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## Strategies Employed in the Repatriation of South Sudanese Refugees from Kakuma Camp to South Sudan

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### **Abstract:**

*South Sudan has been involved in armed conflicts for more than 60 years. The first war between Sudan and South Sudan lasting from 1955 to 1972 was brought to an end following the signing of the Addis Ababa Agreement in which regional autonomy was agreed. A second civil war began in 1983 and became Africa's longest conflict ending in 2005 with the signing of a Comprehensive Peace Agreement (CPA). The CPA created prospects for a peaceful South Sudan ushering in detailed preparation and eventual repatriation of some refugees from Kakuma camp in Kenya to South Sudan. This research article studied the strategies employed in the repatriation of South Sudanese refugees from Kakuma refugee camp to South Sudan between the year 2005 and 2013 before the outbreak of the third civil war in South Sudan. The article examined the strategies by focusing on inter-related themes of mobilisation and registration of refugees for repatriation, the role of Government of Kenya in refugee management and repatriation, organised and spontaneous return of refugees, dilemma caused by new asylum seekers to the camp management and finally the limits of repatriation as a durable solution. To realize the purpose of the study, the researcher employed descriptive research design that involved description and analysis. Questionnaires and interviews were used to collect primary data. Data was collected from refugee respondents, camp management officials and Kenya government officers at Kakuma refugee camp. Secondary data was collected through library study of books, newspapers, government reports, United Nations High Commission for Refugees (UNHCR) annual reports, journal articles, research papers and theses the data was analyzed using qualitative and quantitative analysis techniques. Data was presented in tables, charts and graphs.*

**Keyword:** Asylum, civil war, refugees, repatriation, tripartite agreement

### **1. Introduction**

In many circumstances related to war, internal strife or other disasters such as drought and famine, people are forced to run away from their homes to escape anticipated or realized violence, death, damage and acute shortage of basic needs such as food leaving behind their possessions. These clusters of people are referred to as forced migrants. Where these migrants end up gives them further labelling, which radically affects how international stakeholders handle them. When the evictees are forced to leave their country to seek asylum outside their country, they are labelled as refugees in the host country. When this happens, the host country and UNHCR generally provides them, as a group, with basic life needs usually offered in a refugee camp. Most significantly, international response organisations and UNHCR Implementing Partners (IPs) are granted access to them and are able to offer them food, shelter, and medical assistance. Refugees are also defended by a set of universally accepted laws that offer them a considerable degree of protection. The term refugees have been condensed into a legal definition enshrined in the 1951 Geneva Convention Relating to the Status of Refugees and the 1967 Protocol. For Africa, in 1969 the regional Organisation of African Unity (now the African Union) agreed on a convention on refugee problem in Africa expanding the international convention to include persons who are outside their countries owing to external aggression, occupation, foreign domination or events seriously disrupting political order. For the purpose of this study, the term refugee was used to refer to persons displaced by war or armed conflict particularly in Sudan and South Sudan who fled across the international border into the neighbouring countries with main focus on Kakuma refugee camp in Kenya. UNHCR estimates that there are more than 10 million refugees throughout the world today (UNHCR, 2016). UNHCR lists three durable solutions to the plight of refugees namely i) voluntary repatriation ii) integration into the country of first asylum and iii) resettlement in a third country (UNHCR, 2004). The UN agency recommends voluntary repatriation as an ideal solution.

This study contextualised South Sudanese refugees' experiences within the framework of a refugee regime that was premised on encampment and repatriation. The war to peace transition for South Sudan has remained elusive. However, in 2005 a CPA was signed between the Government of Sudan and Sudanese Peoples Liberation Movement (SPLM). The CPA provided a lull in the war which

created prospects for peace that resulted in preparation and eventual repatriation of some refugees from Kakuma camp to South Sudan by UNHCR. Against the background of the CPA, the current study explored the strategies employed in the repatriation of South Sudanese from Kakuma camp to South Sudan.

