



LAWS OF KENYA



REFUGEES ACT

No. 13 of 2006

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NO. 13 OF 2006

REFUGEES ACT

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SCHEDULE – REFUGEE APPEAL BOARD

NO. 13 OF 2006

REFUGEES ACT

[Date of assent: 30th December, 2006.]

[Date of commencement: 15th May, 2007.]

An Act of Parliament to make provision for the recognition, protection and management of refugees and for connected purposes

[L.N. 64 of 2007.]

1. Short title

This Act may be cited as the Refugees Act, 2006.

2. Interpretation

In this Act, unless the context otherwise requires —

“**Appeal Board**” means the Refugee Appeal Board established under section 9;

“**appointed officer**” means an officer in the public service and gazetted by the Minister for the purposes of this Act;

“**asylum**” means shelter and protection granted by the Government to persons qualifying for refugee status in accordance with the provisions of this Act and in accordance with International Conventions relating to refugee matters referred to in section 16;

“**asylum seeker**” means a person seeking refugee status in accordance with the provisions of this Act;

“**Commissioner**” means the Commissioner for refugee affairs appointed under section 7;

“**Committee**” means the Refugee Affairs Committee established under section 8;

“**country of nationality**” in relation to a person who has more than one nationality, means each of the countries of which that person is a national;

“**entry point**” means the nearest government administrative centre;

“**refugee camp**” means any such place as shall be prescribed by the Minister to be a refugee camp;

“**Refugee Camp Officer**” means a senior officer in the office of the Commissioner appointed under section 17;

“**members of family of a refugee**” means—

- (a) any spouse of the refugee;
- (b) any dependent child, brother or sister of the refugee under the age of eighteen years; or
- (c) any dependent grandparent, parent, grandchild, or ward living in the same household as the refugee;

“Minister” means the Minister responsible for Refugee Affairs.

3. Meaning of “refugee”

(1) A person shall be a statutory refugee for the purposes of this Act if such person—

- (a) owing to a well-founded fear of being persecuted for reasons of race, religion, sex, 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
- (b) not having a nationality and being outside the country of his former habitual residence, is unable or, owing to a well-founded fear of being persecuted for any of the aforesaid reasons is unwilling, to return to it.

(2) A person shall be a *prima facie* refugee for purposes of this Act if such person owing to external aggression, occupation, foreign domination or events seriously disturbing public order in any part or whole of his country of origin or nationality is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality.

(3) If the Minister considers that any class of persons are *prima facie* refugees as defined in subsection (2), the Minister may declare such class of persons to be *prima facie* refugees and may at any time amend or revoke such declaration.

(4) If the Minister under subsection (3) expressly excludes or exempts any person from a declaration that a class of persons to which that person is a member are refugees, such exclusion or exemption shall not preclude the person concerned from applying under subsection (2) for recognition of their status as a refugee.

4. Disqualification from grant of refugee status

A person shall not be a refugee for the purposes of this Act if such person—

- (a) has committed a crime against peace, a war crime, or a crime against humanity as defined in any international instrument to which Kenya is a party and which has been drawn up to make provision in respect of such crimes;
- (b) has committed a serious non-political crime outside Kenya prior to the person's arrival and admission to Kenya as a refugee;
- (c) has committed a serious non-political crime inside Kenya after the persons arrival and admission into Kenya as a refugee;
- (d) has been guilty of acts contrary to the purposes and principles of the United Nations or the African Union; or
- (e) having more than one nationality, had not availed himself of the protection of one of the countries of which the person is a national and has no valid reason, based on well-founded fear of persecution.

5. Cessation of refugee status

A person shall cease to be a refugee for the purposes of this Act if that person—

- (a) voluntarily re-avails himself of the protection of the country of his nationality;
- (b) having lost his nationality, voluntarily re-acquires it;
- (c) acquires the nationality of another country and enjoys the protection of the country of his new nationality;
- (d) voluntarily re-establishes himself in the country which he left or outside which he remained owing to fear of persecution;
- (e) can no longer, because circumstances in connection with which he was recognized as a refugee have ceased to exist, continue to refuse to avail himself of the protection of the country of his nationality; or
- (f) has committed a serious non-political crime outside Kenya prior to his admission to Kenya as a refugee;
- (g) having lost his nationality, continues to refuse to return to the country of his former habitual residence:

Provided that the provisions of this paragraph shall not apply to a person who has compelling reasons arising out of previous persecution for refusing to avail himself or herself the protection of the country of nationality or to return as the case may be.

6. Establishment of Department

(1) There is established a Department of Refugee Affairs which shall be a public office.

(2) The Department of Refugee Affairs shall be responsible for all administrative matters concerning refugees in Kenya, and shall, in that capacity, co-ordinate activities and programmes relating to refugees.

7. Commissioner for Refugee Affairs

(1) There shall be a Commissioner for Refugee Affairs whose Office shall be an Office in the Public Service, and who shall be the head of the Department of Refugee Affairs.

(2) Without prejudice to the generality of subsection (1) the functions of the Commissioner shall be to—

- (a) act as secretary to the Committee;
- (b) co-ordinate all measures necessary for promoting the welfare and protection of refugees and advise the Minister thereon;
- (c) formulate policy on refugee matters in accordance with international standards;
- (d) ensure, in liaison with the United Nations Agencies and any other institutions, the provision of adequate facilities and services for the protection, reception and care of refugees within Kenya;

- (e) promote as far as possible durable solutions for refugees granted asylum in Kenya;
- (f) convene meetings of the Committee;
- (g) receive and process applications for refugee status;
- (h) implement the decisions of the Committee;
- (i) register all refugees;
- (j) issue refugee identification cards and travel documents to refugees;
- (k) manage refugee camps and other related facilities;
- (l) advise the Minister on the care and welfare of refugees and the rehabilitation of refugee hosting areas; and
- (m) initiate, in collaboration with the development partners, projects that promote peaceful and harmonious co-existence between the host communities and refugees;
- (n) advise the Minister on the soliciting funds for refugee assistance programmes which have a positive impact on host communities;
- (o) ensure that refugee economic and productive activities do not have a negative impact on host communities, natural resources or the local environment;
- (p) ensure sustainable use of resources in designated refugee hosting areas;
- (q) arrest any person suspected of committing an offence under this Act;
- (r) perform any other duties that may be assigned to the Commissioner under this Act.

(3) In the performance of the functions specified in subsection (2), the Commissioner shall comply with any general directions or instructions that are issued or given to him by the Minister and shall submit regular reports on matters and activities relating to refugees to the Minister.

8. Establishment of Committee

(1) There is established a committee to be known as the Refugee Affairs Committee.

(2) The Committee shall assist the Commissioner in matters concerning the recognition of persons as refugees for the purposes of this Act.

(3) The Committee shall consist of—

- (a) the chairperson who shall be appointed by the Minister;
- (b) one representative from the Ministry responsible for provincial administration and internal security;
- (c) one representative from the Ministry responsible for refugee affairs;
- (d) one representative from the ministry responsible for foreign affairs;
- (e) one representative from the Ministry responsible for local government;
- (f) a representative of the Attorney-General;

- (g) one representative from the Ministry responsible for health;
- (h) one representative of the Ministry responsible for finance or planning;
- (i) one representative from the Department of Immigration;
- (j) one representative from the Department of Police;
- (k) one representative from the National Security Intelligence Service; and
- (l) one representative from the Department of National Registration Bureau.

