

**EFFECT OF BIOMETRIC REGISTRATION ON URBAN REFUGEE  
AND ASYLUM SEEKER MANAGEMENT IN NAIROBI, KENYA**

**LAWRENCE MAINA THUKU**

**A RESEARCH PROJECT SUBMITTED IN PARTIAL  
FULLFILLMENT OF THE REQUIREMENT FOR THE AWARD OF  
THE POSTGRADUATE DIPLOMA IN MIGRATION STUDIES,  
KENYA INSTITUTE OF MIGRATION STUDIES, POPULATION  
STUDIES AND RESEARCH INSTITUTE, UNIVERSITY OF  
NAIROBI**

**2020**

# DECLARATION

## DECLARATION


This research project report is my original work and has never been presented for a diploma or degree award in any other University.

Signature 

**LAWRENCE MAINA THUKU**  
REG. NO. Q68/28915/2019

Date... 05-05-20

This research project has been submitted for examination with our approval as University Supervisor.

Signature 

**MR GEORGE AWILI**  
Lecturer, Department of Immigration Services (DIS)  
Kenya Institute of Migration Studies

Date... 5-5-2020

## **DEDICATION**

I dedicate this work to my wife Lucy together with my lovely children Sylvia and Paul Nelson for their love and steadfast support.

## **ACKNOWLEDGEMENT**

First and I would like to acknowledge the Almighty God for granting me his mercies and strength throughout the time of study. I would also like to acknowledge the concerted efforts of my supervisor Mr. George Awili for his dedication and patience in imparting knowledge tirelessly. I also acknowledge the support and assistance I received from Mr. Njuguna of Refugees Affairs Secretariat in Nairobi and all the staff who took their time to complete the study questionnaires. To all who contributed to the achievement of this work I say thank you.

Table of Contents

## TABLE OF CONTENTS

<b>DECLARATION</b> .....	ii
<b>DEDICATION</b> .....	iii
<b>ACKNOWLEDGEMENT</b> .....	iv
<b>LIST OF TABLES</b> .....	viii
<b>LIST OF FIGURES</b> .....	ix
<b>ABBREVIATIONS AND ACROMYMS</b> .....	x
<b>ABSTRACT</b> .....	xi
<b>CHAPTER ONE: INTRODUCTION</b> .....	1
1.1 Background of the study .....	1
1.1.1 Biometrics .....	2
1.1.2 Biometric Registration/Enrolment .....	2
1.1.3 Refugee .....	2
1.1.4 Asylum seeker.....	2
1.2 Problem Statement.....	3
1.3 Research Questions.....	4
1.4 General Objective .....	4
1.4.1 Specific objectives .....	4
1.5 Significance of the Study .....	5
1.6 Scope of the Study .....	5
<b>CHAPTER TWO: LITERATURE REVIEW</b> .....	6
2.1 Introduction.....	6
2.2 Review of theoretical framework .....	6
2.2.1 Securitization theory (Buzan and Weaver, 1998).....	6
2.2.2 Paris school theory.....	7
2.3 Review of empirical Literature .....	8
2.3.1 Rationale for biometric registration .....	8
2.3.2 Biometric registration and refugee management .....	8
2.4 United Nations High Commissioner for Refugees (UNHCR) and evolution of Refugee registration .....	10
2.4.1 Principle of non refoulement .....	12

2.4.2 Ethical concerns in biometric enrolment .....	13
2.5 Critical review of existing literature on urban refugee and asylum seeker in Nairobi	14
2.5.1 Urban refugees and asylum seekers in Nairobi and human rights.....	15
2.5.2 Biometric registration of urban refugees and asylum seekers .....	15
2.5.3 Rationale for refugees and asylum seekers settling in the urban areas in Kenya ....	17
2.5.4 Need for an urban refugee and asylum seeker policy .....	17
2.5.5 Enhance access to basic education.....	18
2.5.6 Promotion of refugee protection .....	19
<b>CHAPTER THREE: METHODOLOGY .....</b>	<b>21</b>
3.1 Introduction.....	21
3.2 Research design .....	21
3.3 Target population .....	21
3.4 Sampling technique and sample size .....	21
3.5 Data collection .....	22
3.6 Data analysis .....	22
<b>CHAPTER FOUR: DATA ANALYSIS, PRESENTATION AND</b>	
<b>INTERPRETATION .....</b>	<b>34</b>
4.1 Introduction.....	23
4.2 General information.....	23
4.2.1 Length of time working with the organization .....	23
4.2.2 Registration of urban refugees and asylum seekers .....	24
4.2.3 Taking urban refugee and asylum seeker biometrics.....	25
4.2.4 Biometric features captured in the process of biometric registration .....	25
4.2.5 Urban refugee’s and asylum seekers biometric registration system.....	26
4.3 Effect of biometric registration of urban refugee and asylum seeker on access to basic services in Nairobi .....	27
4.3.1 Extent to which biometric registration of urban refugees and asylum seekers have in access to basic education and health Services in Nairobi.....	27
4.3.2 Extent that biometric registration of urban refugee and asylum seekers enhances their protection and support in Nairobi .....	28
4.3.3 Information on the reasons for biometric registration of urban Refugees and	

asylum seekers in Nairobi.....	29
4.4 Discussion/interpretation of results .....	30
4.4.1 Comparison with theory.....	30
4.4.2 Comparison with empirical studies.....	31
<b>CHAPTER FIVE: SUMMARY OF FINDINGS, CONCLUSIONS AND</b>	
<b>RECOMMENDATIONS.....</b>	<b>32</b>
5.1 Introduction.....	32
5.2 Summary of findings .....	32
5.3 Conclusion of the study .....	32
5.4 Recommendations.....	34
5.5 Limitation of the study.....	35
5.5.1 Confidentiality .....	35
5.5.2 Covid 19 Pandemic .....	35
5.6 Suggestion for further study .....	35
<b>REFERENCES .....</b>	<b>36</b>
<b>APPENDICES.....</b>	<b>39</b>
Appendix I: Questionnaire Section A.....	39
Appendix II: Introduction letter .....	42
Appendix III: Turnitin Report.....	43

## LIST OF TABLES

Table 3.1: Sample Size .....	22
Table 4.1. Extent to which biometric registration of urban refugees and asylum seekers have in access to basic education and health services in Nairobi .....	28
Table 4.2. Extent that biometric registration of urban refugee and asylum seekers enhances their protection and support in Nairobi .....	29
Table 4.3. Information to what informs biometric registration of urban refugees and asylum seekers in Nairobi.....	30



## LIST OF FIGURES

Figure 2.1: Conceptual Framework .....	20
Figure 4.1. Length of time working with the organization .....	23
Figure 4.2. Registration of Refugees and Asylum Seekers .....	24
Figure 4.3. Taking urban refugee and asylum seeker biometrics .....	25
Figure 4.4. Biometric features captured in the process of biometric registration.....	26
Figure 4.5. Refugee's biometric registration System.....	27

## **ABBREVIATIONS AND ACROMYMS**

BIMS Biometric Identity Management System DIS Department of Immigration Services

DNA Deoxyribonucleic Acid

DRA Department of Refugee Affairs EU European Union

FBARS Field Based Registration System OAU Organization of African Unity RAS

Refugee Affairs Secretariat RSD Refugee Status Determination

RICS Registration of Individual Cases System SDGs Sustainable Development Goals

SPSS Statistical Package for Social Sciences

UNHCR United Nation High Commissioner for Refugees

## **ABSTRACT**

Globally, urban refugees and asylum seekers have been viewed with suspicion by security agents in host states. They are seen as illegitimate and unwanted in urban areas. In Kenya, urban refugees and asylum seekers have been constantly blamed for increased insecurity in urban areas particularly in Nairobi. Subsequently, there has been repeated attempts by the government of Kenya to forcefully remove refugees and asylum seekers from Nairobi and confine them in the refugee Camps. Biometric registration is one of the innovations that have been developed to offer identification solutions to host states for refugees and asylum seekers, including biometric registration of urban refugees and asylum seekers. The purpose of this study was to examine the effect of biometric registration on urban refugee and asylum seeker management in Nairobi. It focused on examining the extent to which biometric registration enhances access to basic education services to urban refugees and asylum seekers in Nairobi, the extent to which biometric registration of refugees and asylum seekers enhances access to services in Nairobi, and the extent effective biometric registration enhances protection of urban refugees and asylum seekers in Nairobi. The study is exploratory and used a descriptive and quantitative design. Primary data was collected using a closed ended questionnaires were administered to Refugee Affairs Secretariat staff in Nairobi. The total target population comprised 50 refugee affairs secretariat staff with a sample size of 10 drawn using a simple random sampling. Data was analyzed using SPSS. The study found that to a great extent that biometric registration of urban refugees and asylum seekers enhances access to both basic education and health services in Nairobi. Further, the study found that to a great extent biometric registration of urban refugee and asylum seekers has facilitated protection from expulsion/ return/ deportation (non refoulement) in Nairobi. Notably, the study found that there is an existing confusion on whether the Refugee Affairs secretariat registers urban refugee and asylum seekers in Nairobi. The study recommends the formulation of an urban refugee and asylum seekers policy in order to guide the management of urban refugees and asylum seekers in Nairobi.

## CHAPTER ONE: INTRODUCTION

### 1.1 Background of the study

Sustainable Development Goal (SDG) number 16 seeks to promote just, peaceful and inclusive societies within the call of leaving no one behind. Target 16.9 focuses on providing identity documents to all by year 2030. Urban refugees and asylum seekers have generated new complex challenges to host states, they are viewed as un-enumerated, spontaneous, anomalous, illegitimate and sometimes unacceptable and not welcome in cities (Marfleet, 2006). More so, they have been blamed for deteriorating security in urban areas and viewed with suspicion by security agents in host countries (Pavanello, Elhawary & Pantuliano, 2010; Campbell, Crisp & Kiragu, 2011). To address these challenges, United Nations High Commissioner for Refugees (UNHCR) has advocated effective biometric registration of asylum seekers and refugees in its effort to improve refugee governance (Farraj, 2010).

Various theories inform the basis for biometric registration of refugees and asylum seekers by governments and refugee protection agencies. Securitization theory as advanced by Buzan and Weaver (1998), expanded the view of security. Security is seen as a social contract between the political actor and the society. According to Buzan and Weaver (1998), an actor picks on a non-political issue in the society and frames it as an existential threat to the society through speech acts. If the society agrees with the actor that the issue poses a threat to their existence it becomes securitized, in case the society fails to agree, the issue remains political.

Urban refugees and asylum seekers in Kenya have been found to reside in major towns such as Nairobi (Hout, 2014; UNHCR, 2019). These towns are cosmopolitan habitations by Kenyans, foreign nationals and refugees. Majority of Kenyans and foreign residents are registered hence facilitating their access to education, health and other benefits. However, urban refugees and asylum seekers usually arrive without any documentation (Farraj, 2010). Therefore, urban refugees and asylum seekers in Nairobi need to be registered in order to enhance their access to basic education and health services together with enhancing

their protection mainly from non refoulement, harassment by authorities, and access to housing.