## 2. Methodology

### 2.1. Data Collection

The data used in this study was collected as part of a larger study on challenges of managing Sudanese refugees in Kakuma camp affecting their repatriation from Kenya to South Sudan. The information was obtained from both field survey (primary data) and document analysis (secondary data). For the field survey, key informants included Kenyan government officials, UNHCR officials, representatives of local Community, Non-Governmental Organizations (NGOs), Implementing Partners and the refugees. The instruments used to obtain data included questionnaires, informal interview schedules, checklists, and a documentary analysis framework.

### 2.2. Data Analysis

The study adopted qualitative data analysis supplemented by quantitative analysis. Responses were summarized into specific themes presented in narratives. Quantitative procedures were used mostly to analyse statistical data.

## 3. Discussion of Results

The central theme of the research was to establish strategies used to repatriate the South Sudanese in Kakuma camp to South Sudan following the signing of the CPA and the short period of peace before the outbreak of the third war pitting President Salva Kiiri and a faction allied to his former Vice president Riak Machar. To achieve the results, the study adopted the use of descriptive statistics.

### 3.1. Mobilisation and Registration of South Sudanese Refugees for Repatriation by UNHCR and IPs

This study sought to establish the strategies used by UNHCR for mobilisation and registration of refugees for repatriation following the signing of the CPA. To initiate repatriating plans for South Sudanese refugees at Kakuma camp, the UN agency was convinced that the positive pull factors in South Sudan were an overriding element in the refugee's decision to return rather than possible push factors in the Kakuma camp or negative pull factors in South Sudan, such as spirited campaigns by SPLM to fulfil political interests, of attaining the numbers required for the census for the 2008 election and 2011 referendum. The UN agency mobilized the refugees for return home.

This study sought to find out the means used by the Kakuma camp management to mobilize individuals willing to return home. Twenty five percent (9) of the camp management respondents indicated use of camp mobilizers, 35% (12) showed use of community leaders, 20% (7) respondents selected use of open barazas, as 15% (5) pointed to religious meeting while 5% (2) showed that posters and charts were applied in the mobilisation. The results were summarised in Fig 1.

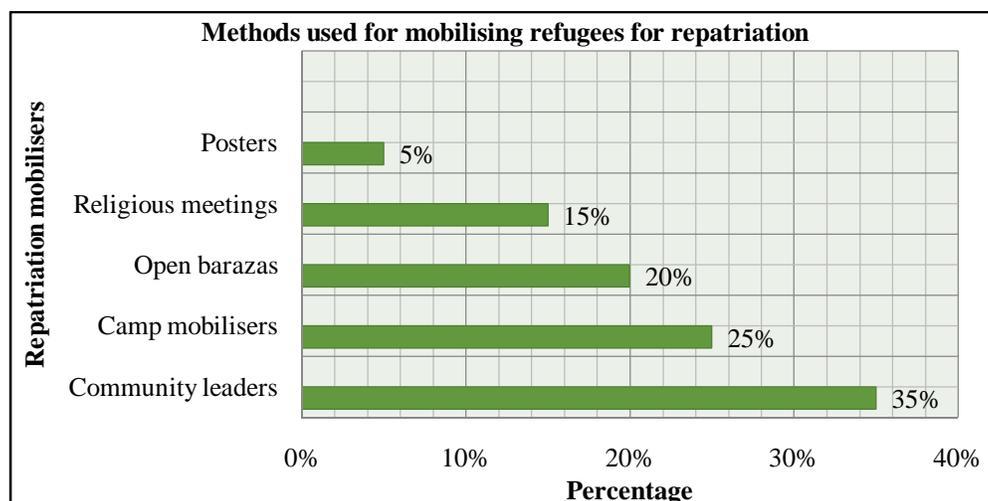


Figure 1: Means for mobilizing refugees for repatriation  
Source, Field data, 2014

These results showed that UNHCR relied more on the community leaders in mobilising the refugees. When asked to rate the effectiveness of the methods used in the mobilisation, 60% (10) of those who choose the use of community leaders indicated that the method was very effective, as 25% (4) showed the method was good while 15% (2) rated the method as fair. It was important for the camp management to provide links which refugees could use to gather information from sources they could trust. The refugees themselves had reservations with the use of community leaders for mobilisation by UNHCR. The views expressed by the respondent

showed that the refugees did not have full confidence in the information delivered by the community leaders despite the fact that this was the means mostly used by the camp management to communicate to the refugees.