(4) At least one third of the members of the Committee shall be women.

(5) The Committee shall include a representative from the host community and one member from the civil society for the purpose of assisting and advising the Committee.

9. Refugee Appeal Board

(1) There is established a Board to be known as the Refugee Appeal Board to consider and decide appeals under this Act.

(2) The Appeal Board shall consist of—

- (a) a chairperson who is an advocate of not less than ten years' standing appointed by the Minister;
- (b) members appointed by the Minister from among persons having knowledge of, or experience in—
 - (i) refugee law;
 - (ii) matters relating to immigration;
 - (iii) matters relating to foreign affairs;
 - (iv) matters relating to national security;
 - (v) matters relating to local administration;
 - (vi) matters relating to refugee affairs.

(3) All appointments to the Appeal Board shall be by name and by *Gazette* Notice issued by the Minister.

(4) The Appeal Board shall be independent in the exercise of its functions under this Act.

(5) A member of the Appeal Board shall hold office for a term of three years and shall be eligible for re-appointment for one further term of four years.

(6) The provisions of the First Schedule shall have effect in relation to the Appeal Board.

10. Appeals

(1) Any person aggrieved by a decision of the Commissioner under this Act may, within thirty days of receiving the decision, appeal to the Appeal Board against the decision.

(2) In any appeal under this Act, the Appeal Board may confirm or set aside the decision of the Commissioner and shall cause the appellant concerned to be notified of its decision in the matter in writing:

Provided that, before reaching a decision on any such appeal, the Appeal Board may either—

- (a) refer the matter to the Commissioner for further investigation and advice; or
- (b) make such further inquiry or investigation into the matter as it deems necessary.

(3) Any person who is aggrieved by the decision of the Appeal Board may within twenty one days appeal to the High Court.

11. Recognition of refugees

(1) Any person who has entered Kenya, whether lawfully or otherwise and wishes to remain within Kenya as a refugee in terms of this Act shall make his intentions known by appearing in person before the Commissioner immediately upon his entry or, in any case, within thirty days after his entry into Kenya.

(2) In the case of a person who is lawfully in Kenya and is subsequently unable to return to his country of origin for any of the reasons specified in section 3(1), he shall, prior to the expiration of his lawful stay, present himself before an appointed officer and apply for recognition as a refugee in accordance with the provisions of this Act.

(3) Without prejudice to the provisions of this section, no person claiming to be a refugee within the meaning of section 3(1) shall merely, by reason of illegal entry be declared a prohibited immigrant, detained or penalized in any way save that any person, who after entering Kenya, or who is within Kenya fails to comply with subsection (1) commits an offence and shall be liable on conviction to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding six months, or to both.

(4) Any appointed officer to whom an application is made under subsection (1) shall, if he is not himself the Commissioner, refer the application to the Commissioner.

(5) The Commissioner may consider all applications referred to him under subsection (4) within ninety days' of the application being so referred and may, within ninety days, make such inquiry or investigation as he thinks necessary into any such application and shall call upon the applicant to make an oral presentation.

(6) After considering the application referred to in subsection (4), the Commissioner—

- (a) shall either grant refugee status to the applicant or reject the application; and
- (b) shall, within fourteen days, notify the applicant concerned in writing of the decision and in the case of a rejection the applicant shall be informed of the reasons therefor.

12. Residence in Kenya pending recognition as refugee, etc.

(1) Notwithstanding the provisions of any other Law, any person who has applied under section 11 for recognition of his status as a refugee and every member of his family, may remain in Kenya—

- (a) until such person has been recognized as a refugee in terms of that section;
- (b) in the event of the application of such person being rejected, until such person has had an opportunity to exhaust his right of appeal;
- (c) where such person has appealed and the appeal has been unsuccessful, he shall be allowed reasonable time, not exceeding ninety days, to seek admission to a country of his choice.

(2) The Commissioner may, on application made to him by the person concerned, extend the ninety days period referred to in subsection (1)(c) if he is satisfied that there is a reasonable likelihood of the person being admitted to a country of his choice within such extended period.

13. Stay of proceedings

Notwithstanding the provisions of the Immigration Act (Cap. 172) or the Aliens Restriction Act (Cap. 173), no proceedings shall be instituted against any person or any member of his family in respect of his unlawful presence within Kenya—

- (a) if such a person has made a *bona fide* application under section 11 for recognition as a refugee, until a decision has been made on the application and, where appropriate, such person has had an opportunity to exhaust his right of appeal under that section; or
- (b) if such person has become a refugee.

14. Residence in Kenya

Every refugee and asylum seeker shall—

- (a) be issued with a refugee identity card or pass in the prescribed form; and
- (b) be permitted to remain in Kenya in accordance with the provisions of this Act.

15. Provisions relating to the families of refugees

(1) A member of the family of a refugee who has entered Kenya shall, subject to subsection (3) and any other provisions of this Act—

- (a) be issued with a refugee identity card in the prescribed form on attaining the age of eighteen years;
- (b) be issued with a refugee identification pass if below the age of eighteen years; and
- (c) subject to subsections (2) and (3), be permitted to remain within Kenya for as long as the refugee concerned is permitted to so remain:

Provided that such member of the family has not been excluded under section 3(3).

(2) The Commissioner may grant permission to a dependent member of the family of a refugee upon application to enter and reside in Kenya and such a member shall be entitled to the rights and privileges specified in section 15 for such period as the refugee is entitled to remain in Kenya.

(3) Upon the death of a refugee or upon the refugee's divorce or legal separation from the refugee's spouse, every person who, immediately before such death, divorce or legal separation was within Kenya as a member of the family of such refugee shall be permitted to continue to remain in Kenya in accordance with the provisions of this Act.

(4) Nothing in this section shall prevent a member of the family of a refugee or a person who has under subsection (2) been permitted to continue to remain in Kenya from applying for recognition as a refugee under section 11.

16. Rights and duties of refugees in Kenya

(1) Subject to this Act, every recognized refugee and every member of his family in Kenya—

- (a) shall be entitled to the rights and be subject to the obligations contained in the international conventions to which Kenya is party;
- (b) shall be subject to all laws in force in Kenya.

(2) The Minister may, by notice in the *Gazette*, in consultation with the host community, designate places and areas in Kenya to be—

- (a) transit centres for the purposes of temporarily accommodating persons who have applied for recognition as refugees or members of the refugees' families while their applications for refugee status are being processed; or
- (b) refugee camps.

(3) The designated areas provided for in subsection (2) shall be maintained and managed in an environmentally sound manner.

(4) Subject to this Act, every refugee and member of his family in Kenya shall, in respect of wage-earning employment, be subject to the same restrictions as are imposed on persons who are not citizens of Kenya.

17. Refugee Camp Officer

There shall be a refugee camp officer, for every refugee camp whose functions shall be to—

- (a) manage the refugee camp;
- (b) receive and register all asylum seekers and submit to the Committee all applications for the determination of their refugee status;
- (c) ensure refugees in the camps are issued with refugee identity cards or refugee identification passes;
- (d) manage the camps in an environmentally and hygienically sound manner;
- (e) co-ordinate the provision of overall security, protection and assistance for refugees in the camp;

- (f) issue movement passes to refugees wishing to travel outside the camps; and
- (g) protect and assist vulnerable groups, women and children;
- (h) ensure treatment of all asylum seekers and refugees in compliance with national law.