### **1.1.1 Biometrics**

This refers to either biological or physiological characteristics that can be used for automatic recognition of persons, such elements include fingerprints, facial structure, iris and retina patterns, deoxyribonucleic acid (DNA), voice and signature (National Science and Technology Council, 2006). It is an automated means of identifying an individual through the measurement of distinguishing physiological or behavioral traits such as fingerprints, face, iris, retina or ear features. Nowadays, it is used also as a synonym of “biometric identifiers”, which are the pieces of information that encode a representation of a person’s unique biological make up such as fingerprints, retinal scans or voice scans (IOM, 2010).

### **1.1.2 Biometric Registration/Enrolment**

This refer to the collection of biometric characteristics from an individual for purposes of identification (Lodinova, 2016).

### **1.1.3 Refugee**

According to the 1951 refugee convention, a refugee is a person who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it (Jackson, 1991).

### **1.1.4 Asylum seeker**

An individual who is seeking international protection. In countries with individualized procedures, an asylum seeker is someone whose claim has not yet been finally decided on by the country in which he or she has submitted it. Not every asylum seeker will ultimately

be recognized as a refugee, but every recognized refugee is initially an asylum seeker (Jackson, 1991).

## **1.2 Problem Statement**

In December 2012, the Commissioner of Refugee Affairs directed that the registration of asylum seekers and refugees in urban centers in Kenya should stop and ordered the relocation of all urban refugees and asylum seekers to Dadaab and Kakuma refugee camps due to a series of grenade attacks in urban areas (Mwalimu, 2013); (Kiama & Karanja, 2012; Njogu, 2016). Even though this decision was declared illegal and unconstitutional by the High Court in 2015 (Njogu, 2016), it demonstrates collective condemnation of urban refugees and asylum seekers and a prevailing mistrust between the government and urban refugees. According to UNHCR (2019), the protection environment of refugees and asylum seekers in urban areas in Kenya remains complex and unpredictable as urban refugees continue to face official harassment, are associated with increased insecurity and the encampment policy remains in force despite a Court of Appeal decision (Campbell, Crisp & Kiragu, 2011).

Currently, Kenya is hosting Four hundred eighty-nine thousand refugees and asylum seekers amongst them seventy-eight thousand urban refugees and asylum seekers (UNHCR, 2019). However, these official statistics are never comprehensive because they do not cover thousands of unregistered, 'invisible' refugees living in Nairobi city (Pavanello, Elhawary & Pantuliano, 2010). The number of urban refugees and asylum seekers in Nairobi is therefore understated. Studies have shown that biometric registration is the best way to account for urban refugees and asylum seekers (Pavanello, Elhawary & Pantuliano, 2010; Hout, 2014). However, there is inadequate literature on the effects of such registrations on the management of urban refugees and asylum seekers from the authorities' perspective in Nairobi.

Although Kenya is facing security challenges due to terrorist attacks mainly from Somali based Al Shabaab elements, the country is still bound by the 1951 refugee convention, the 1967 protocol on refugees and the 1969 Organisation of African Union (OAU) protocol to

protect bona fide refugees (Hout, 2014). Biometric registration of refugees and asylum seekers offers an effective solution in enabling personal liability in criminal activities rather than communal condemnation (Njogu, 2016). However, urban refugees in Nairobi are insufficiently supported in registration hence inhibiting their access to employment opportunities, education, care and support (Campbell, 2006; Kobia & Cranfield, 2009; Pavanello, Elhawary & Pantuliano, 2010).

Studies highlighted above have shone some light on the need for biometric registration of urban refugees and asylum seekers in Nairobi. However, such studies have not highlighted the effect of such registrations on the management of urban refugees and asylum seekers by authorities. This study was an effort to address the identified gap: what are the effects of biometric registration on urban refugees and asylum seekers management in Nairobi, Kenya?

### **1.3 Research Questions**

Does biometric registration of urban refugees and asylum seeker enhance access to basic education services in Nairobi?

Does biometric registration of urban refugees and asylum seekers enhance access to health services in Nairobi?

Does biometric registration of urban refugees and asylum seekers enhance their protection from forced return and expulsion, harassment by authorities and humanitarian assistance in Nairobi?

### **1.4 General Objective**

The general objective of this study was to assess the effect of biometric registration on urban refugee and asylum seeker management in Nairobi, Kenya.

#### **1.4.1 Specific objectives**

1. To examine whether biometric registration, enhance access to basic education services to urban refugees and asylum seekers in Nairobi.
2. To examine whether biometric registration of urban refugees and asylum seekers

enhances access to health services in Nairobi.

3. To investigate whether effective biometric registration enhances protection of urban refugees and asylum seekers from forceful return and expulsion, harassment by authorities and access to humanitarian assistance in Nairobi.

### **1.5 Significance of the Study**

The study investigated the importance of biometric registration on urban refugees and asylum seekers governance in Nairobi, Kenya. It is important to policy makers and practitioners in refugee affairs including urban refugees and asylum seekers. The study is relevant to Kenya and other jurisdictions that are experiencing similar challenges in urban refugees and asylum seekers management. Further, it sought to enhance effective urban refugees and asylum seekers management in line with international, regional and national legal obligations. Lastly, the study ultimately sought to advocate for a better urban refugee's governance and reduce the pre-existing, existing and foreseen vulnerabilities. Other researchers in related and unrelated fields might also find this study useful. It can also become a source of secondary data when researching on related fields in different areas of interest.

### **1.6 Scope of the Study**

The study was focused entirely on Nairobi County on effect of biometric registration in the management of refugees and asylum seekers living in Nairobi. In particular, the focus of the study was on the effect of biometric registration on the management of urban refugees and asylum seekers only in Nairobi City County.



## **CHAPTER TWO: LITERATURE REVIEW**

### **2.1 Introduction**

This chapter explains relevant theories which includes securitization theory and Paris school theory. It also reviews relevant secondary literature in the area of biometric registration on urban refugees and asylum seekers management, summary of knowledge gap discussed after the literature review and lastly, a conceptual framework is presented.

### **2.2 Review of theoretical framework**

The following theories forms the foundation of the study.

#### **2.2.1 Securitization theory (Buzan and Weaver, 1998)**

Also known as Copenhagen school theory of security. It states that public issues can be located on a spectrum from non-politicized, politicized and securitized. During the non-politicized stage, the state does nothing, the state only cares when an issue become politicized while it acts and can do anything if the issue becomes securitized. Security is seen as a social contract between the political actor and the society (Buzan and weaver, 1998).

According to Buzan and Weaver (1998), an actor picks on an issue in the society, a non-politicized issue and frames it as an existential threat to the society through speech acts. If the society agrees with the actor that the issue poses a threat to their existence it becomes securitized, in case the society fails to agree, the issue remains political. Therefore, something becomes a security problem when the elites declare it to be so (Buzan and Weaver, 1998). Notably, the actor need to convince the audience/society that the issue at hand is a security threat.

For example, the directive by the Commissioner for Refugees Affairs on 10 December 2012 to stop further registration of asylum seekers and refugees in urban centers, due to security concerns following a series of grenade attacks in urban centres in Kenya and subsequent directive on 18 December 2012, that all asylum seekers and refugees living in

urban centres to relocate to Dadaab and Kakuma refugee camp and further, the disbandment of the Department of Refugee affairs (DRA) are speech acts, aimed at securitizing the issue of urban refugees (Voppen, 2017) and (Njogu, 2017). By associating the increased insecurity in urban centres with the presence of urban refugees and asylum seekers, the Commissioner for Refugee Affairs was highlighting that urban refugees and asylum seekers poses an existential threat to the existence of Kenyans.

### **2.2.2 Paris school theory**

Proponents of this school of thought observes that securitization theory of security is problematically narrow, it confines security to only speech by the political actor, there by leaving security to the political actors only. By so doing, it excludes the practices which also informs security decisions in the society as well.

Paris school theory observes that acts of speech are inadequate in security matters. It is possible to securitize policy areas without speech acts. It observes that policy directives and practices also plays a role in securitization, therefore, it broadens the scope of securitization from speech acts to include also policies and practices.

These theories inform the study by offering an understanding on how security management decisions are made by states when dealing with urban refugee and asylum seekers. Notably, the directive by the Commissioner of Refugee Affairs that the registration of asylum seekers and refugees in urban centres in Kenya should be stopped and the relocation of all urban refugees and asylum seekers to Dadaab and Kakuma refugee camps due to a series of grenade attacks in urban areas (Mwalimu, 2013); (Kiama & Karanja, 2012; Njogu, 2016). This demonstrates how practices and administrative directive inform security decision in the management of urban refugees and asylum seekers in Nairobi, Kenya.

## **2.3 Review of empirical Literature**

### **2.3.1 Rationale for biometric registration**

The need for accurate identification of persons is crucial for any organization or government; it offers satisfactory proof of identity which is a prerequisite condition before someone receives any service from either a private or a government office. In general, it is employed by institutions and governments in order to reduce fraud in social services delivery, in security surveillance and criminal identification, enabling identification and in immigration control (Sethi 2013). It is a key tool that facilitates planning in service delivery through accurate identification of the people who deserve that service. It also enables control either at entry points of restricted places or at service points whereby someone must identify themselves. This ensures that only legitimately identified person's access certain areas or access a certain service. Following the September 2011 terrorist attack in the United States of America, Farraj (2010) highlights that extensive use of biometric registration was embraced by security agents mostly in border control and criminal surveillance and identification. This is similarly observed by (Sethi 2013). In Nigeria, Weinberg (2016) notes that biometric registration was integrated with the payroll and it helped to weed out ghost workers. Therefore, biometric registration improves planning and service delivery and ensures that services and resources are only channelled strictly to those who deserve.

### **2.3.2 Biometric registration and refugee management**

Biometric registration is crucial not only for criminal, employees and security records but also for refugee registration and governance (Lodinova, 2016). Accurate identification of refugees is crucial for refugee protection by host governments, United Nations High Commissioner for Refugees (UNHCR) and other aid agencies. For example, in 2007, UNHCR in conjunction with the government of Pakistan conducted a mass registration of two million Afghan refugees whereby they incorporated both fingerprints and facial recognition features in 'proof of registration' cards (Farraj 2010). It is important to note that some refugees do not have any identification document because of the nature of their displacement. Therefore, there is a critical need to enhance their identification in order to facilitate them to access social services like health and education and to enhance their

welfare in the host societies. Identification is the foundation for refugee protection and care. The host governments together with aid agencies use biometric system registration as a tool that enhance better planning of services. Biometric registration enables data comparability through disaggregation in terms of male and female and refugees with special needs which in turn facilitates the targeting of these groups by service providers according to their needs.