Increased repatriation activities in Kakuma camp were witnessed between the year 2005 and 2008. The mobilisation strategies used by the camp management led to refugees registering for repatriation. The study sought data on refugees registered for repatriation. These data were important because the repatriation was premised on donor funding who had specific expectation, for instance the repatriation was to be completed within three years after the signing of the CPA. The data collected from the camp management records indicated that out of the over 45 000 refugees in the camp by 2007, only 7 111 persons had registered for next repatriation representing 16.5 % of the total refugee population in Kakuma meaning that 37 889 refugees representing 83.5% who were the majority had not registered for repatriation three years since the exercise started, implying the exercise was behind schedule as per the donors' time frame.

Analysis of secondary sources at the camp further revealed the data summarised in Table 1.

Category	Male	Female	Total
Non - students	880	1780	2 660
Students	2861	1590	4451
Grand total	3370	3741	7111

Table 1: Refugees registered for repatriation by education and gender in 2007

Source: UNHCR, 2012

The data in Table 1 covers a significant point in the history of the South Sudanese repatriation since at that time there was heightened interest and focus on South Sudan.

The study also established that 67% (2660) adults or non-student refugees registered for repatriation were female refugees. The main reason attributed to this was because their husbands had remained in Sudan either fighting or had returned earlier to assess the security situation and establish a home for their families. Ahmed (2008) supported these results by noting that two reasons explained why data on repatriation reflected more women registered for repatriation than men. First, single, divorced and widowed women who were female heads of their households would register for the return. Secondly, women whose husbands or family were in South Sudan and found themselves heads of households in the camp would make the decision to repatriate. Thirty five percent of the refugee respondents indicated that the reports they received from their country people who had repatriated and then returned to Kakuma discouraged them from registering for repatriation. Information gathered from the refugees remaining in the camp and not registered for repatriation indicated that they were adopting a wait and see approach.

The views expressed by the respondent revealed the fears the refugees had which impacted negatively on the repatriation process. These sentiments were echoed by Ndung'u and Mwachofi (2006) when they contended that the signing of the CPA did not give Sudanese refugee enough confidence to return home, particularly following the demise of SPLM leader Dr. Garang in 2005. Jaji (2009) noted that even where conspicuous violence had ceased conflicts were too complex to be followed by restoration of peace, voluntary repatriation and harmony.

The opinion expressed by UNHCR Repatriation Assistant showed that the UN agency does not coerce the refugees to leave the camp for home. UNHCR indicated that according to its mandate, it was expected to take care of the refugees until that time when the refugees would decide to go home. Sorenson (1995) noted that since the decision-making process by refugees on when to register and return was liberalised, the process had become fraught with painful choices, contradictions and uncertainties. In contrast to the decision to flee from South Sudan which was spurred by persecution, repression and war, the decision to return home was centred on the desire by the refugees to go back and the situation in Kakuma camp. The refugees demonstrated a more cautious approach to the return.

### 3.2. Role of GOK in Refugee Management and Repatriation

This study sought to assess the role of the Government of Kenya as a key stakeholder in refugee management at Kakuma camp and repatriation from Kenya. Camp management respondents were asked to indicate the role of GOK. Sixty percent (21) of the respondents indicated that the role of the GOK was providing security in the camp and during the refugees' journey from Kenya to South Sudan between Kakuma and Nadapal. Twenty percent (7) showed GOK gave legal framework to the repatriation process by signing the Tripartite Agreement. To fifteen percent (5) of the respondent, the role of GOK was participating in cross border planning and working meetings. Five percent (2) of the respondents indicated that the role of the government was to order the refugees out of Kenya.