18. Non-return of refugees, their families or other persons

No person shall be refused entry into Kenya, expelled, extradited from Kenya or returned to any other country or to subjected any similar measure if, as a result of such refusal, expulsion, return or other measure, such person is compelled to return to or remain in a country where—

- (a) the person may be subject to persecution on account of race, religion, nationality, membership of a particular social group or political opinion; or
- (b) the person's life, physical integrity or liberty would be threatened on account of external aggression, occupation, foreign domination or events seriously disturbing public order in part or the whole of that country.

19. Commissioner may withdraw refugee status

The Commissioner may withdraw the refugee status of any person where there are reasonable grounds for regarding that person as a danger to national security or to any community of that country.

20. Withdrawal of recognition of refugees

(1) If, at any time, the Commissioner considers that there are reasonable grounds for believing that a person who has been recognized as a refugee for the purposes of this Act—

- (a) should not have been so recognized; or
- (b) has ceased to be a refugee for the purposes of this Act,

the Commissioner shall revoke such recognition and shall notify the person concerned in writing of the decision together with the reasons therefor.

(2) Where the Commissioner has under this section withdrawn the recognition of any person as a refugee, that person shall cease to be a refugee and any member of his family shall cease to be so recognized under this Act on the expiration of seven days after the date on which the Commissioner notifies the person concerned that his recognition has been withdrawn:

Provided that nothing in this subsection shall prevent a member of the family of such a refugee from applying for recognition under section 11.

21. Expulsion of refugees and members of their families

(1) Subject to section 18(1) and subsection (2) of this section, the Minister may, after consultation with the Minister responsible for matters relating to immigration and internal security, order the expulsion from Kenya of any refugee or member of his family if the Minister considers the expulsion to be necessary on the grounds of national security or public order.

(2) Before ordering the expulsion from Kenya of any refugee or member of his family in terms of subsection (1) of this section, the Minister shall act in accordance with the due process of law.

22. Appointed officers

(1) The Minister may by notice in the *Gazette* appoint appointed officers for the purposes of this Act.

(2) An appointed officer may, for the purposes of exercising his powers and carrying out his duties under this Act—

- (a) subject to subsections (3) and (4), search any person or property;
- (b) take the finger-prints, foot-prints, photographs, x-rays and other electromagnetic ray photographs of any refugee or member of his family or any person who claims to be a refugee for the purposes of this Act or any member of the family of such person; or
- (c) question any refugee or member of his family or any person who claims to be a refugee for the purposes of this Act or any member of the family of such person.

(3) No search of any person or property shall be conducted in terms of subsection (2)(a) unless the appointed officer concerned has reasonable grounds for believing that the search is necessary for the prevention, investigation or detection of—

- (a) a contravention of the provisions of this Act; or
- (b) a fraudulent statement or concealment by a refugee, member of his family or person claiming to be a refugee for the purposes of this Act or any member of the family of such a person, of any fact relevant to his identity or status.

(4) Whenever it is necessary to cause a refugee to be searched, the search shall be made by an appointed officer of the same sex who, in conducting the search, shall have strict regard to decency:

Provided that where an appointed officer of the same sex as the refugee to be searched cannot be found, the search may be conducted by another person of the same sex notwithstanding that that other person is not an appointed officer.

23. Refugee women and children

(1) The Commissioner shall ensure that specific measures are taken to ensure the safety of refugee women and children in designated areas.

(2) The Commissioner shall ensure that a child who is in need of refugee status or who is considered a refugee shall, whether unaccompanied or accompanied by his parents or by any other person, receive appropriate protection and assistance.

(3) The Commissioner shall, as far as possible, assist such a child to trace the parents or other members of the family of the refugee child in order to obtain information necessary for the reunification of the child with the child's family.

(4) Where the parents of the child or other members of the child's family cannot be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his family.

24. Confidentiality

(1) No member of the Committee, employee or agent of the Department of Refugees shall disclose information acquired under this Act except—

- (a) in the course of his duties under this Act; or
- (b) with the consent of the Commissioner.

(2) No person who receives information in contravention of subsection (1) shall disclose or publish the information.

(3) A person who contravenes any provision of this section commits an offence and shall on conviction be liable to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding six months or both such fine and imprisonment.

25. Offences

Any person who—

- (a) is unlawfully in Kenya in contravention of this Act;
- (b) makes any false declaration or statement to an appointed officer;
- (c) knowingly misleads any appointed officer seeking information material to the exercise of any of his powers under this Act;
- (d) having left or been removed from Kenya in consequence of an order made under section 21 of this Act, is found in Kenya while that order is still in force;
- (e) not being a refugee and not having a valid refugee identification document, fails to comply with an order of the Minister to leave Kenya; or
- (f) resides without authority outside the designated areas specified under section 15(2),

commits an offence and shall on conviction be liable to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding six months, or to both such fine and imprisonment.

26. Regulations

(1) The Minister may make Regulations generally for the better carrying out of the provisions of this Act.

(2) Without prejudice to the generality of subsection (1) Regulations made under this section may provide for the—

- (a) manner and form in which appeals may be made to the Appeals Board;
- (b) assignment to the Commissioner of functions relating to the investigation, inspection and supervision of the reception, treatment and welfare of refugees;

- (c) formation of committees and the assignment to such committees of functions to be exercised, subject to the direction and control of the Commissioner or any such committee in relation to the reception, treatment and welfare of refugees;
- (d) procedure to be followed in applications for recognition of refugee status and the form in which such applications shall be made;
- (e) procedure to be followed in the expulsion of refugees;
- (f) form and issue of identification and travel documents to refugees and members of their families;
- (g) form and issue of identification documents to persons awaiting determination of their status;
- (h) control and regulation of persons who may be required to live within a designated place or area;
- (i) form of any order or notice required to be served on any person under section 19 and the manner in which such order or notice may be served; or
- (j) protection of women, children, unaccompanied minors, persons with disabilities and other disadvantaged groups.

SCHEDULE

[Section 9(6).]

REFUGEE APPEAL BOARD

1. Term of Office

(1) A member of the Appeal Board shall hold office for such term, not exceeding three years, as may be specified in the instrument of his appointment.

(2) A member shall be eligible for re-appointment for one further term.

2. Terms and the conditions

The terms and conditions of service of a member, remuneration, travelling and other expenses to which he is entitled shall be determined by the Minister, with the consent of the Minister for Finance.

3. Vacancy in Office of member

(1) The office of a member shall become vacant if he—

- (a) has been absent from three consecutive meetings of the Board without the permission of the chairman;
- (b) is unable to discharge the functions of his office by reason of mental or physical infirmity; or
- (c) is an undischarged bankrupt; or
- (d) is convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months or a fine exceeding ten thousand shillings.

4. Staff

(1) The Minister may appoint such persons to be members of the staff of the Appeal Board as he considers necessary to assist the Appeal Board in the performance of its functions.

(2) Members of staff of the Appeal Board shall be Public servants.