Further, the European Union (EU) extensively employs biometric registration in the common management of refugees. Eurodac fingerprint and data comparison system has proved helpful in preventing ‘asylum shopping’ which is the practice of filling multiple asylum seeking applications in different countries (Farraj, 2010). In Zambia, electronic biometric registration is applied on refugees who reside outside the refugee camps, this initiative enables better management of refugees by enabling precise personal identification hence eliminating fraud and improving state security and enhancing protection of refugees (Farraj, 2010). Biometric registration was employed in Ali Addeh refugee camp in Djibouti where it revealed that the refugee population in the camp had been increased by around four thousand persons, this fraud was through multiple registration of some refugees using pseudonyms in order to obtain more share of aid (Farraj 2010). In Kenya, UNHCR expanded the use of biometric registration in Daddab and Kakuma camps upon the realization that some Kenyan nationals were entering the camps and registering as refugees claiming to be from Somalia (Farraj 2010). This was informed by the view by the local communities where the camps are located that the refugees were being assisted and favoured by aid agencies at their expense. Therefore, they would use fraud to register in the camp in order to access aid from the UNHCR and other aid agencies.

In a nutshell, biometric registration of refugees and asylum seekers has been employed by states and UNHCR in enhancing refugee governance. Fraud in the management of refugees flourishes due to lack of a water tight system of managing the registration process. Sometimes failure to synchronize the UNHCR registration system and the government system gives an opportunity to fraudsters to exploit the loopholes within the system either to register nationals as refugees or refugees as nationals. Due to vulnerability of refugees,

and prolonged refugee situations coupled with their inherent need to better their conditions of life, some refugees attempt to register either themselves or their children as citizens of host state.

However, biometric registration of all asylum seekers and refugees would enable the refugees and their descendants to access services in the host state easily and in a defined way hence eliminating the need to engage in fraudulent activities. For example, with a refugee certificate (refugee identity card) a refugee can access all government services in Kenya through the E-Citizen digital platform, they use the refugee certificate number for identification while Kenya citizens use the identity card numbers for identification in the system.

#### **2.4 United Nations High Commissioner for Refugees (UNHCR) and evolution of Refugee registration**

United Nations High Commissioner for Refugees (UNHCR) was established in 1951 aimed at taking care of refugees in Europe after the Second World War. In 1994, UNHCR rolled out the Field Based Registration System (FBARS), this guide which included a repatriation module, enabled capturing of basic refugees' bio data details and a simple reporting mechanism (Lodinova 2016). Notably, this registration system had an attached photo and did not have Identity Card Production capabilities. According to Farraj (2010), in urban settings UNHCR employed the Registration of Individual Cases System (RICS). Further in 1999, during the Kosovo refugee crisis, Microsoft donated one hundred portable registration kits to UNHCR, these enabled the production of a refugee identity card with a photo and signature together with a two-dimension bar code which stored coded refugee bio data (Lodinova 2016)

In 2001, Conclusion no. 91 of the Executive Committee of UNHCR relating to refugees' registration reaffirmed registration as a refugee protection tool and set the basic standards and guidelines for refugee registration. Further, it outlines a standard refugee registration operating procedures between UNHCR and governments.

In 2003 refugee registration named 'project PROFILE' was initiated jointly by UNHCR and Microsoft team (Lodinova 2016). This project was initially aimed at offering solution for the problem of lack of identification documents by Kosovo refugees which made them vulnerable and left them unprotected, ultimately, this offered solution to refugee registration through providing disaggregated data by age, sex and other factors (Deresky and Christopher, 2012).

In 2004, project PROFILE refugee registration tool was rolled out in various refugee camps in the world in order to improve refugee identification and management (Lodinova, 2016). Further development of the PROFILE system by UNHCR led to the development of ProGres Registration software which incorporated fingerprint biometrics and hence enabled prevention and detection of multiple registration of refugees in refugee camps (UNHCR, 2005). According to Lodinova (2016), project PROFILE refugee registration system evolved into ProGres database which enables both the registration of asylum seekers and collection of data which is further used in the process of Refugee Status Determination (RSD). ProGres facilitates the tracking of the refugee status determination process from the initial eligibility interview of an asylum seeker, follow up interview, committee review to the final government approval and at the end it produces a refugee identity card (Microsoft, 2015).

In 2015, UNHCR tested the Biometric Identity Management System (BIMS) in Malawi, the final tests of this registration system was conducted in Thailand (Lodinova, 2016). This refugee registration system incorporated various biometrics like fingerprints, iris and retina patterns, facial recognition techniques and further storing the information in a central global database. This development is crucial in refugee management because it enables precise identification of refugees anywhere regardless of whether they have a document or not. This registration system enables a more accurate identification of registered refugees and asylum seekers. Unlike the previous systems it incorporates two or more biometric characteristics like fingerprints and iris. Once the asylum seeker or refugee submit the biometrics and they are enrolled in the system, their identity can be positively and accurately ascertained within seconds (Lodinova, 2016). The incorporation of biometrics

is critical in bridging the identity gap which usually affect many refugees who arrive without any documents. Actually, the initial identification of an asylum seeker marks the beginning of the protection and care processes. Notably, such a registration system is therefore crucial for urban refugee and asylum seekers governance. Effective employment of this registration program will enable security agents to pick the criminal elements within urban refugees while at the same time providing protection to the majority of genuine refugees in line with the 1951 Convention relating to the status of refugees, 1967 protocol and 1969 Organization of African Union protocol.

UNHCR has been working on more improvements and innovations in refugee registration system (Lodinova, 2016). In 2016, UNHCR launched a new biometric identity card for refugees which has advanced security features in order to combat identity fraud and counterfeiting, this has improved efforts to promote their welfare and improve security concerns (Farraj, 2010). Notably, accurate or effective identification of refugees is crucial in demystifying the perception that refugees have increased crime in host countries, rather, it offers a scientific method of identifying a criminal element within the refugee population and thereby avoid general condemnation.

#### **2.4.1 Principle of non refoulement**

Article 33 of the 1951 Convention relating to Status of refugees binds states not to return an asylum seeker or refugee to a place where he or she would face serious threat to their life. The Convention asserts that no party state shall expel or return a refugee back to a country where he or she fears persecution. This is the foundation of refugee protection (Njogu, 2016). The principle not only forbids the host country from returning asylum seekers and refugees to the conflict situation where they are running away from but also binds the country to offer protection and safety to the refugees in line with international obligation (Njogu, 2016). It is the cornerstone of international refugee protection (Goodwin-Gill and McAdam, 2007). Kenya has ratified the 1951 Convention relating to the Status of refugees and its 1967 protocol and subsequent African Union Convention of 1969 and therefore the country is bound both by the signed treaties and the principle of *pacta sunt servanda* which states that pacts are to be kept (Njogu, 2016).

These binding international instruments are the guide to Kenya's commitment to refugee governance, the country is therefore supposed to employ better internal management methods that are compatible to the international obligations. Effective biometric registration is one of these methods that have been developed and tested by the UNHCR and governments which can assist refugee hosting countries to manage the risks attributed to hosting refugees and at the same time enable them to better protect the asylum seekers and refugees. It is a risk based approach.

#### **2.4.2 Ethical concerns in biometric enrolment**

Biometric registration involves obtaining various personal information which is private and therefore confidentiality should be guaranteed. However, biometric technology has vulnerabilities mostly on intrusion of personal privacy. The safety of refugees' data must be guaranteed so that personal information is kept safe from leakages that can lead to security breaches like identity theft (Weinberg, 2016). According to Ledinova (2016), biometric registration of refugees is faced with issues of protection of personal data, confidentiality, personal liberty and relationship between individual and collective rights. The risk of governments and UNHCR sharing this information with other partners further complicates the safety of personal data. Some people have also viewed it as potentially dehumanising because it ultimately equates a human being to a number hence raising ethical concerns. Notably, refugees are uncomfortable to enrol their biometrics due to fear that the data can be shared with the country where they are running away from out of reasonable fear for persecution (Farraj, 2010).

Ethical considerations are therefore key to enrolment of refugee biometrics, the collected data should be safeguarded from abuse and unauthorised access because it can compromise refugee security. Further, modern world has witnessed crimes of identity theft and data theft, hence data protection is a key responsibility of any organization or government. Farraj (2010) highlights the need to exercise caution in handling refugee data because for some reasons, the perpetrators of violence and fear might be pursuing them or tracking them with an aim of harming them. Therefore, refugee protection entails ensuring the safety of the data they disclose to the host governments and aid agencies. Failure to guarantee the



safety of refugee data ultimately exposes refugees to imminent danger from elements that have created reasonable fear in them. The enrolled refugee biometric data should only be accessed only by authorised persons and should also be safeguarded from loss or unauthorised intrusion like hacking.

## **2.5 Critical review of existing literature on urban refugee and asylum seeker in Nairobi**

Campbell, 2006, identified urban refugees and asylum seekers in Nairobi as a neglected group. She found that, urban refugees and asylum seekers in Nairobi face harassment by the authorities, abuse of basic human rights, discrimination and are often forcefully returned and expelled. Kobia and Cranfield, 2009, agrees that there are notable protection challenges which exacerbates urban refugees and asylum seeker vulnerabilities in Nairobi. They identified the prevailing protection gaps as human rights abuse through restriction of movement enforced using encampment policy, and lack of a clear legal framework and policy to protect refugees and asylum seekers living in urban areas in Kenya. Similarly, Pavanello, Elhawary and Pantuliano, 2010 notes that the situation of urban refugees and asylum seekers in Nairobi is complex, they remain invisible in urban areas despite their significant need for protection and assistance.

These studies agree that the refugees and asylum seekers living in Nairobi face harassment and extortion by authorities. However, despite the prevailing unfavorable conditions, they observed that the numbers of urban refugees and asylum seekers in Nairobi is on the rise. Further, they observe that urban refugees and asylum seekers numbers are highly understated, because some refugees and asylum seekers are reluctant to come out and register due to the fear of being sent to the camps. Hout, 2014 also observes that, despite the encampment policy and prevailing administrative constraints, refugees and asylum seekers continue to reside in urban areas in Kenya.

### **2.5.1 Urban refugees and asylum seekers in Nairobi and human rights**

Hout, 2014, looking at Kenya's compliance to the 1951 refugee convention based on host country responsibility on right to legal documentation, right to education, right to housing, right to access employment, right to access public services, right to protection from human rights abuses, freedom of movement and non refoulement, concludes that Kenya is not fully fulfilling its international obligations. Similarly, Kobia and Cranfield, 2009, found that urban refugees and asylum seekers in Nairobi face human rights abuse through restriction of movement sanctioned using encampment policy. Further, they contend with discrimination, diminished protection and support by choosing to live an urban area in Kenya.

Pavanello, Elhawary and Pantuliano, 2010, highlighted the need to remove the discrimination of urban refugees and asylum seekers based on the location. Refugees and asylum seekers living in urban Nairobi should receive the same level of protection, assistance and support like those living in camps.

Hout, 2014, found that urban refugees and asylum seekers in Nairobi are poorly integrated, institutionalized and under supported coupled with exclusionary policies which result to discrimination and denial of human rights. These scholars are therefore in agreement that refugees and asylum seekers in Nairobi face human rights abuse and discrimination.

### **2.5.2 Biometric registration of urban refugees and asylum seekers**

Landau, 2006, notes that identity documents are the foundation for refugee protection. Identification is the first line of defense against harassment by authorities, return and expulsion and access to services. This is important because some refugees arrive without any identification document, and it offers them satisfactory proof of identity which is a prerequisite condition before someone receives any service from either national or international agents.

