

## UNHCR Response to FiLiA letter delivered on International day of protest

Dear Ms. Taylor and fellow Folia members,

I would like to thank you for your letter dated 1 September that was submitted to UNHCR's London office. I'm sorry I was not able to receive your delegation and letter in person, but due to current COVID-19-related restrictions we have been retaining a limited staff presence in our London office. The testimonies contained in the letter are of genuine concern and have been forwarded to our country office in Kenya, which is examining them.

I would like to explain in some detail our role, the situation as we understand it and the actions that our colleagues in Kenya have been taking.

UNHCR was established 70 years ago with one purpose: to protect all refugees and find durable solutions for them no matter their culture, nationality, sexual orientation, gender identity, religion or any other factor. Please rest assured that we strive to guarantee the rights and well-being of all refugees and do not tolerate discrimination or any form of violence against them, including acts perpetrated by other refugees.

Regarding the situation in Kakuma, UNHCR acknowledges the huge challenges that vulnerable refugees and asylum-seekers face, including those who self-identify as being lesbian, gay, bisexual, transgender or intersex (LGBTI). UNHCR staff closely follow the security situation there and continue to work with refugees, partner organizations, and state authorities to protect this at-risk population and find lasting solutions for these individuals.

All the testimonies that we have received have been shared with the camp management and the authorities. After initial investigations and discussions with community representatives and partners, we can update you with the following observations:

A small group of some 20 refugees and asylum seekers, who dwell in an area of the camp known as Block 13, has reported numerous incidents of violence against them; they have asked to be urgently resettled to other countries. This group has insisted on living together in Block 13, despite the availability and offer of safer alternatives. The overwhelming majority of others in the camp with an LGBTI profile have opted to live dispersed across the Kakuma camps in small numbers in shelters limited to partners, family or friends.

As each incident has been investigated, we have observed that many of the accounts reported (for example on social media) are inconsistent with eyewitness accounts and personal experience of other LGBTI refugees who live in the same part of the camp as well as from partners who work inside Kakuma and have first-hand experience supporting them. We are concerned that a growing number of refugees in the camp, including some who identify as LGBTI, fear speaking out and engaging with us due to pressure from some individuals within this small group of LGBTI refugees.

While we believe these incidents do not reflect the overall security situation in Kakuma, we are concerned by rising tensions in Block 13. To help mitigate the situation, police patrols have increased in that area and services -- including medical, legal and psycho-social assistance -- have been reinforced.

Refugees in Kakuma regularly contact UNHCR and partner organizations through various means, including a country-wide toll-free 24-hour helpline and a dedicated UNHCR Kakuma Protection channel. Whenever we are informed of a security incident against a refugee or asylum-seeker, our staff immediately engage with our NGO partners in Kakuma to ensure that those in need are provided medical treatment and psychosocial support. Recently, in similar such situations, ambulances have been sent to transport the refugee impacted to a health facility, even though movement restrictions are currently in place due to COVID-19.

UNHCR, together with a number of partners, have specific, immediately-responsive protocols in place for addressing the needs of all women, men and children who report incidents of sexual and gender-based violence. Medical, psycho-social, legal and other support is made available to all survivors who report, depending on the wishes they express in individual interviews with trained staff. All incidences reported are systematically logged.

In relation to a reported incident on 19 July, for instance, medical staff immediately treated all four affected individuals; however, the individuals declined to report the incident to the police. Following the incident, all four received mental health assistance, and our staff continue to follow their cases closely. There are several medical facilities in Kakuma; the IRC hospital is located closest to Block 13 and most often attends to the health concerns raised by the group.

As you know, some LGBTI refugees have experienced severe trauma resulting from persecution, which has required psychotherapeutic intervention. In addition to individual counseling, refugees in need have access to specialized health professionals who provide psychiatric care and medication when indicated. UNHCR is closely following the advice and recommendations from trusted and experienced health professionals in Kakuma, and we encourage other medical doctors, psychiatrists and psychosocial counselors who are dealing with LGBTI refugees to contact us directly.

In this context, UNHCR is renewing its call for dialogue among communities to help reduce tensions. We have launched an initiative to bring together representatives from various communities living in and around Block 13 to discuss ways in which tensions can be reduced and security improved. We regret that, so far, a small group of LGBTI refugees has refused to be part of this dialogue.

We do, however, reject allegations that members of this small group, or LGBTI refugees in general, are being denied services and assistance. These services, including food, water, health and education, are available to nearly 200,000 refugees and asylum-seekers residing in the camp and currently being utilized by many refugees, including LGBTI refugees.

Refugees of diverse sexual orientations and gender identities have access to the same shelters as all refugees residing in Kakuma. Further, mechanisms are in place to report damaged shelters. Upon assessment, shelters will be repaired or fully replaced within 10 days. In urgent cases, the shelter is repaired or replaced immediately. In 2020, a total of 24 shelters have been repaired or replaced for LGBTI refugees and asylum-seekers who reported their cases to UNHCR. All shelters were either repaired or replaced within 24 hours.

We know that many LGBTI refugees have requested to be urgently resettled to another country. We understand the very real challenges they face and are fully aware that there are some very vulnerable LGBTI refugees. Although we are fully committed to finding solutions for all refugees in Kenya, we also face limitations, both in terms of resources and resettlement places available. We are doing everything we can in a very difficult situation and will continue advocating with donor governments for more resources and resettlement places for refugees who need it. To maintain the integrity of our resettlement programme, priority is given to those who need protection most. This includes survivors of torture or sexual and gender-based violence and unaccompanied minors who all deserve our urgent attention. LGBTI refugees have also been able to benefit from this vital programme. Some 1.4 million refugees globally are in need of resettlement, while this year only 57,600 resettlement places have been made available by states to UNHCR. We welcome and encourage initiatives in this area from civil society groups based outside of Kenya, including private sponsorship programmes.

The security and well-being of refugees is our priority. We are alarmed by recent examples of the spreading of false information on social media regarding the prevailing situation in Kakuma and wish to stress that the overwhelming majority of refugees present in Kakuma, including many with an LGBTI profile, are able to live there peacefully. The situation is very complex, and misinformation from some has unfortunately increased tensions with this group as well as hindered the ability of UNHCR and partners to best provide protection and assistance to almost 500,000 refugees and asylum-seekers currently hosted in Kenya.

All the information that we have provided here can be independently verified and we strongly encourage those following the situation to get their information from multiple sources.

Again, I would like to thank you for bringing your concerns to our attention and please rest assured that we are open to dialogue with you and those who you support and will continue to do whatever we can to protect LGBTI refugees in Kakuma and beyond.

With best regards,

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