5. Meetings

(1) The Appeal Board shall hold such meetings as may be necessary for the performance of its functions under this Act.

(2) The chairperson, or in the absence of the chairperson, a member appointed by the members then present shall preside at a meeting of the Appeal Board.

6. Quorum

A majority of the members for the time being holding office as members of the Board shall constitute a quorum at any meeting of the Board.

7. Decisions

(1) A decision supported by a majority of the votes cast at a meeting of the Appeal Board at which a quorum is present shall be the decision of the Appeal Board.

(2) In case of an equal division of votes cast under subsection (1), the Chairperson of the meeting shall have a casting vote.

8. Rules

Except as expressly provided in this Act or any regulations made thereunder, the Appeal Board shall regulate its proceedings as it deems fit.

NO. 13 OF 2006

REFUGEES ACT

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**REFUGEES (RECEPTION, REGISTRATION AND ADJUDICATION)
REGULATIONS, 2009**

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SCHEDULE

**REFUGEES (RECEPTION, REGISTRATION AND ADJUDICATION)
REGULATIONS, 2009**

[L.N. No 24/2009.]

PART I – PRELIMINARY

1. Short title

These Regulations may be cited as the Refugees (Reception, Registration and Adjudication) Regulations, 2009.

2. Interpretation

In these Regulations, unless the context otherwise requires—

“**appointed officer**” means an officer in the public service gazetted by the Minister for the purpose of this Act;

“**categories at risk**” means asylum seekers or refugees including unaccompanied minors, mentally or physically disabled, pregnant women, elderly persons and any other category considered in need of special assistance or protection;

“**combatant**” means member of a regular or irregular armed force or armed group or a person who has been participating actively in military activities or recruitment to military activities;

“**designated entry point**” means the border entry points and the nearest government administrative center;

“**pass**” means an asylum seeker’s pass issued under regulation 13;

“**refugee reception office**” means an office designated for the reception of asylum seekers;

“**refugee status determination officer**” means an officer designated to conduct refugee status determination;

“**registration officer**” means an officer designated to register asylum seeker;

“**unaccompanied child**” means a child who is not accompanied by a parent or a care taker;

“**separated child**” means a child who is not accompanied by parents but is under the care of adults;

PART II – RECEPTION AND REGISTRATION

3. Reception on asylum seeker

An appointed officer shall receive an asylum seeker found within Kenya and shall direct him to the nearest reception centre.

4. Application for recognition as a refugee

(1) An asylum seeker who has entered Kenya and wishes to remain within Kenya as a refugee shall present himself before a registration officer and apply to be recognized as a refugee.

[Subsidiary]

- (2) An application under paragraph (1) shall be—
- (a) in Form 1 set out in the Schedule;
 - (b) lodged by the asylum seeker in person at a designated refugee reception office within thirty days of his entry into Kenya; and
 - (c) completed in triplicate.
- (3) The registration officer shall fill in the asylum seeker's information in the registration form.
- (4) A person who is already lawfully in Kenya shall be eligible to apply for asylum and shall declare his status.
- (5) An asylum seeker who has applied for refugee status shall be issued with an asylum seeker pass set out in Form 2 in the Schedule which shall remain valid for one year from the date of issuance, or until a final determination of the asylum application, whichever is the earlier.
- (6) The Commissioner shall inform an asylum seeker on the refugee status determination centres where the asylum seeker shall present himself for determination of his asylum application.
- (7) The Commissioner shall ensure all applications for asylum are forwarded from the registration centres to the appropriate refugee status determination centres.

5. Combatants

The Commissioner shall set up screening mechanisms at the designated border points to separate combatants from civilians and to ensure that only genuine asylum seekers are admitted into Kenya.

6. Registration interview

- (1) An asylum seeker and members of his family shall appear in person for a registration interview.
- (2) An appointed officer shall refer an asylum seeker and members of his family already within Kenya to the nearest refugee registration officer for reception and registration interviews.
- (3) An appointed officer in charge of a registration centre shall forward the applications of all the asylum seekers registered in that centre to the refugees status determination centre.

7. Considerations for categories at risk

- (1) An appointed officer shall make special arrangements to assist an asylum seeker who is one of the categories at risk in the registration process.
- (2) An unaccompanied or separated child may apply for registration as an asylum seeker in Form 3 set out in the Schedule and a registration officer shall give priority to the registration of an unaccompanied or separated child.
- (3) An appointed officer involved in the reception and registration of asylum seekers shall be sensitive to the special needs of women and elderly asylum seekers.
- (4) A registration officer shall conduct the registration process procedures with due regard for decency and gender sensitivity.

8. Disclosure of information and surrender of documents

- (1) An asylum seeker shall—
- (a) provide all the information required in Form 1 set out in Schedule;

- (b) provide, where available, any additional information that the Commissioner deems necessary in order to verify the information furnished in Form 1; and
- (c) surrender any permit issued to him under the Immigration Act (Cap. 172) and Aliens Restriction Act (Cap. 173), for cancellation.

9. Identification of asylum seeker

(1) An asylum seeker shall, on application for registration—

- (a) comply with fingerprinting and photographing requirements prescribed under these Regulations; and
- (b) produce any identification document that he has in his possession.

(2) The registration officer shall take the fingerprints and photographs of all asylum seekers at the time of registration.

(3) The Commissioner shall ensure the fingerprints of an asylum seeker and family members taken under sub-regulation (2) are checked against all national fingerprint databases.

10. Duties of registration officer

(1) A registration officer shall—

- (a) conduct a registration interview to verify the information provided by an asylum seeker;
- (b) ensure that the asylum seeker is provided adequate interpretation in accordance with regulation 12 and any guidelines issued by the Commissioner;
- (c) verbally notify the asylum seeker of—
 - (i) the purpose of the registration interview;
 - (ii) the duty to be truthful and co-operative;
 - (iii) of the conditions of the pass and the requirement of appearing on the return date specified on the pass; and
 - (iv) that the pass may be withdrawn upon failure to comply with the conditions of the pass, subjecting the asylum seeker to confinement and other consequences that may result from withdrawal of the pass;
- (d) issue a notice in writing to the asylum seeker to appear before a Refugee Status Determination Officer for an interview on the date specified therein; and
- (e) issue a pass to the asylum seeker;
- (f) sign the pass and ensure the asylum seeker countersigns the pass.

11. Confidentiality

(1) All information and records of an asylum seeker and a refugee shall be confidential.

(2) No member of the Committee, employee or agent of the Department of Refugees shall disclose any information pertaining to a refugee or an asylum seeker to a third party except in the course of his duty under the Act and with the consent of the Commissioner.

(3) Where a member of the Committee, employee or agent of the Department of Refugee Affairs discloses any information under this regulation he shall make a note of the disclosure in the records of the asylum seeker or refugee concerned.

(4) An asylum seeker or a refugee who seeks information from his own records shall be given copies of the documents he submitted to the Commissioner.

[Subsidiary]

(5) An asylum seeker, refugee or their legal representative shall have supervised access to the records specified in sub-regulation (4).

12. Interpreters

(1) The Commissioner shall, where necessary, provide competent interpreters for asylum seekers and refugees.

(2) An interpreter provided under this regulation shall not be—

- (a) a representative or employee of the government in which the asylum seeker fears persecution or harm;
- (b) an asylum seeker; or
- (c) a refugee who is not a competent interpreter unless there is no other means of communicating with an asylum seeker or a refugee.