On the question of GOK having played its role effectively, 45% (16) of the respondents answered in the positive while 55% (19) responded in the negative. The study through analysis of the Refugee Act of Kenya (2006) revealed that responsibilities of refugee management in Kenya were vested in the Commissioner for Refugee Affairs who had eighteen functions to perform. One of the functions was to manage refugee camps. However, this study established that other than granting permission of entry to the camp by the GOK camp manager at Kakuma and providing security to the camp by Kenya police, other management activities were left to UNHCR and the IPs. Key functions such as refugee status determination and registration were left to the UN agency. The other core protection activities of the UNHCR Sub office in Kakuma included the monitoring of two border points, Lokichoggio and Malaba and conducting *prima facie* (group determination) screening of Sudanese. These were crucial security functions the government had

delegated to the UN agency. This finding was supported by a study conducted by Verdirame (1999) who indicated that since 1991, the GOK had practically relinquished its responsibilities on matters relating to refugees to the UN agency and its partner organisations. The sentiments were a manifestation of GOK admissibility of its incapability of dealing with refugee issue. Despite the fact that the key function of GOK was ensuring security of the refugees, the government failed to prevent conflicts between the Turkana and the refugees in Kakuma. Ndungu and Mwachofi (2006) augmented this argument by observing that the conflicts between the local population and the refugees in Kakuma were a consequence of the poor management of refugee affairs on the part of the government. The findings were supported by Mativo (2014) who argued that despite the existence of laws, the refugee camps continued to experience insecurity and lawlessness. GOK had failed to create harmony between the local people and the refugees but succeeded in stereotyping the refugees as foreigners. GOK has viewed the refugees as temporary visitors hence the emphasis on encampment, yet this study established through secondary sources, that the remnants of the South Sudanese *Lost Boys* had stayed in Kakuma camp for more than twenty years and there was no indication of the camp closing down in the foreseeable future. The Kakuma encampment regime was based on the conviction that refugees were not only victims but also agents of insecurity with the capacity to destabilise Kenya. The reality of refugee hosting in Kakuma illustrated the challenge Kenya faced in balancing its legitimate security concerns with refugee protection as per the 1951 Geneva Convention, 1967 Protocol and 1969 AU Convention that the country was signatory to. Douglas (1994) echoed these findings by noting that camps were rituals of segregation where security outcasts were to be confined until repatriation which marked re-entry into normalcy and order took place. Jaji (2009) argued that seclusion of refugees in camps had a backlash in that the refugees became more conspicuous resulting in the local population believing that the refugees were foreigners and dangerous. The Refugee Act did not have provision for local integration of the refugees. However, as argued by Jacobsen (2001), local integration was becoming the most feasible solution for millions of refugees in developing countries given unrelenting conflicts in various countries. The GOK deemed local integration as being detrimental to repatriation.

The Refugee Affairs Committee established by government of Kenya did not have representation from the refugee community in Kenya further advancing the segregation policy of the refugees and enhancing the label of refugees as aliens. Despite the existence of the refugee law in Kenya, refugees still rely on the customary laws of their originating state and their traditions as judiciary system. The findings connected well with Jaji (2009) who asserted that three years down the line, the Refugee Act of Kenya had not become effective. These findings were contrary to Mativo (2014) who in a related study found out that 76% of the refugee respondents agreed that refugee laws existed in Kenya. However, Mativo (2014) noted that despite Kenya having met the international threshold of enacting relevant laws, there still existed some gaps and loopholes which were exploited by government agents, refugees and criminal elements within the camps.

The current study, therefore, inferred that GOK continued to view refugees as passive actors whose fate was to be decided by other actors. The Refugee Act which was the formalisation of the encampment regime was silent on local integration and implicitly referred to repatriation as a durable solution. The encampment policy as advanced by the Refugee Act was contrary to the UNHCR Handbook for Emergencies which stated that the establishment of camps be only the last resort (UNHCR, 1996). To the UN agency, a solution that fostered and maintained self-reliance of the displaced persons such local integration into the economy was preferable.

