

## The Relationship Between Refugee Adolescent Minors in Transit and NGOs; a Case Study of Kenya

### Introduction

As of 2024, Kenya hosts over 700,000 refugees and asylum seekers primarily from Somalia, South Sudan, the Democratic Republic of Congo, Ethiopia and Burundi (UNHCR, 2024). A significant proportion of this population are adolescent minors in transit - many of whom experience protracted displacement in camps such as Dadaab and Kakuma or in urban centers like Nairobi. Yet others find themselves in continuous transit between borders, within informal settlements or through secondary movements to other countries.

Adolescence represents a pivotal stage of development characterized by identity formation, rapid physiological growth and social transitions. For refugee adolescent minors in transit, this stage is compounded by displacement, instability and the uncertainty of transit. They are caught between childhood and adulthood facing heightened vulnerabilities including risks of exploitation, abuse and neglect. For many, Kenya is not the final destination but a place of transit. Differing from Calais, however, the long-term character of migration through Kenya compels adolescent minors in transit (AMTs) to seek durable and semi-permanent solutions, beyond past those which meet primary urgent needs.

Their experiences in transit countries highlight both the promises and the gaps in international protection frameworks. Kenya is one of the largest refugee-hosting countries in Africa,

provides a critical context for examining the intersection of refugee policy, adolescent protection and the role of non-governmental organizations (NGOs).

Kenya's policy environment reflects a complex mix of protection and restriction. The Refugees Act of 2021 has brought Kenya closer to aligning with international refugee standards, providing clearer guidelines for asylum procedures and recognizing the rights of refugees. However, in practice, adolescents in transit continue to face systemic barriers.

### Contextualizing the AMT-NGO Relationship

#### Alternative State Support: The Policy Environment in Kenya in Relation to Refugee AMTs

Kenya's refugee policy landscape has historically been restrictive and is rooted in encampment policies that limit freedom of movement, access to work and integration opportunities.

The 2010 Constitution (Art. 53) guarantees that all children, including non-nationals, have the right to protection from abuse, exploitation, harmful cultural practices and neglect. The Refugees Act 2006 (and updated Refugee Bill of 2019/20) in relation to refugee adolescents, provides particular protections to them whether accompanied or unaccompanied and separated from their families. It also

strives for reunification for of refugee adolescents with their families.

The 2021 Refugee Act marked a significant shift by promising greater inclusion, including provisions for refugees' access to education, employment, and financial services. Yet, while the Act signals progressive reforms, implementation remains slow and inconsistent. For refugee adolescents, this policy environment creates a paradox: they are legally recognized but still experience barriers in practice. Refugee Identification Documents Notice (2023). Gazetted refugee documents that is Asylum Seeker Pass and Refugee ID confirms their use to access government services which is crucial for adolescents navigating transitions between camp and urban settings. Such long-term oriented protections are more applicable within the context of Kenya as opposed to France, due to the semi-permanence of transitory settlement.

The Refugees Regulations of 2024 details registration, transit/reception centers and case management steps clarifying pathways from border reception to services, including for unaccompanied and separated children. The Children Act of 2022 guarantees non-discrimination and best interests of the child for every child in Kenya, including refugee adolescents and child-friendly procedures.

Education is one of the most challenging areas. While Kenya's Basic Education Act provides free primary and day secondary education, AMTs often face challenges such as lack of documentation, language barriers, and discrimination. A Somali adolescent interviewed in Kakuma stated that they want to go to school like Kenyan children, but without the right papers, they are told to wait which feels like their whole life is on hold (Amnesty International, 2022). AMTs with the resources to continue their journey with relatively limited delay, move between camps, cities or across borders - therefore becoming particularly disadvantaged in this area, as school enrollment systems are tied to fixed locations.