(3) Where a refugee interprets proceedings at any stage of the refugee determination process, an appointed officer shall note that occurrence in the interview transcript.

(4) An asylum seeker or a refugee shall be given the option to choose an interpreter of the sex that the asylum seeker or refugee prefers.

(5) An asylum seeker or a refugee who has concerns about an assigned interpreter shall be given the opportunity to explain his concerns in private to an appointed officer at any stage of the determination process.

(6) An interpreter who is engaged to provide services of interpretation under these Regulations shall sign an undertaking of 'confidentiality and impartiality in Form 4 set out in the Schedule before the interpreter assumes the duties of interpretation.

13. Asylum seeker pass

(1) A pass issued to an asylum seeker under regulation 12 shall—

- (a) be in Form 2, set out in the Schedule;
- (b) specify the time and date when the asylum seeker shall return to a specified refugee reception office; and
- (c) notify the asylum seeker that failure to comply with the condition of appearing personally at a designated refugee reception office no later than the time and date specified may result in withdrawal of the pass.

(2) An asylum seeker shall, at all times, be in possession of a asylum seeking process; pass as proof of legal status in Kenya.

(3) A pass shall be valid only if an official stamp of the Refugee Department has been affixed to it and is signed by the issuing officer and the asylum seeker.

14. Withdrawal of asylum seeker pass

(1) Failure to comply with any condition specified in the asylum seeker pass asylum seeker pass, without just cause, may constitute ground for withdrawal of the pass.

(2) A pass may be withdrawn if—

- (a) the asylum seeker contravenes any conditions specified in the pass;
- (b) in the final determination, the asylum seeker's application is rejected, or the period within which an appeal has to be filed has lapsed;
- (c) there is a final determination that the asylum seeker is excluded from obtaining refugee status pursuant to section 4 of the Act; or
- (d) there is a final determination that the asylum seeker no longer qualifies for refugee status pursuant to section 5 of the Act.

(3) If the pass of the principal asylum seeker is withdrawn, the passes of the members of the family of that principal asylum seeker shall be informed of the reasons for the confinement.

(4) The withdrawal of the pass of a principal asylum seeker does not preclude a dependant from applying for asylum.

15. Unaccompanied and separated children

(1) A child who is unaccompanied shall be interviewed in an appropriate setting and in the presence of a competent officer or person the child relates to.

(2) Where the actual age of an unaccompanied child cannot be ascertained by the child or the registration officer, the registration officer shall request that an age assessment be carried out in the prescribed manner.

(3) A registration officer shall—

- (a) register an unaccompanied child in Form 3 set out in the Schedule;
- (b) ensure that an accompanied child is placed in foster care or in a special reception centre at the earliest stage of the asylum seeking process;
- (c) in the case of a separated child, ensure that care arrangements are adequately provided;
- (d) appoint a representative for the unaccompanied child and keep a record of the particulars and contact information of the representative;
- (e) satisfy himself that a child who has applied for registration under these regulations is not a victim of child trafficking; and
- (f) commence the process of tracing the relatives of the unaccompanied child as soon as practicable.

16. Register and registries

(1) An appointed officer in charge of a registration centre shall keep a register of asylum seekers who have been registered in that centre.

(2) All records of asylum seekers shall be kept in the relevant registries and copies of the records shall be kept in a central registry in the head office.

17. Confinement of asylum seeker

(1) Where it becomes necessary to confine an asylum seeker for purposes of verification of identity or for any other reason, the asylum seeker shall be informed of the reasons for the confinement.

(2) An asylum seeker shall only be confined with the written authorization of the Commissioner.

(3) An asylum seeker who has been confined under this regulation shall be allowed to contact any person who may assist in verifying his identity or provide information that may be relevant to his confinement.

(4) An asylum seeker shall be confined in accordance with international standards and representatives of the United Nations High Commissioner for Refugees and other organizations with expertise in matters relating to refugees and human rights shall have access to the asylum seeker.

(5) An asylum seeker shall be released upon verification of his identity or other relevant information and shall not be barred from seeking asylum under these Regulations.

(6) An asylum seeker shall not be held in confinement for more than thirty days.

[Subsidiary]

(7) An asylum seeker held in confinement shall be released with the written authorization of the Commissioner.

(8) Where the confinement of a child is necessary, the Commissioner shall transfer the child to the Children's Department until the matter in question is determined.

PART III – ADJUDICATION PROCESS**18. Adjudication process**

(1) The Commissioner shall determine an application made under regulation 4 within ninety days of the application being referred to him.

(2) The Commissioner may make such inquiries or investigations as he thinks necessary on any application and may require an asylum seeker to appear before him for an interview.

(3) The Commissioner shall put in place—

- (a) a fair and transparent system for the scheduling of refugee status determination interviews;
- (b) a mechanism to conduct interviews; and
- (c) a filing system which shall ensure that all registration data of an asylum seeker is filed and that any change in the data, family composition or other information of an asylum seeker is recorded.

19. Refugee status determination facilities

(1) The Commissioner shall ensure that the—

- (a) facilities used for the refugee status determination procedures preserve the right of asylum seekers to confidentiality and that the rooms used to conduct interviews allow asylum seekers to communicate with an appointed officer in private; and
- (b) waiting facilities at any refugee status determination centre have—
 - (i) adequate seating and space;
 - (ii) access to toilets;
 - (iii) access to drinking water; and
 - (iv) shelter from severe weather conditions.

20. Representation

(1) An asylum seeker may, in a refugee status determination interview—

- (a) present his refugee claims in person; or
- (b) be represented at his own cost by a legal representative.

(2) An Asylum seeker shall sign an authorization in Form 5 set out in the Schedule indicating the person authorized to act as his legal representative.

21. Hearing before refugee status determination officer

(1) In complying with the provisions of section 11 of the Act, a refugee status determination officer shall conduct a non-adversarial hearing to elicit information bearing on the asylum seeker's eligibility for refugee status and ensure that the asylum seeker fully understands the procedures, his rights and responsibilities and the evidence presented.

-
- (2) A refugee status determination officer shall—
- (a) be knowledgeable in the law relating to refugees and international human rights; and
 - (b) have all the particulars of the asylum seeker he is interviewing including—
 - (i) any written statement by the asylum seeker explaining his fear;
 - (ii) any identity documents provided by the asylum seeker; and
 - (iii) claim specific and country specific information.
- (3) A refugee status determination officer shall explain the purpose and nature of the interview to the asylum seeker including the—
- (a) duty to be truthful and cooperative;
 - (b) use of the interpreter;
 - (c) confidentiality of the information given;
 - (d) procedures to receive notification of the refugee status determination decision; and
 - (e) relevant appeal procedures.
- (4) A refugee status determination officer shall interview a child who has attained sixteen years of age and above separately.
- (5) A child who has not attained the age of sixteen years may be interviewed, with the permission of the parent or guardian, who may be allowed to be present during the child's interview.
- (6) A refugee status determination officer shall—
- (a) verify the identity of any interpreter present;
 - (b) verify the identity of any member of the family of the asylum seeker seeking refugee status based on their relationship to the asylum seeker; and
 - (c) receive evidence and question the asylum seeker or any witness.
- (7) An asylum seeker shall respond to any questions asked by the refugee status determination officer, including—
- (a) information regarding his identity and the identity of any member of his family seeking refugee status based on their relationship to the asylum seeker;
 - (b) reasons for seeking asylum; and
 - (c) any grounds that might exclude the asylum seeker from refugee status under section 4 of the Act.
- (8) At the end of the initial interview, the asylum seeker's counsel or representative may make a statement of comment on the evidence presented, subject to the discretion of the refugee status determination officer, comments may be submitted in writing.
- (9) The legal representative of an asylum seeker shall sign an undertaking to regulate his attendance at the asylum interview.
- (10) At the conclusion of the initial interview, the refugee status determination officer shall advise the asylum seeker of the date and time to return to receive the decision on his application.
- (11) The refugee status determination officer shall record the narrative of an asylum seeker and keep the interview transcript as part of the record of the interview.