Urban refugees and asylum seekers are extremely vulnerable, they find it difficult to access basic livelihood services like education, health and financial services in cities. However, biometric registration facilitates their access to these livelihood and support services. Hout, 2014, highlights the importance of refugees and asylum seekers biometric registration as an integral part of refugee and asylum seekers livelihood, it facilitates their access to human rights, education, health services, financial services and work permits.

Registration of refugees and asylum seekers is a cornerstone for refugee protection. UNHCR, 2019, puts the number of biometrically registered refugees and asylum seekers in Nairobi at seventy-eight thousand. However as noted by Pavanello, Elhawary and Pantuliano, 2010, urban refugees and asylum seekers numbers in Nairobi are highly understated, some refugees and asylum seekers are reluctant to come out and register due to the fear of being sent to the camps, hence, they remain invisible in urban areas despite their significant need for protection and assistance. This therefore explains the presence of the unregistered refugee living in Nairobi due to the fear of enforcement of the encampment policy.

However, Pavanello, Elhawary and Pantuliano, 2010, disagrees with Landau, 2006 that biometric registration of urban refugees and asylum seekers is a defense from harassment by police and immigration officials in Nairobi. Unlike Landau, 2006, Pavanello, Elhawary and Pantuliano, 2010, found that the refugees and asylum seekers living in Nairobi face harassment and extortion by authorities regardless of whether they have proper legal identification or not. Therefore, biometric registration of refugees and asylum seekers alone is not a guarantee for protection from harassment by authorities in Nairobi. Further, Pavanello, Elhawary and Pantuliano, 2010 found that some government officers in Nairobi are not familiar with the refugee identification documents hence exacerbating urban refugees and asylum seekers vulnerabilities. They observed that this further increases urban refugees and asylum seekers harassment by the police in Nairobi hence exacerbating their discrimination and vulnerabilities. They recommended training of police and immigration officials on refugee law in order to enhance urban refugees and asylum seekers protection.

### **2.5.3 Rationale for refugees and asylum seekers settling in the urban areas in Kenya**

Hout, 2014 observes that, despite the encampment policy and administrative constraints, refugees and asylum seekers continue to reside in urban areas in Kenya. This view agrees with Pavanello, Elhawary and Pantuliano, 2010 that urban refugees and asylum seekers are on the rise in Nairobi. However, Kobia and Cranfield, 2009 looked at why refugees and asylum seekers settle in urban areas despite the prevailing protection gaps. They identified motivating factors like lifestyle, search for better livelihood, pursuit for better services, better communication in cities, improved personal safety and security and desire to avoid dependency on aid.

Further, Kobia and Cranfield, 2009 examines Kenya's concerns on hosting refugees and asylum seekers in Nairobi. This is mainly due to the social economic pressure on limited resources, pressure on infrastructure, security concerns in Nairobi, and growing mistrust between refugees and asylum seekers and the host communities.

### **2.5.4 Need for an urban refugee and asylum seeker policy**

Campbell, 2006 recommended the formulation of an urban refugee policy in Kenya to clearly guide the specific requirements of urban refugee and asylum seeker residence in the city. Urban refugee policy should outline the scope of their engagement, enjoyment of human rights and protection. Lack of an urban refugee and asylum seekers policy has condemned refugees and asylum seekers living in urban areas to a legal limbo which restrict them into the informal sector hence increasing their vulnerabilities. Further, Pavanello, Elhawary and Pantuliano, 2010 highlighted the need for an urban refugee and asylum seeker policy in order to remove the existing confusion on urban refugees and asylum seekers in Nairobi which exacerbates their vulnerabilities. This policy, should clearly outline the government position on urban refugees and asylum seekers and subsequently guide their protection and support. It should also remove the discrimination of refugees and asylum seekers based on the location, refugees and asylum seekers living in urban centers should receive the same level of protection, assistance and support like those living in camps.

Kobia and Cranfield, 2009, found that there are notable protection challenges which exacerbates urban refugees and asylum seekers vulnerabilities in Nairobi. More so, human rights abuse through restriction of movement, encampment policy and insufficient legal framework to protect refugees and asylum seekers living in urban areas in Kenya. Further, they observe that urban refugees and asylum seekers numbers in Nairobi are highly understated, some refugees and asylum seekers are reluctant to come out and register due to the fear of being sent to the camps, hence, they remain invisible in urban areas despite their significant need for protection and assistance.

Campbell, Crisp and Kiragu, 2011, agrees that the available official statistics on urban refugees and asylum seekers in Nairobi do not take into account the invisible unregistered refugees residing in the city. Similarly, Hout, 2014, found that urban refugees and asylum seekers in Nairobi are isolated and unregistered. They are unrecognized and under supported by government despite their continued existence in the city of Nairobi. Further, they receive limited support from UNHCR hence exacerbating their vulnerability and marginalization.

### **2.5.5 Enhance access to basic education**

Biometric registration of refugees enhance access to education and health service more so through accurately identifying the persons who legitimately deserve the service, further this enables planning by governments and aid agencies (Farraj 2010). Notably, some asylum seekers and refugees arrive at the border with no identification documents because they are fleeing from danger and persecution and therefore they did not have time to prepare for the journey. Hence the need for immediate registration in order to incorporate them into the asylum seekers and refugee planning system. Biometric registration is a modern refugees' identification method that has improved service delivery by enabling easier, accurate and effective identification of a refugee at the service point hence ensuring smooth service delivery that does not subject the refugee to unnecessary bureaucracy. Further, the children of asylum seekers who lack registration documents may be locked out of educational or health facilities (Alexander, 2008).

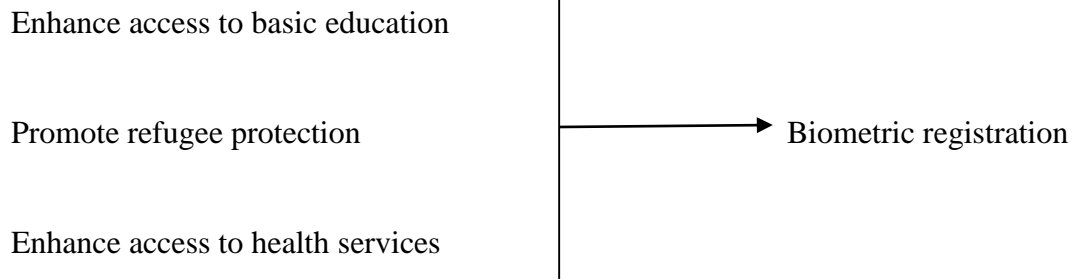
### **2.5.6 Promotion of refugee protection**

There has been a lot of securitization of refugee presence in Kenya. Through ‘speech acts’ political actors have systematically pointed out that hosting refugees poses an ‘existential threat’ to Kenya, by associating them with terrorism (Voppen, 2017). This highlights the need to change the narrative in refugee’s governance in Kenya in order to counter the existing perception which portray refugees as a threat. Therefore, Kenya should adopt a robust modern biometric registration of all refugees, to enable accurate identification of individuals and ultimately avoid collective condemnation of all refugees. Criminal culpability should rest on an individual not a group, therefore, the state should safeguard the rights welfare of the majority.

Currently, majority of government services in Kenya are accessed through digital platforms like E-Citizen, I-tax and Electronic Foreign Nationals Management System, registration of refugees will enable them access these services. This will enhance access to social services like health and education. It will also enable them to register phone Sim cards and MPESA money transfer, through which they can receive remittances. Identification is always a requirement at service points, this will ensure equity in service delivery and eliminate discrimination.

Further, effective biometric registration of urban refugees and asylum seekers should enhance accurate identification of individuals and ultimately avoid collective condemnation of all refugees. Criminal culpability should rest on an individual not a group, therefore, the state should safeguard the rights welfare of the majority. Hence improving national security and simultaneously enable urban refugee protection. More so, effective identification of urban refugees and asylum seekers will ensure that they are not returned to where they fled from due to fear of persecution. Therefore, biometric registration will facilitate compliance to the principle of non refoulement.

**Figure 2.1: Conceptual Framework**



## **CHAPTER THREE: METHODOLOGY**

### **3.1 Introduction**

This chapter discussed the research design, population, data collection, data analysis and analytical model. It further showed the data collection methods to be used, techniques and instruments.

### **3.2 Research design**

This study took a quantitative approach, in particular it was descriptive and an ex post facto in design. In this design, data is collected 'after the fact' that is, examine the effect and look back in time to determine the effect of biometric registration and urban refugees and asylum seekers governance. Cohen and Manion (1986) define an ex post facto research as a method of eliciting possible antecedents of events, which have happened and cannot therefore be manipulated by the investigator. Here, the researcher does not have direct control of the independent variables as their manifestations have already occurred or are inherently not able to manipulate.

### **3.3 Target population**

In order to get reliable and authentic data on the effect of biometric registration on urban refugees and asylum seekers management in Nairobi, the study focused on fifty registration officers from Refugee Affairs Secretariat (RAS) Nairobi the body that is legally mandated to register and manage urban refugees and asylum seekers in Nairobi.

### **3.4 Sampling technique and sample size**

The study used Simple random sampling technique to pick the sample population. The sample size was consistent with what Mugenda and Mugenda (2003) suggested, that for a quantitative descriptive research, ten percent is sufficient but for the study to be more reliable, a sample of twenty percent of the target population was used.



**Table 3.1: Sample Size**

Target Population	Population Size Numbers	Sample Size in numbers in
Refugee Affairs Secretariat Staff	50	10
Total	50	10

(Source: RAS, 2019)

### **3.5 Data collection**

Data were collected using closed ended questionnaires in line with the objectives of the study. This enabled the researcher to collect information more easily and within a reasonable time (Kombo and Tromp, 2006). Data was collected from the Refugee Affairs Secretariat (RAS) in Nairobi. The structured questionnaires were developed in a form that ensured consistency in the interpretation of questions leading to answers that are consistent to real situation on the ground. The questionnaire was pre-tested on selected respondents which are not part of the sample and adjustment was be made before the study commences.

### **3.6 Data analysis**

The data collected were analysed by use of Statistical Package for Social Science (SPSS) program. The data was coded and entered into the program from which the descriptive statistics was generated. The measures which were used included frequencies, percentages and mean scores. Mean and Standard Deviation was used to measure the effect of biometric registration on urban refugees and asylum seekers management in Nairobi, Kenya based on the parameters under study (Protection, and access to basic education and health). The information was displayed by use of frequency tables and charts and other figure applicable in data presentation.