The policy environment is also shaped by Kenya's obligations under international law. As a signatory to the 1951 Refugee Convention and the African Union's Kampala Convention,

Kenya has committed to protecting refugees' rights. However, in practice, national security concerns and local political pressures often override these obligations. The government's recurrent threats to close Dadaab or Kakuma camps reflect this tension. For adolescents in transit, the constant threat of camp closures exacerbates uncertainty, making it difficult to establish means to secure education, short-term livelihoods or psychosocial wellbeing.

Moreover, the encampment policy restricts freedom of movement despite the Refugee Act's reforms. Adolescents attempting to leave camps without authorization risk arrest, detention or harassment by police, deeply complicating the situation of AMTs. In Nairobi, undocumented adolescents often report being stopped and accused of being illegal immigrants that undermines their trust in authorities. One South Sudanese girl in Eastleigh explained that when they see police, they run. Despite doing nothing wrong, since they know the authorities will ask for papers they lack (Human Rights Watch, 2023). This criminalization of AMTs has deep implications for their development and mental well-being.

Despite theoretically providing a modest framework for protection, the state and policy landscape provides de-facto limited protections, at times working as a force for the obstruction of AMT's right realization, compelling the intervention of NGOs to fill in the gaps.

### **Characterising AMTs**

The challenges AMTs face in Kenya are multifaceted and interlinked. Transit amplifies vulnerabilities because it interrupts continuity in education, health and social networks. Adolescents often describe themselves as being in "limbo," unable to envision a stable future. Therefore whilst generalist characterizations of AMTs - as discussed in the primary paper - remain broadly consistent across transit countries AMTs in Kenya face an additional unique set of challenges which introduce nuance into this characterisation.

Often spending prolonged periods within Kenya, the need and potential for meeting educational rights become greater, compounding the already significant number of challenges faced by AMTs. Moreover existent,

the digital divide felt acutely in this context, excludes many adolescents from benefiting from online learning initiatives.

Gender-based violence remains a pervasive challenge. Early marriage is seen as a coping mechanism by some families to alleviate economic burden. According to UNHCR (2023), child marriage rates in Kakuma are at an all time high. Girls also face risks of sexual exploitation during transit particularly when moving through informal routes. They also face harmful practices like FGM, gum mutilation, alternative rites of passage and herbal intoxication as reported in some communities. In urban settings, girls also report exploitation linked to informal housing/work.

Adolescent boys report police harassment and detention in urban areas, recruitment into hazardous informal work, exposure to violence in overcrowded neighborhoods, recruitment by gangs and or police harassment and brutality. LGBTQ+ refugee adolescents face compounded risk of GBV, extortion and housing exclusion. Specialized casework and MHPSS exist but are capacity-limited.

Psychosocial challenges are equally significant. Adolescents experience high rates of depression, anxiety and hopelessness. The absence of structured recreational and livelihood opportunities compounds these issues. Transit adolescents struggle with identity they often lack a sense of belonging in either their country of origin or Kenya. This lack of belonging is exacerbated in the context of Kenya comparative to Calais due to the prolonged time.

## **The Role of NGOs in Supporting AMTs in Kenya**

NGOs play a critical role in filling the protection and service-delivery gaps left by the state. Organizations. NGOs such as the International Rescue Committee (IRC), Save the Children, Windle International Kenya, Jesuit Refugee Service (JRS) and FilmAid Kenya provide specialized services for migrant adolescents. Their roles can be categorized into education, protection, psychosocial support, livelihoods and advocacy. In education, NGOs have built schools within camps, trained refugee teachers and offered scholarships for secondary and tertiary education.

Windle International administers the prestigious DAFI scholarship program that enables refugee adolescents to access university education. FilmAid uses creative arts and media to engage adolescents in storytelling and advocacy, fostering confidence and resilience. Norwegian Refugee Council (NRC) offers accelerated Education Programs (AEP) for over-age out-of-school adolescents (10-18) in Dadaab/Kakuma/Kalobeyei, and offer childcare for young mothers an adolescent-friendly practice that reduces dropout.