[Subsidiary]

22. Burden of proof and evidence

(1) The asylum seeker bears the burden of proof to establish that he is a refugee as defined in section 3 of the Act.

(2) In the absence of documentary evidence, the credible testimony of an asylum seeker in consideration of conditions in the country of origin may suffice to establish eligibility for refugee status.

23. Eligibility determinations and service of decision

(1) The eligibility of an asylum seeker for grant of refugee status in accordance with the Act shall be made on a case by case basis, taking into account the specific facts of the case and conditions in the country of origin.

(2) In making a determination on eligibility, a refugee status determination officer may—

- (a) request further information or clarification from the asylum seeker;
- (b) consult with the office of the United Nations High Commissioner for Refugees; and

(3) If an application for refugee status is rejected, the Commissioner shall notify the asylum seeker of the decision in writing, specifying the reason for the rejection.

(4) If an application for refugee status is approved, the Commissioner shall notify the asylum seeker of the decision in writing.

24. Member of family of an asylum seeker

(1) A refugee reception officer shall include each member of the family of an asylum seeker in the asylum seeker's application.

(2) An asylum seeker or a member of his family shall provide proof of relationship.

(3) The proof of relationship specified in sub-regulation (2) may be established by documentary evidence, such as a marriage, birth, baptismal certificate, or travel document; in the absence of such documentary evidence and a reasonable explanation as to why such documentary evidence is not available, the relationship may be established by affidavits or credible sworn statements.

(4) Each member of the family of an asylum seeker included in an asylum application shall be issued with a pass and shall comply with the term prescribed in the pass.

(5) A member of the family of an asylum seeker applying for refugee status shall appear for the hearing before a refugee status determination officer together with the asylum seeker.

(6) A member of the family of a refugee who ceases to meet the definition of "members of family of a refugee" under the Act, may continue to remain in Kenya if he—

- (a) has applied for a pass; or
- (b) has been granted refugee status as per section 3 of the Act.

(7) A member of the family of an asylum seeker who has not been issued with a pass shall be given the opportunity to apply for asylum.

(8) An adult member of the family of an asylum seeker included in the asylum seeker's application shall be interviewed separately.

(9) A member of the family of an asylum seeker may apply for individual refugee status.

(10) A member of the family of an asylum seeker who is a child who has not attained the age of sixteen years, may be interviewed separately with the consent of the asylum seeker.

(11) A refugee status determination officer shall ensure the transcripts of the interviews carried out under this regulation are included in the records of the asylum seeker.

(12) The narrative of an asylum seeker shall be recorded in detail and the interview script shall be kept as part of the record of the interview.

25. Documents for refugee status determination interview

(1) A refugee status determined file of an asylum seeker shall contain all the records received or produced by the Commissioner.

(2) An asylum seeker may present any document that supports his asylum claim to the refugee status determination officer.

(3) Any original documents presented for the purposes of the claim of the asylum seeker shall be copied and returned to the asylum seeker and duplicate copies shall be filed in the file of the asylum seeker.

(4) A refugee determination officer shall raise any irregularity in the documents presented by an asylum seeker at an interview and shall give the asylum seeker the opportunity to explain the irregularity.

(5) All documents and decisions relating to an asylum seeker who is applying for derivative refugee status as a member of a family of a refugee shall be recorded in the file of the principal asylum seeker.

26. Witnesses

(1) An asylum seeker may call witnesses to give evidence at a refugee status determination interview.

(2) A refugee status determination officer shall—

- (a) explain the confidentiality requirements to the witness; and
- (b) inform the witness that he is under an obligation to tell the truth and consequences of giving false information.

(3) A witness shall sign a statement consenting to the obligations.

(4) A refugee status determination officer may question a witness who appears at an interview.

(5) The evidence and examination of the witness during the refugee status determination interview shall be clearly recorded as part of the asylum seeker's interview transcript.

(6) A witness shall—

- (a) not be present during the interview of the asylum seeker;
- (b) testify in the presence of the asylum seeker; and
- (c) be given the opportunity to use an interpreter if necessary.

27. Observer

(1) A refugee status determination officer may, with the informed and written consent of an asylum seeker, allow an observer to be present during an interview.

[Subsidiary]

(2) An observer who is present at an interview shall be bound by the rules of confidentiality specified under these Regulations and shall not participate in the interview.

28. Exclusion

(1) A refugee status determination officer shall have knowledge of the criteria for exclusion from refugee protection and be trained to identify facts that indicate that the exclusion clauses may apply.

(2) An asylum seeker whose claim for asylum has given rise to an exclusion examination shall be informed of the exclusion examination and be given an opportunity to respond.

(3) An asylum seeker whose claim for refugee status is rejected on the basis of exclusion retains the right to appeal to the Refugee Appeal Board.

29. Refugee status determination decision and notification

(1) A refugee status determination officer shall, after completion of an interview for refugee status determination, submit a written recommendation to the Commissioner.

(2) The Commissioner shall make a decision on the written recommendation of the refugee status determination officer within ninety days.

(3) The Commissioner shall, in writing notify the asylum seeker of the determination of his application, within fourteen days of the determination giving reasons if the application is rejected.

30. Accelerated procedures

(1) A refugee status determination officer may accelerate the procedures, for asylum under these Regulations if, the asylum seeker is—

- (a) an unaccompanied or separated child;
- (b) in confinement;
- (c) awaiting deportation orders;
- (d) identified as a person at risk; or
- (e) has a medical emergency.

PART IV – REFUGEE AND ASYLUM SEEKER DOCUMENTS**31. Grant of refugee status**

An asylum seeker who has been granted asylum under section 11(6) of the Act shall be issued with an identity document.

32. Identity document

(1) An identity document issued to an asylum seeker or a refugee under these Regulations shall—

- (a) be issued—
 - (i) without discrimination on any grounds;
 - (ii) and free of charge; and

(2) A female asylum seeker or refugee shall be issued with an identity document in her own name.

(3) An identity document issued to an asylum seeker or a refugee under these regulations shall contain the—

- (a) name and holder of the document;

- (b) sex of the document holder;
- (c) date of birth;
- (d) country of origin of the holder;
- (e) photograph of the holder;
- (f) name of the issuing authority;
- (g) individual reference number;
- (h) date of issuance;
- (i) date of expiry in the case of an asylum seeker pass; and
- (j) signature of the authorizing officer.

