



Joint Civil Society Position Paper

On the sexual and reproductive health and rights of refugees during the COVID 19 pandemic.

WE, the undersigned feminists, young women and young people in all our diversity representing feminist youth-led, women-led and human rights civil society organizations and initiatives;

UNDERSCORING Article 1 and 2 of the Universal Declaration of Human Rights that underscored that all human beings are born free and equal in dignity and rights and that everyone is entitled to all human rights and freedoms without distinction of any kind;


EXPRESSING DEEP REGRET that wars and conflicts; religious, national, social, racial, and political persecutions; persecution due to sexual orientation and gender identity, hunger, climate change among others have forced many people including women and girls to become refugees;

UNDERSCORING that the refugeehood strips people of fundamental human rights including right to dignity, right to life, liberty and security of person, right to be treated equally before the law, freedom from arbitrary arrest, detention or exile, freedom from torture or to cruel, inhuman


or degrading treatment or punishment, freedom of movement, right to participate in governance, right to work, right to education, right to health and well-being among others;

APPRECIATING the government of Kenya's efforts to addressing the refugee crisis including by hosting over half a million refugees and asylum seekers from over 15 countries in the region and by signing and ratifying key international and regional instruments on refugees including United Nations Convention Relating to the Status of Refugees, African Union Convention Governing the Specific Aspects of Refugee Problems in Africa, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;


INVOKING the Constitution of Kenya of Kenya 2010, the Kenya Refugees Act 2006, Kenya Citizenship and Immigration Act 2011 that obligates the state to protect, fulfil and protect human rights of refugees;



CONSCIOUS that migrants and refugees are among the demographic classes most affected by the COVID 19 pandemic with intersecting challenges that pervade socio-cultural, technological, political, and economic realms including being left stranded in host countries without food, shelter, access to essential services, the economic burden of the COVID 19 containment measures including social distancing, face masks, soaps and sanitizers and the closure as well as the precarious situations of being unable to meet legal requirement due to closure or slowing down of public and non-state offices;




CONCERNED that the pandemic has increased stigma, xenophobia and discrimination as migrants and refugees have been accused of contributing to the spread of COVID 19 and that this, alongside failure to access basic needs has further exposed refugees to mental health issues such as depression and suicides;




EMPHASIZING that refugees are not homogenous and have different needs and experiences; and that there are more vulnerable subpopulations within this group including sexual and gender minorities; young women and girls; refugees with disabilities, refugees living with HIV among others;

ALARMED that COVID 19 has exposed women and girls and sexual and

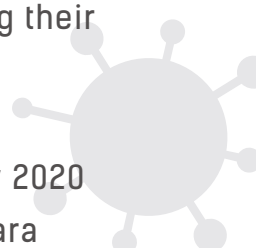


gender minorities refugees to more vulnerabilities including to sexual and gender-based violence and further limited their access to comprehensive friendly SRHR services and information;




DISTURBED by the lack of prioritization of refugees in ongoing COVID 19 containment, measures including mass vaccinations, the lack of meaningful engagement of refugees in government decision making and the planned closure of the Dadaab and Kakuma camps which threaten to leave refugees homeless and stateless;

CONVINCED that the meaningful engagement of refugees in decision making and their deliberate empowerment and harnessing of their potential is a precondition for addressing the refugee needs and ensuring their human rights;



CONVENING virtually on 1st July 2020 through the convention of Zamara Foundation and ReFushe to discuss the implications of COVID 19 on the health and wellbeing of refugees in Kenya;



CALL on the Kenyan Government and the East African Community to protect, fulfil and respect the human rights including the sexual and reproductive health and rights of all refugees including women and girls and sexual and gender minorities amidst the COVID 19;

WE PARTICULARLY call on them to:

1. Strengthen the implementation of existing instruments that guarantee fundamental human rights to refugees including the Constitution of Kenya of Kenya 2010, the Kenya Refugees Act 2006, Kenya Citizenship and Immigration Act 2011 by resourcing and popularising while also repealing and revising harmful provisions and instruments such as those that hinder refugee rights such freedom of movement and right to work.
2. Strengthen the meaningful engagement of refugees in all their diversity in policy and governance including in development and implementation of COVID 19 measures and Protocols.
3. Strengthen multisectoral partnerships and collaboration with key international, regional, national and grassroots institutions and state and non-state actors to ensure coordinated approach to meeting the rights of refugees.
4. Fast track the registration process for refugees and ensure they have access to proper documentation that enable them to access public services and fundamental rights including health, education and right to work.
5. Work with the United Nations High Commissioner for Refugees (UNHCR), the refugees in Daabab and Kakuma and other key stakeholders to find an amicable solution to avert the unmitigated humanitarian disaster the proposed closure of the two camps would lead to.
6. Deliberately include refugees in all COVID 19 containment measures including vaccinations, provision of information on the spread and management of the disease, provision of sanitation and hygiene products and ensuring availability of treatment facilities.
7. Strengthen dialogues with local communities to ensure cooperation and support for refugees.
8. Invest in research and information management on the status of refugees to strengthen the evidence base for informed programming and policy interventions.



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