### 3.3. Organized Assisted and Spontaneous non-assisted Repatriation

Through the data collected from secondary sources, the study realised that on 17<sup>th</sup> December 2005, even before the signing of the Tripartite Agreement, UNHCR launched organized repatriation of Sudanese from Kakuma. UNHCR repatriated the first group of 134 Southern Sudanese using air transport on that date. A maiden refugee road convoy from Kakuma was on 24<sup>th</sup> May 2007 with 76 returnees (UNHCR, 2008). The repatriation of the first set of returnees marked an important milestone in the return exercise. However, it raised a major concern of its legality given that the refugees were repatriated before the signing of the Tripartite Agreement. This finding connected well with Juergensen (2000) who in a related study argued that UNHCR always attempted to initiate return of refugees before the disruptive conditions in the country of return had been stabilised. The UN agency utilised provision of the CPA in relation to repatriation by acting as a broker between Kenya and South Sudan. This raised the apprehension of whether the organised repatriation was a truly humanitarian act or an exercise aimed at getting rid of the refugee burden.

However, there were reports of other thousands of refugees having returned home without UNHCR assistance. The sentiments revealed that the camp management was aware of many of refugees who had risked their lives to return home on their own. The study findings were consistent with Juergensen (2000) who observed that one of the most striking new trends regarding refugees over the past years was the considerable number of asylum seekers who independently returned home without UNHCR assistance prior to conflict resolution, guarantee of safety or international recognition.

The study established that, in 2005 UNHCR repatriated 133 refugees out of the targeted 6000 refugees representing a paltry 0.02 %. The following year, 1 807 returnees went back to South Sudan, an equivalent to 18% of the projected returnees for that year. In 2007, the repatriation officials assisted 4577 returnees to go back to South Sudan representing 31% of the estimated target. By the end of March 2008, five thousand returnees had been taken home by the repatriation authorities representing 25% of the set target for that year. Since the launch of the organized repatriation, UNHCR had returned home over 10 000 refugees by 2008. From the results, it is evident that UNHCR hardly repatriated a third of its own set target in a period of three years. However, though the figures were minimal, this showed that the refugees' interest to go back home was peaked gradually. This motivated UNHCR to set higher targets every year.

The study established that the total number of returnees by 2008 stood at 31 576 from Kakuma camp with spontaneous repatriation accounting for 20 061, that is 64 % of the total Sudanese repatriated. This meant that most of the refugees returned home on their own without UNHCR assistance putting their lives at risk. This therefore, explained the large number of new arrivals seeking asylum in

Kenya from South Sudan after the initial repatriation. This also called into question the overall capacity of UNHCR to carry out dignified repatriation within the time frame set by the donor community. It put a dent on the repatriation strategies employed by the UN agency.

In discussions with staff of the Implementing Partners, the study established that the high rate of spontaneous returns was a result of the complex elaborate process through which the refugees had to undergo to register, be cleared for organized return and finally the repatriation itself. The returnees avoided the process because they were in a hurry to get back home after having been in exile for a long period. The lack of capacity by UNHCR to repatriate all the registered refugees also contributed to the spontaneous returns.

The study sought data on why the returnees opted for spontaneous returns as opposed to assisted returns. The issues raised by the respondent revealed that the camp management operated within prescribed strategies with specific timelines. The repatriation operation was not grounded on the actual events unfolding in South Sudan. Whitaker (2002) while contributing to a similar study, argued that the push – pull model of migration was vital in describing a major change in refugee decision – making. While the pull from the South Sudan remained unchanged because the refugees retained attachment to their home through family ties and cultural affiliation, the push factors also influenced repatriation. As earlier discussed in this study, Kakuma camp management issues especially security and reduction in food provision affected the refugees' decision on repatriation. Through the interviews carried out among the GOK officials, the study found out that although GOK professed officially to the spirit of voluntary repatriation, it wished to see all the refugees out of its soil as soon as possible.