Refugee Consortium of Kenya (RCK) provides legal aid, detention monitoring, child custody orders and policy advocacy. Their presence in Nairobi and the camps enables rapid referrals for adolescents in transit and they have mobile legal clinics to increase their reach. HIAS Kenya convenes Best Interest Determination (BID) panels, integrated GBV prevention/response and mental health services for adolescents, girls and LGBTQ+ youth filling gaps where state reach can be rare.

UNHCR does family tracing/reunification and alternative care options for adolescents moving between locations or separated during onward journeys. Also together with the Ministry of Education UNHCR has enabled refugee adolescents to sit for national exams. WFP together with its partners offers cash-based transfers (Bamba Chakula) and distinctively at Kalobeyei greater reliance on unrestricted ATM-card cash. These modalities can empower AMTs to meet specific needs that is hygiene, transport, digital access and support youth enterprise in integrated markets.

Protection services are critical given the heightened risks adolescents face, particularly girls. Gender-based violence (GBV) is prevalent in refugee camps, with reports of early marriage, sexual exploitation and harassment. NGOs like IRC have established adolescent-friendly safe spaces where girls can access reproductive health information and vocational training. Also Save the Children offer Adolescent Safe Spaces in Dadaab and provide mentorship and life skills to young girls giving them voices despite feeling like invisible. These services, while vital, are often limited in scope and cannot meet the growing needs of adolescents in transit.

Psychosocial support is another domain where

NGOs have stepped in. AMTs often struggle with trauma from conflict, displacement and uncertainty about their futures. JRS operates counseling centers where trained staff work with young refugees to process grief, loss and identity struggles. One adolescent from Congo shared that talking to the counselor helps them remember that they are more than just a refugee; they are people with dreams (JRS, 2022).

Terre des Hommes (Tdh) supports their integration and promotes their independence through programs like promoting access to community centers, schools and healthcare. HIAS aims to respond and reduce Gender Based Violence in the refugee population especially among the adolescent girls who are prone to.

Therefore, NGOs play active and extensive roles in a relationship shaped by both opportunities and challenges. They have carved space for comprehensive adolescent focused programming within the camp structures. A heavy reliance on NGOs to deliver essential services is apparent, reflecting the previously highlighted systemic gaps in state responsibility predicating the importance of the AMT-NGO relationship. However, despite these contributions NGOs face limitations. Funding shortages, donor driven priorities and fatigue (to be shortly expanded upon) coupled with the political and policy restrictions imposed by the Kenyan government limit their reach and sustainability of programs - rendering the realisation of the NGO-AMT relationship constrained by external sources.

## Constraints on the NGO-AMT Relationship

This section will largely cover phenomena distinct from that which was identified in France to avoid repetition, though issues of AMT's liminality remain a common theme.

The effective engagement of NGOs in their relationship with AMTs is heavily constrained, acutely within the context of Kenya. As such constraints are broadly applicable to relations across migrant populations they will remain only summarized:

- **Capacity and caseloads:** UASC and GBV caseworkers, teachers and paralegals carry high caseloads and turnover and vicarious trauma are common. Adolescents report long waiting periods for case resolution or school placement.
- **Data and information systems:** While PEERS-type processes exist, cross-system data sharing (child protection, health, nutrition, education) is uneven that slows referrals for adolescents on the move.
- **Funding shocks:** Major funding cuts have been made since 2022 that has resulted to strained household economies. Frontline staff describe a rise in negative coping among adolescents.
- **Coordination gaps:** multiple actors lead to blurred roles between the government and NGOs hence the gaps or duplication of services.

Further than this, specific challenges can be found in the attitudes of AMTs towards NGOs. AMTs hold complex views of NGOs. On the one hand, they value the services provided, especially education opportunities, safe spaces and psychosocial support. On the other, they express concerns about favoritism, lack of transparency in scholarship selection and the limited capacity of programs. Trust issues often emerge when adolescents feel excluded or when promises are not fulfilled.

