although girl-child enrolment in the camp schools has improved over the years, the socio-economic challenges that teen-age girls face inhibit their capacity to advance their education up to and beyond secondary schools. More focused programs should be initiated in the camps to curb early marriage, FGM and other cultural practices that are retrogressive and oppressive to women. More schools need to establish and existing ones expanded to accommodate the growing number of children and adults who desire to pursue education.

The government, in collaboration with international agencies should improve roads and general infrastructure of the Dadaab region to facilitate easy communication and emergency responses. In the wake of continuing conflicts in Somalia, the government of

Kenya an international community needs to wake up to the reality that the Dadaab camps will have a longer life-span that had earlier been anticipated. This implies that thorough planning needs to be undertaken in the division so as to cater for the needs of its huge population.

A good relationship needs to be cultivated between the refugees and local community. The main source of conflict and tension between the two groups seems to emanate from competition over scarce (environmental) resources, especially firewood and timber. UNHCR should explore alternative sources of cooking fuel so as to avoid environmental degradation, which is so central for the long-term survival of local Dadaab community. At the same time, the local community should receive assistance in form of food relief supplies, protection from bandits, and drilling of water wells so as to reduce tension and actual conflicts that occasionally occur between the locals and the 'foreigners,' and to avert feelings of discrimination against the former.

The government should establish a permanent (Islamic) court in Dadaab town with a resident magistrate to try the ever-increasing number of civil and criminal cases from the camps and local community. The existing frameworks for administering justice have either become ineffective due to the ever-changing attitudes or over-stretched.

Intra-camp conflicts between the dominant Somali and the refugees from other nationalities have been under-reported. Tension between Muslims and Christians in that camp seems to be on the rise following the outbreak of terrorist threats and Western

response through militancy. The fact that Islamic militants have murdered five members of the Oromo community from Ethiopia over the last one year portends an ominous future as far as inter-faith and cultural relationships in the camps are concerned. This is a matter that UNHCR should take seriously by offering special protection to endangered groups.

Lastly, a lot more need to be done to ameliorate the difficult situations in which women and other refugee groups find themselves. Since human rights know no borders, local human rights organizations should consider reaching out to the Dadaab refugees instead of crowding in urban centers. They should liaise with UNHCR and other agencies to sensitize refugees about their rights, sink more water wells, dig more pit latrines, expand recreation facilities, provide food and shelter, etc. Micro-credit institutions should also begin to consider refugees as potential beneficiaries of their loan schemes. A bank should be established in Dadaab where small-scale investors could safely keep their money.

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