## CHAPTER FOUR: DATA ANALYSIS, PRESENTATION AND INTERPRETATION

### 4.1 Introduction

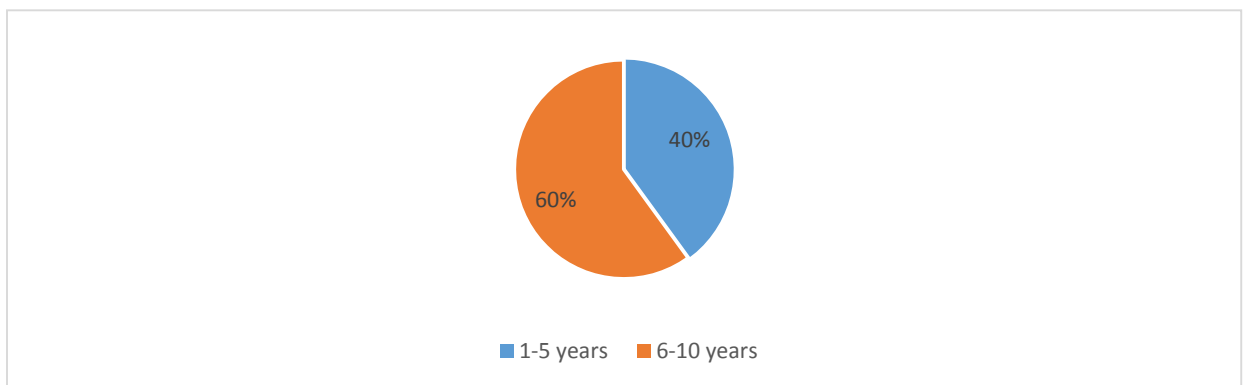
This chapter covers data analysis and findings of the research. The data is summarized in form of frequencies and then presented in tables and charts. The analysed data are interpreted in line with the aim of the study objective which sought to investigate the effect of biometric registration on urban refugee and asylum seeker management in Nairobi, Kenya. Primary data was collected through administration of questionnaires to the targeted respondents. 10 questionnaires were administered to refugee Affairs Secretariat staff in Nairobi and the response rate was remarkably 100%.

### 4.2 General information

The study requested the respondents to indicate the general information concerning the personal status. This was important since it forms foundation under which the study would fairly adopt in coming up with conclusions.

#### 4.2.1 Length of time working with the organization

The respondents were requested to indicate the length of time they have worked in the organization. The findings are shown in figure 4.1.

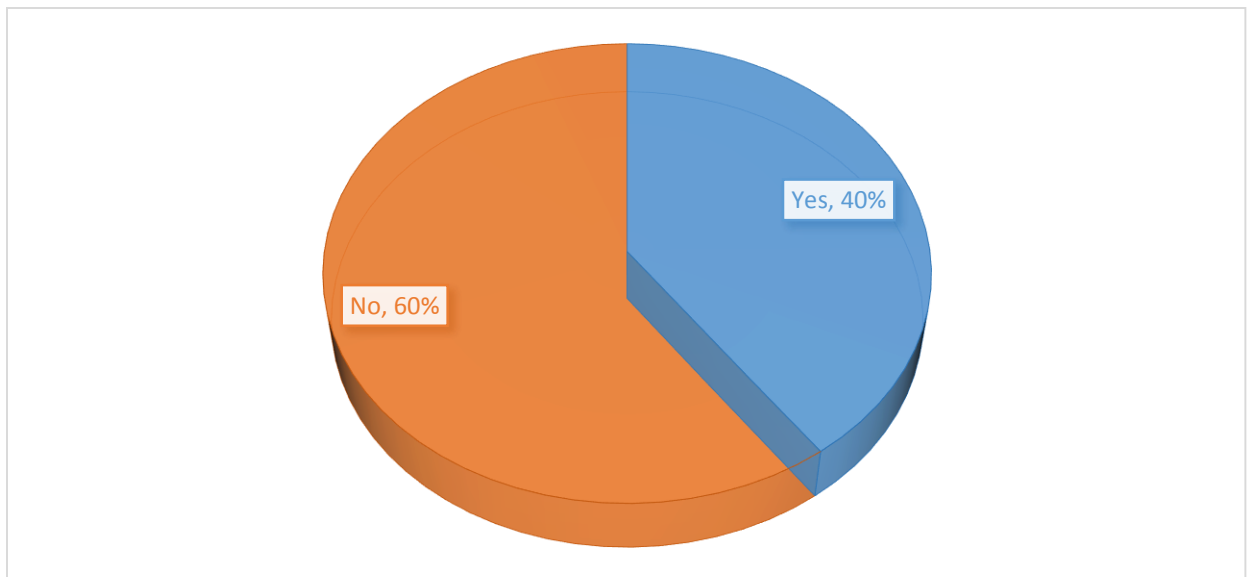


**Figure 4.1. Length of time working with the organization**

From the findings six out of ten which constitutes (60%) of the respondents indicated they had worked with the organization for a duration of 6-10 years, while four out of ten 40% indicated 1-5 years. This depicted that majority of the respondents had worked with the organization for a sizeable duration of time to understand the effect of biometric registration on urban refugee and asylum seeker management.

#### 4.2.2 Registration of urban refugees and asylum seekers

The respondents were asked to indicate whether they register urban refugees and asylum seekers in Nairobi. This was important as it helped the researcher to determine whether registered number of urban refugees and asylum seekers residing in Nairobi is comprehensive. The findings were as shown in the figure below:



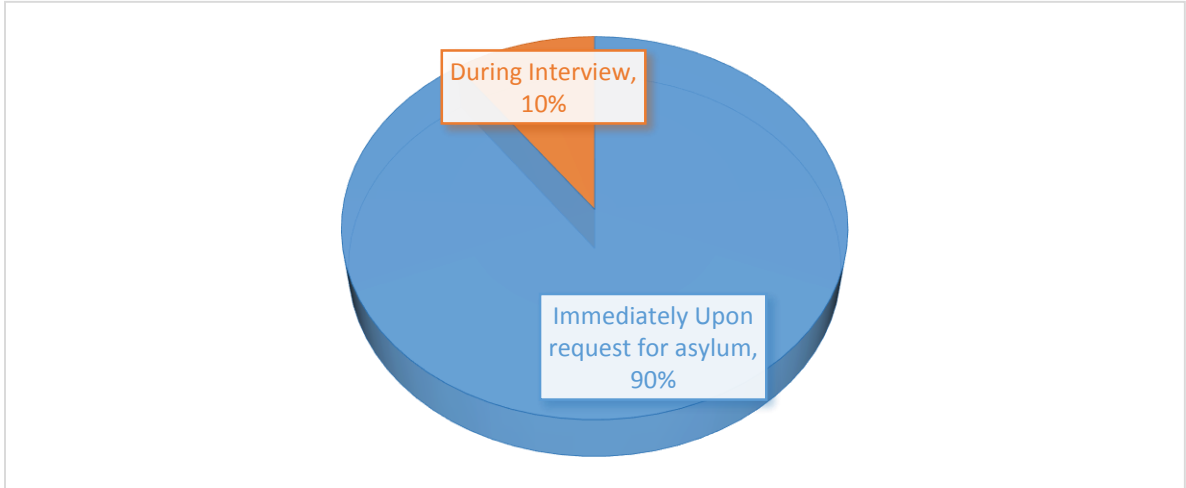
**Figure 4.2. Registration of Refugees and Asylum Seekers**

From the findings the majority (60%) of the respondents indicated that they did not register urban refugees and asylum seekers in Nairobi, while 40% indicated that they register refugee and asylum seeker in Nairobi. This depicts the administrative confusion within the organization in registering urban refugees and asylum seekers in Nairobi. Notably, they recommend that the registered refugees and asylum seekers to relocate to the refugee camps. Further, it highlights the confusion that emanates from lack of a clear policy and

administrative guidelines pertaining to the management of urban refugees and asylum seekers in Nairobi.

#### 4.2.3 Taking urban refugee and asylum seeker biometrics

The respondents were requested to indicate at what instance they take urban refugee and asylum seeker biometrics. The findings were as shown in the figure below:

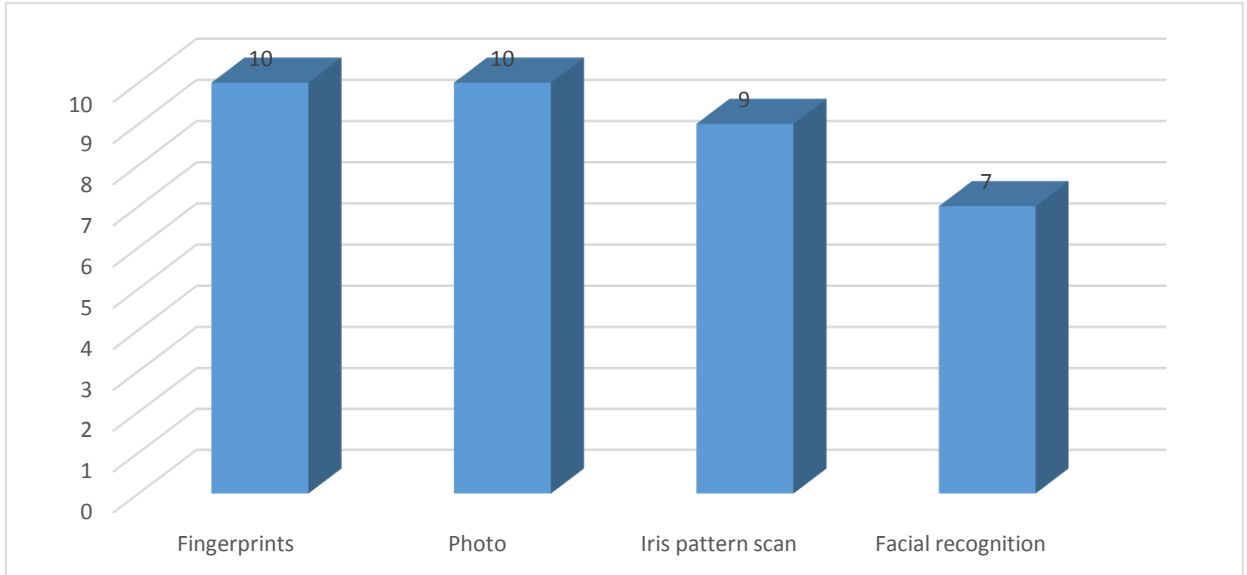


**Figure 4.3. Taking urban refugee and asylum seeker biometrics**

From the findings majority (90%) of the respondents indicated that they take urban refugee and asylum seeker biometrics immediately upon request for asylum, while 10% indicated during interview. This depicts that the majority of respondents take urban refugee and asylum seeker biometrics immediately upon request for asylum.