For instance, one Congolese adolescent boy in Kakuma stated that it is hard for them to trust the NGOs especially when they ask questions and leave instead they want people who will stay (IRC, 2022). This points the need for more sustained participatory approaches. In addition, adolescents in Kakuma reported frustration with scholarship processes that they perceived as biased. One youth leader stated that they feel like the opportunities are for a select group making them lose hope (Save the Children, 2021). Similarly, adolescents in urban settings often mistrust NGOs since they think they are aligned with government authorities, fearing that their information could be used against them in crackdowns.

Gender-based trust issues are particularly acute. Girls often hesitate to access services



due to fear of stigma, retaliation from families and or lack of female staff. In one focus group, adolescent girls noted that sometimes the safe space do not feel safe, because they know the community is watching and they think they to do bad things there (IRC, 2023). This highlights the need of integrating adolescent voices into program design to ensure relevance and inclusivity. AMTs themselves sometimes perceive programs as tokenistic and are designed to satisfy donor-reporting requirements than to address their actual needs.

Refugee Adolescents value cash that lets them buy study materials or phone data, provided that the rules are clear and prices are fair. As seen Kalobeyei's less-restricted cash is frequently flagged as more empowering. They also ask for safe, non-punitive reception and "warm" handovers when shifting locations, plus youth-only consultations. Girls' re-entry, teen mothers highlight childcare centers as a decisive factor for staying in school a rare, adolescent-specific accommodation.

NGOs have made strives to build trust through offering Child-friendly processes and Best Interest Determination panels that explain decisions and timelines to adolescents and caregivers. They also have community-based protection (CBP) and youth committees that co-design messaging on GBV, FGM and child safeguarding with adolescents. Lastly, NGOs offer transparent cash information that is who qualifies, when payments are made, what recourse exist and grievance channels. Evidence from Kalobeyei shows cash paired with market access improves perceived dignity and choice.

## Recommendations

Given the quasi-governmental role taken on by NGOs, several of the following recommendations are also applicable to the Kenyan State. Such recommendations to support the further development of a constructive relationship between AMTs and NGOs (distinct from those discussed in the previous paper) include:

- Prioritising multi-year donor commitments and other forms of long term fundraising to stabilize youth programming and staff levels.

- Capacity building through equipping frontline workers with training, psychosocial support and debrief systems that help them in the end.
- Community involvement, which focuses on cultural, sports and arts initiatives that promote child-led protection mentorship.
- Advocating for the adolescent voice by institutionalizing youth councils and participatory monitoring in camps.
- Fast-tracking arrangements with mobile operators and banks so refugee IDs work seamlessly for SIM cards and publishing a provider lists adolescents can trust.
- Scaling up urban BID frequency through youth-friendly helpdesks and escorted "warm referrals" between reception, camps and Nairobi that will ensure feedback loops report back to adolescents.
- Maintaining predictable cash schedules and clear complaints channels and expanding on the Kalobeyei-style unrestricted modalities linked to youth markets and apprenticeships.
- Expand childcare, menstrual health and safe transport for girls, evidence-based GBV/FGM prevention with adolescent participation, peer mentors and caregiver dialogues.
- Funding multi-service urban hubs (legal and GBV) and youth outreach days in high-risk neighbourhoods.

## Conclusion

AMTs in Kenya embody resilience amid uncertainty. Their experiences highlight the tension between progressive legal frameworks and restrictive practices, between NGO innovation and systemic gaps, between aspirations and lived realities of transit. Within this context highly dependent and productive – though also flawed – relationships between AMTs and NGOs have emerged.

Policy reforms and the continued evolution of NGO operations in Kenya present an opportunity to bridge these divides, but sustained advocacy and investment are required to ensure that adolescents are not lost in limbo. By centering their voices, strengthening NGO-state collaboration, adopting community and adolescent strategies and addressing gender-based and transit-specific vulnerabilities, Kenya can chart a path toward meaningful inclusion and support of AMTs as a transit country – with NGOs leveraging their powerful relationship with AMTs to achieve this.

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