### 3.4. UNHCR Faces Dilemma of New Asylum Seekers

The study sought data on new arrivals at Kakuma refugee camp. The study considered these data important because the objective of repatriation was to assist the refugees to go back home as a permanent solution and eventually close the camp. The arrival of new asylum seekers complicated the repatriation process. An analysis of secondary sources on the departures (repatriation) in contrast to the new asylum seekers and or new arrivals for the period between 2005 and 2007 presented a contradictory scenario. The study established that in 2005, Kenya received a total of 8 198 new arrivals from Southern Sudan against 131 returnees representing 1.6% of the new arrivals, while in 2006, further 4 234 new asylum seekers arrived compared to 1897 (41.4% of the new asylum seekers) and in 2007 the country received 225 South Sudanese against 4577 returnees. The study further found out that the drop in 2007 was attributed to the closure of UNHCR transit centre in Lokichoggio – near the Kenya – Sudan border and its transfer to UNHCR sub office in Kakuma. Table 2 gives a comparison of the new arrivals against the organized returnees for a period of three years.

Year	Arrivals	Returnees
2005	8 198	131
2006	4 234	1 807
2007	225	4577
Total	12 657	6515

Table 2: New arrivals to Kenya versus organized returnees to South Sudan Enrolment in local colleges, 2005  
Source: Field data, 2014

From the results in Table 2, it was observed that while 6 515 South Sudanese had been repatriated through UNHCR organized returns at the height of the repatriation, 12 657 people arrived in Kakuma camp from Sudan. At this point, the number of people arriving in the camps from South Sudan outnumbered those leaving the camps for that country. In 2013, Kenya recorded repatriation of 28 800 persons made up of different nationalities. Between 2013 to June 2015 Kakuma camp had received over 44 000 new asylum seekers from South Sudan (UNHCR, 2015). By March 2016 the number of new arrivals from South Sudan was 52 863 persons representing more than 50 % of the total camp population (UNHCR, 2016). UNHCR sought for land to expand Kakuma refugee camp to accommodate the new arrivals.

Despite the signing of CPA in January 2005 and South Sudan being an independent country, Kakuma UNHCR sub office continued receiving new asylum seekers from Sudan. When asked reasons why some people who had been repatriated to South Sudan returned to the camp, 140 refugee respondents representing 40% indicated lack of essential services. Twenty percent (70) of the respondents showed that lack of food sources was making people go back to Kakuma camp, another 20% (70) indicated persistent civil war while 15% (52) cited fear of persecution and 5% (17) showed lack of employment as the cause. The results were summarised in Fig 3.2.