#### 4.2.4 Biometric features captured in the process of biometric registration

The respondents were requested to indicate the biometric features captured in the process of biometric registration of refugee and asylum seeker. The findings were as shown in the figure below:

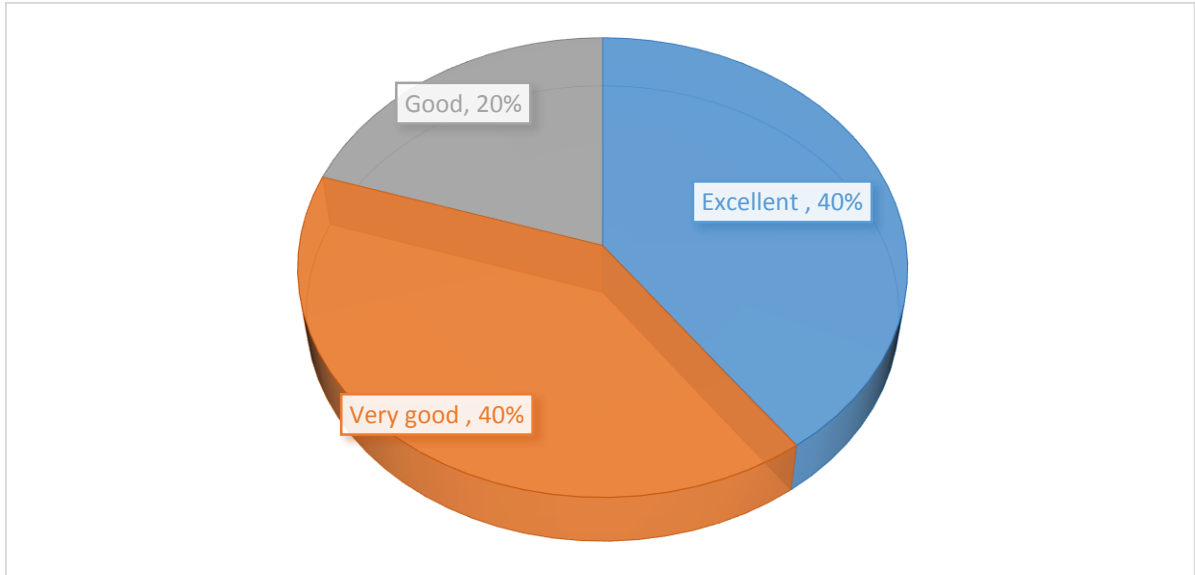


**Figure 4.4. Biometric features captured in the process of biometric registration**

From the findings ten out of ten (100%) of the respondents indicated that the biometric features captured in the process of biometric registration of refugee and asylum seeker were fingerprints and photo respectively, 9 indicated iris pattern scan, while 7 indicated facial recognition. This depicts that majority of the respondents indicated that the biometric features captured in the process of biometric registration of refugee and asylum seeker were fingerprints and photo.

#### **4.2.5 Urban refugee’s and asylum seekers biometric registration system**

The respondents were requested to rate the current refugee’s biometric registration system. The findings were as shown in the figure below:



**Figure 4.5. Refugee’s biometric registration System**

From the findings 40% of the respondents indicated that the current refugee biometric registration system was excellent and very good respectively, while 20% indicated that it was good. This depicts that according to respondents, the current refugee biometric registration system was appropriate for registering refugees and asylum seekers.

#### **4.3 Effect of biometric registration of urban refugee and asylum seeker on access to basic services in Nairobi**

This section presents findings on effect of biometric registration of urban refugees and asylum seeker on access to basic services in Nairobi. The findings are shown in the following subsections:

##### **4.3.1 Extent to which biometric registration of urban refugees and asylum seekers have in access to basic education and health Services in Nairobi**

The respondents were requested to indicate the extent to which Biometric registration of urban refugees and asylum seekers have in access to basic education and health services in Nairobi. The findings are shown in table 4.1

**Table 4.1. Extent to which biometric registration of urban refugees and asylum seekers have in access to basic education and health services in Nairobi**

Statements	Mean	Std. Dev
Enables enrollment to both primary and secondary levels of education	4.2	0.4456
Enables better education planning	3.5	0.4109
Enhances access to basic health services	3.4	0.4112
Enables access to National Health Insurance Fund registration	2.3	0.3998

From the findings the respondents indicated to a great extent that biometric registration of urban refugees and asylum seekers enables enrollment to both primary and secondary levels of education (mean=4.2), followed by it enables better education planning (mean=3.5), enhances access to basic health services (mean=3.4), and that it enables access to National Health Insurance Fund registration (mean=2.3). This depicts that to a great extent that biometric registration of refugees and asylum seekers enables enrollment to both primary and secondary levels of education.

#### **4.3.2 Extent that biometric registration of urban refugee and asylum seekers enhances their protection and support in Nairobi**

The respondents were requested to indicate the extent to which Biometric registration of urban refugees and asylum seekers has enhanced protection and support in Nairobi. The findings are shown in table 4.2

**Table 4.2. Extent that biometric registration of urban refugee and asylum seekers enhances their protection and support in Nairobi**

Services	Mean	Std. Dev
Protection from expulsion/ return/ deportation (non refoulement)	4.3	0.1876
Human rights	3.7	0.2135
Housing	2.1	0.1776
Security by government agencies	3.6	0.2003
Humanitarian assistance	3.5	0.1962

From the findings the respondents indicated to a great extent that biometric registration of urban refugee and asylum seekers has facilitated protection from expulsion/ return/ deportation (non refoulement) (mean=4.3), followed by it has enhanced protection of Human rights (mean=3.7), enhancement of security by government agencies (mean=3.6), has facilitated humanitarian assistance (mean=3.5), and that it has enhanced housing (mean=2.1). This depicts that to a great extent that biometric registration of urban refugee and asylum seekers has facilitated protection from expulsion/ return/ deportation (non refoulement).

#### **4.3.3 Information on the reasons for biometric registration of urban Refugees and asylum seekers in Nairobi**

The respondents were requested to indicate the extent to which each of the following has informed the biometric registration of refugees and asylum seekers in Nairobi. The findings are shown in table 4.3



**Table 4.3. Information to what informs biometric registration of urban refugees and asylum seekers in Nairobi**

Services	Mean	Std. Dev
Security	4.5	0.3312
Protection	4.3	0.3429
Access to services	4.1	0.3112
Documents fraud	4.2	0.2998
Identification	4.8	0.2886
Legal requirement	3.3	0.3394

From the findings the respondents indicated to a great extent that identification informs biometric registration of refugees and asylum seekers in Nairobi (mean=4.8), followed by security (mean=4.5), protection (mean=4.3), documents fraud (mean=4.2), access to services (mean=4.1), and legal requirement (mean=3.3). This depicts that to a great extent that identification informs biometric registration of refugees and asylum seekers in Nairobi.

#### **4.4 Discussion/interpretation of results**

##### **4.4.1 Comparison with theory**

The study findings agree with the Paris school theory that practices like administrative decisions also informs security decisions in the society as well. Policy directives and practices also plays a role in securitization, therefore, it broadens the scope of securitization from speech acts to include also policies and practices. Notably, the directive by the Commissioner of Refugee Affairs in 2012 that the registration of refugees and asylum seekers and in urban centres in Kenya should be stopped and, the relocation of all urban refugees and asylum seekers to Dadaab and Kakuma refugee camps, due to a series of grenade attacks in urban areas. This administrative decision has affected the management of urban refugee and asylum seekers in Nairobi.

According to the findings the majority (60%) of the respondents indicated that they did not register urban refugees and asylum seekers in Nairobi. This depicts that the organization

was not registering urban refugees and asylum seekers in Nairobi unless under refugee policy or those refugees who condition warrants their registration. This demonstrates how practices and administrative directive inform security decision in the management of urban refugees and asylum seekers in Nairobi, Kenya.

#### **4.4.2 Comparison with empirical studies**

The study findings agree with Landau, 2006, that identity documents are the foundation for refugee protection. Identification is the first line of defense against harassment by authorities, return and expulsion and access to services. This is important because some refugees arrive without any identification document, and it offers them satisfactory proof of identity which is a prerequisite condition before someone receives any service from either national or international agents. From the findings the respondents indicated to a great extent that identification informs biometric registration of refugees and asylum seekers in Nairobi (mean=4.8), followed by security (mean=4.5), protection (mean=4.3).

Similarly, the findings are supportive of what Hout, 2014, found that biometric registration is an integral part of refugee and asylum seekers livelihood because it facilitates their access to human rights, education, health services. However, according to the study findings, biometric registration of urban refugees and asylum seekers does not sufficiently enhance access to housing in Nairobi (mean=2.1).

Finally, the study agrees with Pavanello, Elhawary and Pantuliano, 2010, that urban refugees and asylum seekers numbers in Nairobi are highly understated. From the findings the majority (60%) of the respondents indicated that they did not register refugees and asylum seekers in Nairobi, while 40% indicated that they register refugee and asylum seeker in Nairobi. This depicts that the existing confusion in the registration of urban refugees and asylum seekers precipitated by lack of clear urban refugee and asylum seekers policy to guide the process. Further, it highlights the confusion that emanates from lack of a clear policy and administrative guidelines pertaining to the management of urban refugees and asylum seekers in Nairobi. This therefore explains the presence of the unregistered refugee living in Nairobi.

## **CHAPTER FIVE: SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS**

### **5.1 Introduction**

This chapter presents summary of study findings, conclusion of the study, recommendations and limitations of the study on effect of biometric registration on urban refugee and asylum seeker management in Nairobi, Kenya.

### **5.2 Summary of findings**

The study sought to investigate the effect of biometric registration on urban refugee and asylum seeker management in Nairobi, Kenya. Notably, the study also found that the organization was not registering refugees and asylum seekers in Nairobi unless under refugee policy or those refugees who condition warrants their registration. Further, the study found that biometric registration of urban refugees and asylum seekers is done immediately upon the request for asylum and the biometric features captured in the process of biometric registration of refugee and asylum seeker were fingerprints, photo and facial recognition.

The study found that to a great extent that biometric registration of refugees and asylum seekers is meant to enable enrollment to both primary and secondary levels of education. It is also meant to facilitate protection from expulsion/ return/ deportation (non refoulement). Finally, the study found that to a great extent the need for identification, security and protection informs biometric registration of refugees and asylum seekers in Nairobi.

### **5.3 Conclusion of the study**

The purpose of this study was to examine effect of biometric registration on urban refugee and asylum seeker management in Nairobi. According to the study findings, the current biometric registration system is appropriate for refugees and asylum seekers management in Nairobi. However, there is a need for formulation of an urban refugee and asylum seekers policy to guide the administrative practices in the registration of refugees and asylum seekers living in urban areas in Kenya.

In relation to the Paris school theory of security, the findings agree that policies, directives and practices also plays a role in securitization. According to the findings, the need for proper identification and security greatly informs biometric registration of refugees in Nairobi, however, the study found that the organization was not registering refugees and asylum seekers in Nairobi unless under the existing directives on those refugees who condition warrants their registration in urban centers. This means that the existing policies, government directives and practices greatly inform the urban refugee registration in Nairobi.

As regards the biometric features captured during refugee and asylum seekers registration in Nairobi, ten out of ten (100%) respondents indicated fingerprints and photo features, nine out of ten (90%) indicated iris pattern scan, while seven out of ten (70%) indicated facial recognition. This depicts that fingerprints, photo, iris scan and facial recognition features are the biometric features captured in the process of biometric registration of refugee and asylum seeker in Nairobi. These features are critical in enabling refugee and asylum seeker identification. Notably, facial recognition is a new digital identification feature that facilitate faster and efficient identification.