33. Refugee identity card

(1) After grant of refugee status, a refugee shall be issued with a refugee identity card or with a refugee identification pass if the refugee has not attained the age of eighteen years.

(2) On being issued with a refugee identity card, a refugee shall surrender his asylum seekers pass to the issuing officer.

(3) A refugee identity card and refugee identification pass issued to a refugee under these Regulations shall be proof of the bearer's legal presence in Kenya.

34. Convention Travel Document

(1) A refugee may apply to the Commissioner for a convention travel document in Form 8 set out in the Schedule and shall submit the following documents in support of the application—

- (a) a copy of his refugee identity card or refugee identification pass;
- (b) two recent colour passport photographs;
- (c) the reason for travel; and
- (d) an other relevant document.

(2) A refugee may apply to be issued with a convention travel document for the following reasons—

- (a) resettlement;
- (b) education;
- (c) medical;
- (d) employment;
- (e) business;
- (f) family;
- (g) humanitarian; or
- (h) leisure.

(3) A refugee shall apply for a convention travel document in person and shall collect the document from the designated office in person.

(4) The parent or guardian of a child shall apply for a convention travel document on behalf of the child.

(5) Where the Commissioner approves the application for a convention travel document, he shall issue the convention travel document set out in Form 9 of the Schedule within ninety days of the application.

[Subsidiary]

(6) In the event of exceptional circumstances, the Commissioner may issue a convention travel document within fourteen days.

(7) Where the Commissioner declines to issue a convention travel document under these Regulations, he shall, within thirty days of receipt of the application, provide written reasons for his decision; a refusal shall not disqualify the refugee from applying again.

(8) A convention travel document shall remain the property of the Government of Kenya.

(9) A convention travel document shall—

- (a) allow the bearer to travel from and return to Kenya during the validity of the document; and
- (b) shall be valid for a period of two years and may be renewed—
 - (i) by the Commissioner; or
 - (ii) where the refugee is outside Kenya, by the representative of the Republic of Kenya.

(10) On application for the renewal of a convention travel document, a refugee shall submit—

- (a) his current convention travel document;
- (b) a copy of his refugee identity card or refugee identification pass; and
- (c) two recent colour passport photographs, if a new convention travel document is to be issued.

(11) A refugee may apply for a replacement of his convention travel document where his document has been stolen, is lost or is damaged.

(12) The Commissioner may cancel or withdraw a convention travel document where—

- (a) the convention travel document was obtained through fraud;
- (b) the holder of the convention travel document—
 - (i) uses it to travel to his country of nationality or former habitual residence;
 - (ii) ceases to be a refugee; or
- (c) national security reasons apply.

(13) The Commissioner shall keep a register of the convention travel documents issued, renewed, replaced, cancelled or withdrawn.

35. Movement pass

(1) An asylum seeker or a refugee may apply to the Commissioner, through the refugee camp officer, for permission to travel outside a designated area.

(2) An application under sub regulation (1) shall be in Form 10 set out in the Schedule.

(3) The Commissioner shall issue a movement pass to an asylum seeker or a refugee who has a valid reason to travel outside a designated area.

(4) Where the commission refuses to grant a movement pass he shall give reasons in writing for refusing to grant an application made under sub-regulation (1).

36. Pupil's pass

The Commissioner may, on application, issue a pupil's pass to an asylum seeker or a refugee who is a student in Kenya.

PART V – WITHDRAWAL OF REFUGEE STATUS

37. Withdrawal of refugee status

- (1) The Commissioner may withdraw the refugee status if there is evidence that—
- (a) at the time of his refugee status determination interview the asylum seeker, was disqualified under section 4 of the Act;
 - (b) the refugee committed a serious non political crime in Kenya after his arrival and admission to Kenya as a refugee;
 - (c) the recognition may have been granted erroneously as a result of, misrepresentation or concealment of facts that were material to the refugee status determination.
- (2) The cancellation of a person's refugee status shall—
- (a) be carried out using the same standards and due process that apply to refugee status determination procedures; and
 - (b) be determined on an individual basis.

38. Notice of withdrawal of refugee status

- (1) The Commissioner shall notify the refugee whose recognition as a refugee whose recognition as a refugee is to be withdrawn of—
- (a) the intention to withdraw the recognition of that person as a refugee;
 - (b) the reasons for the commencement of the withdrawal of the recognition; and
 - (c) the procedures to be followed in the process.
- (2) A refugee status is to be withdrawn shall be given the opportunity to present new evidence in relation to his refugee status and evidence of a continued fear of persecution in the country of origin at the time of the withdrawal interview.
- (3) Where a refugee has been duly notified of the withdrawal proceedings and does not attend the withdrawal interview, a determination to withdraw the person's recognition as a refugee shall be made on the basis of the information available to the Commissioner.

39. Assessment of withdrawal

- An assessment of the withdrawal of the recognition of refugee status shall include—
- (a) a detailed transcript of the withdrawal interview, if the refugee attended the interview;
 - (b) the credibility of the refugee;
 - (c) an assessment of all the evidence presented;
 - (d) a determination whether the grounds for withdrawal have been established; and
 - (e) a recommendation that the refugee status of the refugee be maintained or withdrawn.

40. Decision on withdrawal of recognition

The Commissioner shall give written notice to a refugee of the decision to withdraw his Status and of the reasons thereof.

41. Withdrawal of derivative status

- (1) Withdrawal of refugee status shall result in the withdrawal of status for the members of the family of the refugee.

[Subsidiary]

(2) A member of the family of a refugee whose recognition has been withdrawn may apply for refugee status as an individual.

PART VI – CESSATION OF REFUGEE STATUS**42. Cessation of class refugee status**

(1) The Minister may revoke the refugee, status of any class Cessation of class refugee status.

(2) A declaration of cessation of such class of persons does not preclude an individual from applying for refugee status on the basis of an individual claim.

43. Notice of cessation

(1) The Commissioner shall notify a refugee who is referred for cessation proceedings of the reasons for the cessation and shall furnish him with information regarding the procedure.

(2) A refugee shall be permitted to submit evidence relating to the need for continued protection in Kenya within ninety days from the date of notification.

(3) If a refugee has been duly notified of the cessation procedures but does not attend a cessation interview or present evidence relating to the need for continued protection within ninety days of the notice, his refugee status shall cease.

44. Cessation interview

The refugee determination officer shall give the refugee an opportunity to respond to the grounds for applying cessation and to provide evidence that is relevant to his claim against cessation.

45. Cessation assessment

(1) A cessation assessment shall include—

- (a) a summary of the evidence that is relevant to the grounds for cessation, including an assessment of the reliability of the evidence and the credibility of the refugee; and
- (b) a determination whether the evidence supports a finding that the individual is no longer in need of refugee protection.

46. Cessation of refugee status

The Commissioner shall, in writing, notify a refugee whose refugee status has ceased of the decision to terminate his refugee status and shall inform the refugee of—

- (a) the effect of cessation on his previously granted refugee status;
- (b) the cessation of the status of any person who received derivative status;
- (c) the right to appeal against the expulsion decision to the Appeal Board within fourteen days of receipt of the decision; and
- (d) the right to legal representation in the appeal at the refugee's cost.

PART VII – EXPULSION OF REFUGEE**47. General grounds for expulsion**

(1) A refugee or a member of his family may be expelled from Kenya on grounds of national security or public order.