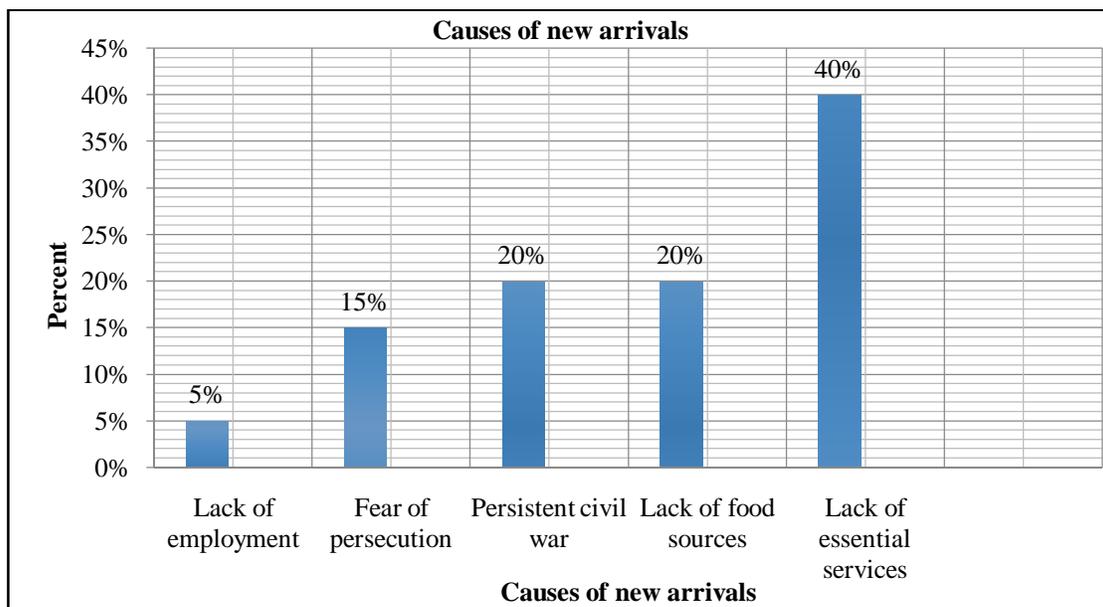


Figure 2: Causes of new arrivals in Kakuma camp  
Source: Field data, 2014

Therefore, the UN agency was facing a daunting task of operating within the paradigm of the international community / donors who anticipated that all the Sudanese should have been repatriated within three years of the signing of the CPA. Regardless of the signing of the CPA and repatriation conducted by the UNHCR, South Sudan continued to emit thousands of refugees and the number was expected to rise as projected by UNHCR. UNHCR (2015) noted that 121,000 South Sudanese who were already refugees prior to the outbreak of the conflict in South Sudan in December 2013 found themselves trapped in countries of asylum, without the possibility of returning home.

The Agreement on the Resolution of the Conflict in the Republic of South Sudan, signed by the warring parties in August 2015, represented the most viable opportunity to end the armed conflict that ravaged South Sudan since December 2013. However, the volatility of the situation, the reported violations of the ceasefire, the deterioration of the protection environment in South Sudan, and the vulnerability of its population, continued to prompt South Sudanese to keep crossing the border to seek international protection as refugees in Kakuma. The arrival of new South Sudanese refugees in Kakuma overstretched the health system beyond its capacity, since they accessed the same services provided to the old refugee population. The new arrivals overshadowed the repatriation process and reversed the gains made by the repatriation strategies with the UNHCR admitting that voluntary repatriation was no longer viable (UNHCR, 2015). In 2014, the number of refugees returning to their countries of origin continued on a downward trend globally compared to the previous years (UNHCR, 2014). Kenya repatriated only 7 200 refugees in that year. Ruggiireh-Runaku (1995) asserted that UNHCR faced problems when it came to the expenses involved in repatriation. Ruggiireh-Runaku (1995) further observed that the donor and host countries shared common concern with costs and speed. Both sets of stakeholders wanted rapid repatriation in order to get rid of the problem and lower their costs.

The current study established that UNHCR had to grapple with the problem of new arrivals as well as continue with the repatriation exercise. UNHCR officials interviewed indicated that most South Sudanese were flocking back to the Kakuma camp to escape ethnic fighting, drought, hunger and general lack of infrastructure (schools, hospitals, shops) in their country. The views exposed the frustration the repatriation stakeholders were experiencing. In spite of the challenging environment, the repatriation of the Sudanese had been initiated and vital milestones had been achieved. Key milestone was the signing of the CPA and the subsequent establishment of the legal framework through the Tripartite Agreement. A Tripartite Repatriation Commission had been instituted and the commission had been able to hold several meetings to evaluate the repatriation progress. The repatriation exercise from Kenya to South Sudan was being coordinated by the commission.

### 3.5. Limits of Repatriation as a Durable Solution

The study sought data to establish the advances made in the repatriation of South Sudanese refugees from Kakuma as a way of assessing the strategies employed in the repatriation process. The camp management respondents were asked to indicate whether the repatriation had been successful or not. The data collected indicated that 51% (18) of the respondents pointed out that the repatriation so far was successful as 49% (17) showed that the repatriation of the South Sudanese refugees was not successful. The study through informal discussion with repatriation officials revealed that the officials were getting frustrated with the repatriation process and the donor community was becoming impatient with the progress of the process.