On the extent biometric registration of refugees and asylum seekers affect access to basic education and health services in Nairobi, respondents indicated to a great extent that biometric registration of urban refugees and asylum seekers enables enrollment to both primary and secondary levels of education (mean=4.2), followed by it enables better education planning (mean=3.5), enhances access to basic health services (mean=3.4), and that it enables access to National Health Insurance Fund registration (mean=2.3). This depicts that to a great extent biometric registration of refugees and asylum seekers enables access to both basic education and health services in Nairobi. Therefore, biometric registration of urban refugees and asylum seekers is critical for enabling their access to basic education and health services and it is consciously employed by the Refugee Affairs Secretariat in order to facilitate their access to these services in Nairobi.

Further, regarding the extent biometric registration of urban refugee and asylum seekers has facilitated protection of urban refugees and asylum seekers in Nairobi, the findings indicated that; biometric registration of urban refugee and asylum seekers in Nairobi has to a great extent enhanced protection of urban refugees from expulsion, return at the border and deportation (non refoulement). Further, it has enhanced their enjoyment of human rights and enhanced their security. However, it has not enhanced their access to housing in Nairobi. Therefore, Refugee Affairs Secretariat together with UNHCR and other aid agencies should be focused on enhancing urban refugees and asylum seekers access to housing.

Finally, on what informs the biometric registration of urban refugees and asylum seekers in Nairobi, the findings indicated that the need for identification mostly informs biometric registration of refugees and asylum seekers in Nairobi. The need to enhance security comes second while the need to enhance protection and to counter documents fraud follow. This depicts that to a great extent that need for identification, security, protection greatly informs biometric registration of refugees and asylum seekers in Nairobi in the management of urban refugees and asylum seekers in Nairobi.

#### **5.4 Recommendations**

Based on the findings the following recommendations are made, recommendation to improve screening, reception, registration and humanitarian support activities in collaboration with UNHCR and other partners to ensure comprehensive identification and support to urban refugees and asylum seekers in Nairobi.

Recommendation to recommence urban refugee and asylum seekers registration in Nairobi, further, enhance fairness in the treatment of all refugees and asylum seekers including urban refugees and asylum seekers in Nairobi and observance of human rights. Recommendation for the formulation of an urban refugee policy to guide the management of urban refugee and asylum seekers in Nairobi.

Recommendation to allow refugees to move freely within Kenya in line with binding obligations under 1951 United Nations Convention on Refugees, 1967 protocol on refugees, 1969 Organization of African Unity Convention on refugees as well as the Constitution of Kenya.

## **5.5 Limitation of the study**

### **5.5.1 Confidentiality**

Confidentiality of personal information was one of the limitation when collecting data. The staff at the Refugee Affairs Secretariat are bound to protect personal information of refugees and asylum seekers. However, the introduction to them by the University of Nairobi and the Department of Immigration Services enhanced openness.

### **5.5.2 Covid 19 Pandemic**

The outbreak of Covid 19 pandemic in the course of this study was a major disruption due to the government restriction measures aimed at reducing the spread of the viral disease. However, by embracing the prescribed measures by the Ministry of health, I progressed well with the study.

## **5.6 Suggestion for further study**

This research focused on effect of biometric registration on the management of urban refugees and asylum seekers management in Nairobi, Kenya. This was from the Refugee Affairs Secretariat perspective and therefore, further studies on effects of biometric registration of urban refugees and asylum seekers from the refugees and asylum seekers perspective.

## REFERENCES

- Betts, A., Loescher, G., & Milner, J. (2008). *UNHCR: The politics and practice of refugee protection into the 21st century*. Routledge.
- Bierstaker, J. L., Seol, I., Kelly, P., & Hartley, C. A. (2010). Casino gambling and workplace fraud: A cautionary tale for managers. *Management Research Review*.
- Buzan, B., Weaver, O., & Wilds, J. (1998). *Review of Security: A New Frame for Analysis*. London: Lynne Rienner.
- Campbell, E., Crisp, J., & Kiragu, E. (2011). *Navigating Nairobi: A review of the implementation of UNHCR's urban refugee policy in Kenya's capital city*. Geneva: UNHCR. Retrieved on January 14th, 2020, from <http://www.unhcr.org>
- Cressey, D. R. (1953). *Other people's money; a study of the social psychology of embezzlement*.
- Delgado, J. M. (2013). Use of Biometrics within Sub-Saharan Refugee Communities. Institute for Defence Analysis. Retrieved on January 14th, 2020, from <https://apps.dtic.mil/dtic/tr/fulltext/u2/a608181.pdf>
- Deresky, H., & Christopher, E. (2012). *International management: Managing cultural diversity* (pp. 112-113).
- Deresky, H., & Christopher, E. (2012). *International management: Managing cultural diversity* (pp. 112-113).
- Farraj, A. (2010). Refugees and the biometric future: the impact of biometrics on refugees and asylum seekers. *Colum. Hum. Rts. L. Rev.*, 42, 891. Retrieved on January 14th, 2020, from <https://iow.eui.eu/wp-content/uploads/sites/18/>.
- Gibney, M. J., & Gibney, M. J. (2004). *The ethics and politics of asylum: Liberal democracy and the response to refugees*. Cambridge University Press.
- Giriūnas, L., Mackevičius, J., & Valkauskas, R. (2013). Analytical study and modeling of statistical methods for financial data analysis: theoretical aspect. *Journal of Security & Sustainability Issues*, 3(1). Retrieved on January 14th, 2020, from <https://mrui.pure.elsevier.com/en/publications/analytical-study-and-modeling->
- Goodwin-Gill, G. S., & McAdam, J. (2007). *The refugee in international law*. Oxford University Press.
- Hollenbach, D. S. (2016). Borders and duties to the displaced: ethical perspectives on the refugee protection system. *Journal on Migration and Human Security*, 4(3), 148-165. Retrieved on January 14th, 2020, from <https://journals.sagepub.com/doi/pdf/10.1177/233150241600400306>.

- Huot, D. (2014). Migration and integration in Nairobi, Kenya: Refugee rights, social capital, and livelihoods in an urban environment (Master's thesis, University of Waterloo).
- Jackson, I. C. (1991). The 1951 Convention Relating to the Status of Refugees: A universal basis for protection. *Int'l J. Refugee L.*, 3, 403. Kiama, L., & Karanja, R. (2012). Asylum space in Kenya: evolution of refugee protection over 20 years. *Forced Migration Review*, (25th Anniversary collection). Retrieved on January 14th, 2020, from [https://www.academia.edu/9547456/Asylum\\_Space\\_in](https://www.academia.edu/9547456/Asylum_Space_in).
- Kibreab, G. (1996). People on the edge in the Horn: displacement, land use & the environment in the Gedaref region, Sudan. *People on the edge in the Horn: displacement, land use & the environment in the Gedaref region, Sudan*.
- Kombo, D. K., & Tromp, D. L. (2006). Proposal and thesis writing: An introduction. *Nairobi: Paulines Publications Africa*, 5, 814-30.
- Lodinová, A. (2016). Application of biometrics as a means of refugee registration: focusing on UNHCR's strategy. *Development, Environment and Foresight*, 2(2), 91-100. Retrieved on January 14th 2020, from <https://www.alnap.org/help-library/application-of-biometrics-as-a-means-of-refugee...>
- Marfleet, P. (2007). "Forgotten," "hidden": Predicaments of the urban refugee. *Refuge: Canada's Journal on Refugees*, 24(1), 36-45. Retrieved on January 20th, 2020, from <https://refuge.journals.yorku.ca/index.php/refuge/article/download/21366/20036>
- Mwalimu, C. (2013). Refugees and State Security: Kenya's obligation under International Humanitarian Law and the Impact of the Law on State Security. Unpublished (accessed online: <https://independent.academia.edu/CharlesMwalimu>).
- Mugenda, O. M., & Mugenda, G. A. (2003). *Research methods*.
- National Science and Technology Council. (2006). Biometrics "Foundation Documents".
- Njogu, V. (2017). Encampment policies, protracted refugee situations and national security concerns: the challenges of refugee protection in Kenya.
- Pavanello, S., Elhawary, S., & Pantuliano, S. (2010). Hidden and exposed: Urban refugees in Nairobi, Kenya. London: Overseas Development Institute. Retrieved on January 14th, 2020, from <https://www.researchgate.net/publication/242679166>
- Sethi, B. (2013). Newcomer resettlement in a globalized world: The role of social workers in building inclusive societies. *Critical Social Work*, 14(1), 81-100. Retrieved on January 14th, 2020, from <https://socialwork.kings.uwo.ca/people/faculty-and-administration/member-profile/>



- Sommers, M. (2001). Young, male and Pentecostal: urban refugees in Dar es Salaam, Tanzania. *Journal of Refugee Studies*, 14(4), 347-370. Retrieved on January 14th, 2020, from [https://www.researchgate.net/publication/238410360\\_Young\\_Male\\_and\\_Pentecostal\\_Urban](https://www.researchgate.net/publication/238410360_Young_Male_and_Pentecostal_Urban)
- UNHCR (2019). "Global forced displacement trends. (Annexes) Statistical Yearbook United Nations Convention Relating to the Status of Refugees. 2019. Retrieved 15 April 2020.
- United Nations High Commissioner for Refugees (UNHCR). 2014. Convention and Protocol relating to the Status of Refugees (PDF), Geneva, Switzerland. Communications and Public Information Service, 2014.
- Voppen, N. A. G. (2017). The securitization of Somali refugees in Kenya: The plan to close Dadaab refugee camp (Master's thesis).
- Weinberg, J. (2016). Proving Identity. *Pepp. L. Rev.*, 44, 731.
- Wolfe, D. T., & Hermanson, D. R. (2004). The fraud diamond: Considering the four elements of fraud.

**APPENDICES**

**Appendix I: Questionnaire Section A**

How long have you worked with the organization?

- i) 1 – 5 years [       ]
- ii) 6 – 10 [       ]
- iii) 11 – 15 [       ]
- iv) More than 16 [       ]

Does your organization register refugees and asylum seekers? Yes [       ]

No [       ]

If yes (no 2 above) do you capture biometrics of refugees and asylum seekers during registration?

Yes [       ]

No [       ]

Not sure [       ]

If yes (no 3 above) which biometric features are enrolled?

- i) Fingerprints [       ]
- ii) Photo [       ]
- iii) Iris pattern scan [       ]
- iv) Voice [       ]
- v) DNA [       ]
- vi) Facial recognition [       ]

vii) Any other (specify).....

At what stage do you take the urban asylum seekers and refugees biometrics?

- i) Immediately Upon request for asylum [       ]
- ii) During Interview [       ]
- iii) Upon passing Refugee Status Determination interview [       ]

iv) Any other period, (specify).....

Generally, how do you rate the current urban refugee’s biometric registration system?