The camp official's response revealed the high expectation the camp management had at the beginning of the repatriation exercise. By the time of this study, repatriation was no longer a priority for the camp officials. The study established that to counter the large number of new arrivals in contrast to the small numbers of organised returns, the UNHCR moved the registration of new asylum seekers from South Sudan from Lokichoggio near the Kenya – South Sudan border to Kakuma Office. As a consequence, the number

of new arrivals declined from 4 234 displaced persons in 2006 to 225 refugees in 2007. The measure managed to reduce the number of new arrivals; however, it put a dent on the primary mandate of UNHCR of providing protection on the displaced persons and the integrity of the then on-going repatriation of returnees to South Sudan, a country that was still emitting mass influxes of refugees.

This finding was supported by Jansen (2011) research in Kakuma camp cited by Long (2013) who reported that of the initial convoy of 135 refugee who left Kakuma in December 2005, all returned within one week. In addition, the returnees brought with them people they met in their respective villages. The findings concurred with Long (2009) who averred that repatriation had always been the international community's preferred durable solution. However, for the past decade, there has been an increasing awareness of the limits of repatriation. In another study, Crisp (2001) affirmed that sustainable repatriation was a difficult, gradual long-term process that required significant capacity-building by the international community. As discussed earlier in the current study, the repatriation of the South Sudanese refugees from Kakuma camp was an over hasty exercise on the part of the camp management. This was evident from the fact that the organised repatriation process was launched even before the legal instrument that is the Tripartite Agreement had been signed; the firmness of peace deal and political stability in South Sudan had not been ascertained. In a related study, long (2013) highlighted the double folly of UNHCR assuming that border crossing by the refugees marked a permanent repatriation.

The study found out from UNHCR (2015) country operations profile, that at the end of August 2014, Kakuma camp was unable to accommodate new arrivals. Fresh resources and strategic partners were being sought to develop, deliver and sustain quality protection and humanitarian solutions for both protracted and new South Sudanese population, thus the camp management attention had shifted from repatriation. The study also established that instead of budgetary allocation to Kakuma camp going down as a result of repatriation, UNHCR budget had risen from USD 185.7 million in 2010 to USD 256.9 million in 2014, driven primarily by mass influxes of South Sudanese refugees (UNHCR, 2015).

The current study, therefore, inferred that the repatriation of South Sudanese refugees from Kakuma was difficult given the conflicts and tensions in South Sudan. The assumption that the physical movement of the South Sudanese refugees from Kakuma camp across the Kenya - South Sudan border was equated to reintegration in their country was wrong given the fragility of the South Sudan state and the fact that, its emergency from long running conflict with Sudan was at best partial peaceful situation. Crawley (2001) concurred with this observation by noting that the absence of overt conflict or war did not mean that a country could not produce refugees as persecution also took place outside the war context. These findings were supported by Ondeko and Purdin (2004) who noted that peace agreements such as the CPA were poor indicators that post conflict stage had begun. Even where conspicuous violence had ceased, conflicts were too complex to be followed by restoration of peace, repatriation and harmony as it was evident with South Sudan. These events demonstrated that repatriation of South Sudanese from Kakuma camp was not a viable durable solution.

### 3.6. Conclusion

The refugees return process has been viewed as facing many constraints that often slow down the voluntary repatriation. Many returnees became impatient and left for home spontaneously. Voluntary repatriation as the most durable resolution of refugee crisis needs to be re – examined given the challenges that the process faces. Organized repatriation takes a long time to accomplish because of bureaucratic procedures, constraints and obstacles the process experiences. Thus, this study infers that organized voluntary return of refugees is being replaced by spontaneous voluntary repatriation where refugees are rushing home without waiting for firm peace, assistance, and stabilization of their home environment.

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