- i) Excellent [       ]
- ii) Very good [       ]
- iii) Good [       ]
- iv) Fair [       ]

v) Poor [ ]

In your view, what is the significance of biometric registration of urban refugees and asylum seekers biometric registration in Nairobi?

i) Very significant [ ]

ii) Significant [ ]

iii) Not significant [ ]

Section B: Effect of biometric registration of refugees and asylum seekers on access to basic services in Nairobi

Please use the Survey measurement scales given below to answer the questions in the sections that follows

Survey measurement scales

To no extent=1	Little extent=2	Moderate =3	Great extent =4	Very great extent =5
----------------	-----------------	-------------	-----------------	----------------------

Please indicate, on a scale of 1 to 5 in the box, the extent to which Biometric registration of refugees and asylum seekers have in access to basic education in Nairobi.

a) Biometric registration and access to basic education

i) Enables enrollment to primary education [ ]

ii) Enhances identification of refugees and children of refugees [ ]

iii) Enhances access to free primary education in government schools [ ]

iv) Enables better planning in education planning [ ]

b) Biometric registration and access to health services

i) Enhances access to basic health services [ ]

ii) Enables access to National Health Insurance Fund registration [ ]

Please indicate the extent to which you think the biometric registration of urban refugees and asylum seekers has enhanced protection and access to services in Nairobi

To what extent does biometric registration of refugees and asylum seekers enhance refugee access to services in Nairobi?

Tick where appropriate.

SERVICES	SCALE				
	To no extent	Little extent	Moderate	Great extent	Very great extent
Protection from expulsion/ return/ deportation (non refoulement)					
Housing					
Education					
Health					
Security by government agencies					
Aid / assistance					

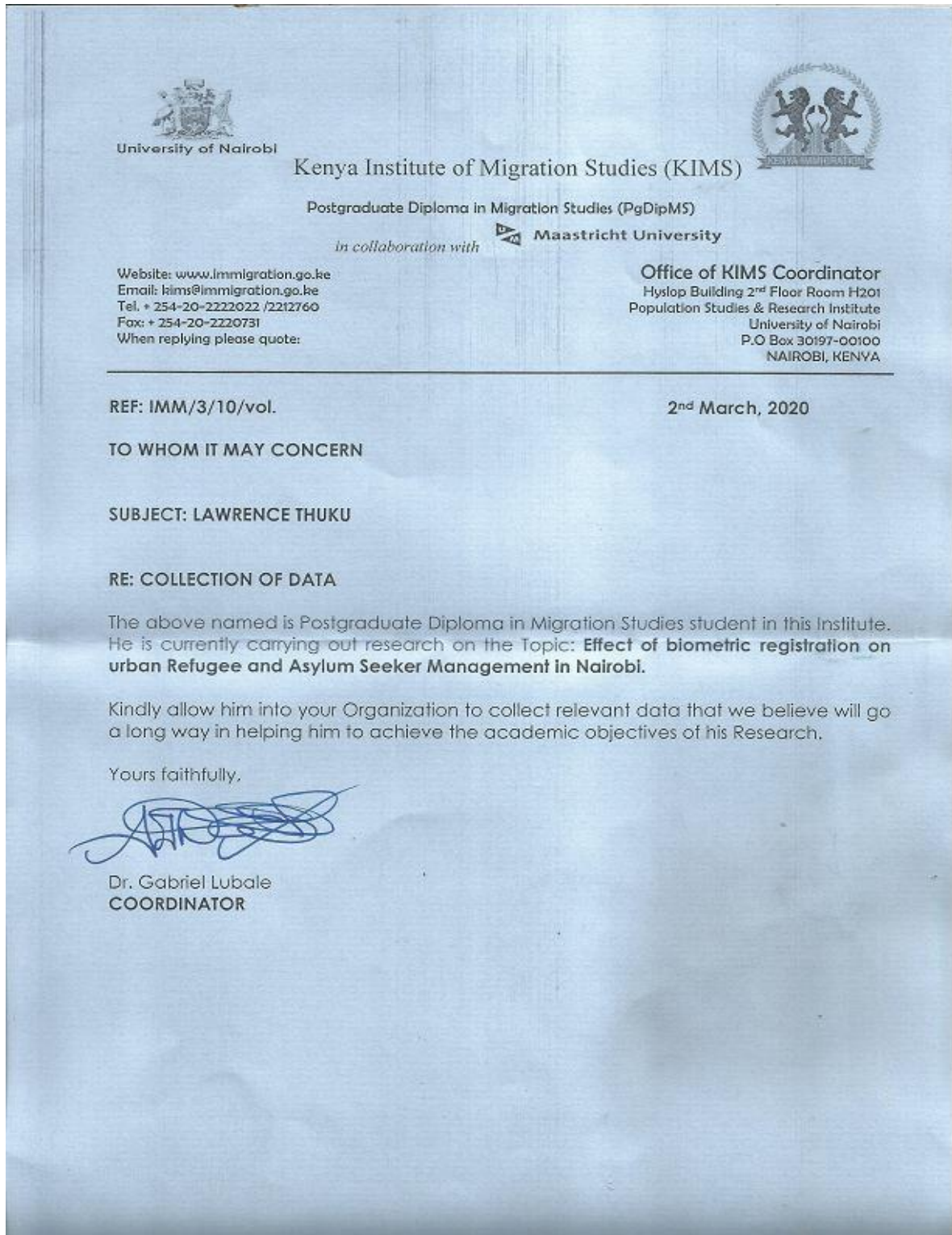
In your view, please indicate the extent to which each of the following has informed the biometric registration of refugees and asylum seekers in Nairobi.

Survey measurement scales

To no extent =1	Little extent =2	Moderate =3	Great extent =4	Very great extent =5
-----------------	------------------	-------------	-----------------	----------------------

Security	
Protection	
Access to services	
documents fraud	
Identification	

## Appendix II: Introduction letter



## Appendix III: Turnitin Report

### EFFECT OF BIOMETRIC REGISTRATION ON URBAN REFUGEE AND ASYLUM SEEKER MANAGEMENT IN NAIROBI, KENYA

#### ORIGINALITY REPORT

**15%**

SIMILARITY INDEX

**12%**

INTERNET SOURCES

**8%**

PUBLICATIONS

**%**

STUDENT PAPERS

#### PRIMARY SOURCES

**1**

[pdfs.semanticscholar.org](https://pdfs.semanticscholar.org)

Internet Source

**2%**

**2**

[publications.iom.int](https://publications.iom.int)

Internet Source

**2%**

**3**

P. A. Palmgren. "Irregular Networks: Bangkok Refugees in the City and Region", *Journal of Refugee Studies*, 2013

Publication

**1%**

**4**

[erepository.uonbi.ac.ke](https://erepository.uonbi.ac.ke)

Internet Source

**1%**

**5**

[journals.sagepub.com](https://journals.sagepub.com)

Internet Source

**1%**

**6**

"Refugees and Migrants in Law and Policy", Springer Science and Business Media LLC, 2018

Publication

**1%**

**7**

[repository.seku.ac.ke](https://repository.seku.ac.ke)

Internet Source

		1%
8	Nicholas Henry. "Asylum, Work, and Precarity", Springer Science and Business Media LLC, 2018 Publication	1%
9	"Refugees, Citizenship and Social Policy in Europe", Springer Science and Business Media LLC, 1999 Publication	1%
10	chss.uonbi.ac.ke Internet Source	1%
11	onlinelibrary.wiley.com Internet Source	<1%
12	repository.usfca.edu Internet Source	<1%
13	worldwidescience.org Internet Source	<1%
14	LexisNexis Publication	<1%
15	Diane F. Morof, Samira Sami, Maria Mangeni, Curtis Blanton, Barbara Lopes Cardozo, Barbara Tomczyk. "A cross-sectional survey on gender-based violence and mental health among female urban refugees and asylum	<1%

seekers in Kampala, Uganda", International Journal of Gynecology & Obstetrics, 2014

Publication

---

16 M. U. Dimelu, R. I. Ozioko, M. C. Madukwe, S. O. Eze. "Capacity for research and outreach on climate change agricultural adaptation in the Faculties of Agriculture of Universities in southeast Nigeria", African Journal of Agricultural Research, 2014

Publication

---

17 [erepository.uonbi.ac.ke:8080](http://erepository.uonbi.ac.ke:8080) <1%

Internet Source

---

18 [krishikosh.egranth.ac.in](http://krishikosh.egranth.ac.in) <1%

Internet Source

---

19 [www.europarl.europa.eu](http://www.europarl.europa.eu) <1%

Internet Source

---

20 [www.hias.org](http://www.hias.org) <1%

Internet Source

---

21 Anne, Onunga Dolly. "An Evaluation on Stakeholder's Preparedness on Transition to the Community for Learners with Autism after Graduation in Thika West, Kiambu County-Kenya", Journal of Educational and Social Research, 2014.

Publication

---

22 [link.springer.com](http://link.springer.com)



	Internet Source	<1%
23	<a href="http://www.lse.ac.uk">www.lse.ac.uk</a> Internet Source	<1%
24	Crisp, Jeff, Tim Morris, and Hilde Refstie. "Displacement in urban areas: new challenges, new partnerships", Disasters, 2012. Publication	<1%
25	<a href="http://archive-ouverte.unige.ch">archive-ouverte.unige.ch</a> Internet Source	<1%
26	<a href="http://actacommercii.co.za">actacommercii.co.za</a> Internet Source	<1%
27	<a href="http://issuu.com">issuu.com</a> Internet Source	<1%
28	<a href="http://capsa.org.au">capsa.org.au</a> Internet Source	<1%
29	<a href="http://www.wordsinthebucket.com">www.wordsinthebucket.com</a> Internet Source	<1%
30	<a href="http://modernloveok.com">modernloveok.com</a> Internet Source	<1%
31	"Forced Displacement", Springer Science and Business Media LLC, 2008 Publication	<1%
32	<a href="http://best-nw.eu">best-nw.eu</a>	

	Internet Source	<1%
33	<a href="http://eprints.utar.edu.my">eprints.utar.edu.my</a> Internet Source	<1%
34	<a href="http://ir.jkuat.ac.ke">ir.jkuat.ac.ke</a> Internet Source	<1%
35	<a href="http://reliefweb.int">reliefweb.int</a> Internet Source	<1%
36	<a href="http://www.isec.ac.in">www.isec.ac.in</a> Internet Source	<1%
37	<a href="http://ir.ucc.edu.gh">ir.ucc.edu.gh</a> Internet Source	<1%
38	<a href="http://docplayer.net">docplayer.net</a> Internet Source	<1%
39	<a href="http://eap.uonbi.ac.ke">eap.uonbi.ac.ke</a> Internet Source	<1%
40	Caroline Wanjiku Kihato, Loren B. Landau. "Stealth Humanitarianism: Negotiating Politics, Precarity and Performance Management in Protecting the Urban Displaced", Journal of Refugee Studies, 2016 Publication	<1%
41	<a href="http://slidelegend.com">slidelegend.com</a> Internet Source	<1%

42	<a href="http://kucomp.blogspot.com">kucomp.blogspot.com</a> Internet Source	<1%
43	<a href="http://www.researchsquare.com">www.researchsquare.com</a> Internet Source	<1%
44	<a href="http://www.coursehero.com">www.coursehero.com</a> Internet Source	<1%
45	<a href="http://core.ac.uk">core.ac.uk</a> Internet Source	<1%
46	<a href="http://etd.aau.edu.et">etd.aau.edu.et</a> Internet Source	<1%
47	<a href="http://www.pondiuni.edu.in">www.pondiuni.edu.in</a> Internet Source	<1%

Exclude quotes On

Exclude matches < 10 words

Exclude bibliography On