Refugees

[Subsidiary]

(2) The Minister shall issue an order to a refugee whose refugee status has been terminated to leave the Country.

(3) Where an order is issued to a refugee under sub-regulation (2), the Minister may allow, upon request from the Commissioner, additional time for the refugee to obtain approval to enter any country he has a right to enter.

(4) A refugee may be permitted to effect his own removal under an expulsion order.

SCHEDULE

Form 1

(r. 4)

REFUGEE STATUS DETERMINATION APPLICATION FORM

Office:	<input type="checkbox"/> Principal Applicant	<input type="checkbox"/> Derivative	Space for Photograph
	Status		
RSD File #	Reg #		
Arrival Date (dd/mm/yyyy):	Reg. Date (dd/mm/yyyy):	Special Needs	
Reg. Staff:	<input type="text"/>	Interpreter:	<input type="text"/>
Linked RSD Files :	<input type="text"/>	<input type="text"/>	
Registration Information Sheet			
Parts A to H must be completed for every adult and child Applicant, including family members and other dependants who are accompanying a Principal Applicant			
PART A – Basic Bio Data			
1. Full Name (<i>Underline main name</i>):			
2. Other Names used:			
3. Father's Name:		4. Mother's Name	
5. Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female		6. Nationality:	
7. Date of Birth (dd/mm/yyyy): / (if not known give estimated year of birth)			
8. Place of birth:			
9. Marital status: <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Engaged <input type="checkbox"/> Separated <input type="checkbox"/> Divorced			
10. Spouse's Name (if applicable)			
11. Religion:		12. Ethnicity	
13. Full Address of Last Place of Residence in Home Country:			
14. Present Address & Contact Numbers:			

Refugees

[Subsidiary]

SCHEDULE, Form 1—continued

Part B – Education (Highest Level)				
Name of Institution	Place/Country	From (mm/yyyy)	To (mm/yyyy)	Qualification Obtained
		
		

Part C – Occupation (Most Recent in the Home Country)				
Name of Institution	Place/Country	From (mm/yyyy)	To (mm/yyyy)	Job Title
		
		

Part D – Identification Documents/Other Documents Provided				
Document Type, Number	Place of Issue	Date of Issue (dd/mm/yyyy)	Date of Expiry (dd/mm/yyyy)	Original Provided
	/...../...../...../.....	Yes <input type="checkbox"/> No <input type="checkbox"/>
	/...../...../...../.....	Yes <input type="checkbox"/> No <input type="checkbox"/>
	/...../...../...../.....	Yes <input type="checkbox"/> No <input type="checkbox"/>
	/...../...../...../.....	Yes <input type="checkbox"/> No <input type="checkbox"/>
	/...../...../...../.....	Yes <input type="checkbox"/> No <input type="checkbox"/>
	/...../...../...../.....	Yes <input type="checkbox"/> No <input type="checkbox"/>

Missing Documents:

If you are missing identity documents or other documents that are relevant to your claim, please explain why you do not have these documents.

If you are missing identity documents, will you be able to obtain these documents in the future?

If not, please explain why.

Part E – Applicant’s Registration History

1. Have you already been registered? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, where were you registered?	Registration #	Date of registration: (dd/mm/yyyy):/...../.....
2. Have you ever applied for refugee protection with UNHCR or a Government <input type="checkbox"/> Yes <input type="checkbox"/> No		
If Yes		
Where?	When?	Decision and/or status obtained:

Refugees

[Subsidiary]

SCHEDULE, Form 1—continued

Family/Household Composition					
If the Applicant is applying as a dependant/family member of a Principal Applicant, and the information in Parts F to H is identical to the form of the Principal Applicant, the registration number of the Principal applicant may be provided instead of completing Parts F to H. Reg. No. of Principal Applicant					
Part F – Family Members and Dependants Accompanying the Applicant					
Full name	Individual Registration	Relationship to Applicant	Sex (M/F)	Date of Birth (dd/mm/yyyy)	
01.			/...../.....	
02.			/...../.....	
03.			/...../.....	
04.			/...../.....	
05.			/...../.....	
06.			/...../.....	
07.			/...../.....	
08.			/...../.....	
09.			/...../.....	
10.			/...../.....	
Part G – Close Family Members and Dependants in Home Country					
Full name	Relationship to Applicant	Date of Birth (dd/m/yyyy)	Citizenship	Occupation	
	/...../.....			
	/...../.....			
	/...../.....			
	/...../.....			
	/...../.....			
	/...../.....			
Part H – Non Accompanying Family Members and Dependants Living Outside Home Country					
Full name	Relationship to Applicant	Date of Birth (dd/mm/yyyy)	Address	Status there	Citizenship
	/...../.....			
	/...../.....			
	/...../.....			
	/...../.....			
	/...../.....			

Refugees

[Subsidiary]

SCHEDULE, Form 1—continued

Additional Information for Mandate RSD

Parts I to K must be completed for every Adult Applicant, by children who are applying as Principal Applicants and every unaccompanied or separated child.

Parts I-Details of Travel

1. Date of Departure from Home Country (dd/mm/yyyy):/...../.....

2. Means of Travel out of Home Country:

3. Exit point from Home Country:

4. Countries of Transit:	Period		Travel Document Used
	From (mm/dd/yyyy)	To (mm/dd/yyyy)	
/...../...../...../.....	
/...../...../...../.....	
/...../...../...../.....	
/...../...../...../.....	

5. Entry point in Host Country:

6. Date of arrival in Host Country (dd/mm/yyyy):/...../.....

7. Have you been to Host Country before? Yes No

Part J – Sex of Interviewer/Language(s) of Interview

Do you have a preference to be interviewed by a staff member and interpreter of a particular sex?

Yes No

If yes, indicate which sex: Male Female

What language(s) do you prefer for interviews?

Part K – Written Statement

When answering the question below, you should tell us everything about why you believe that you are in need of refugee protection. You should provide as much detail as possible, including the date the relevant events occurred. It is important that you provide full and truthful answers to these questions. If you need more space, please attach a page(s) with the details.

Why did you leave your home Country?

Refugees

[Subsidiary]

SCHEDULE, Form 1—continued

2. What do you believe may happen to you, or members of your household, if you return to your home Country? Please explain why?

Declaration

To be signed by the Applicant

I declare the information I have supplied on and with this form is complete, correct and current in every detail.

I understand that if I have given false or misleading information, my application for refugee status may be refused, or, if I have been recognized as a refugee, the recognition may be cancelled.

I undertake to inform the Commissioner of any significant changes to my circumstances while my application is being considered, including any changes to my address and contact numbers, the arrival or departure of members of my household or other changes in the composition of my household.

Signature of Applicant

Date:

Place:

Form 2

(r. 4)

ASYLUM SEEKER PASS

Name of Applicant
Registration no:
Date of Birth:
Place of Birth:
Nationality:
Date of entry in (host country)
Place of entry

Photograph (with Refugee Department stamp)
--

TO WHOM IT MAY CONCERN

This is to certify that the above-named person, national of (insert country of nationality), is an asylum seeker whose claim for refugee status is being examined by the Commissioner for Refugees. As an asylum seeker, (he/she) is a person of concern to the Office of the Commissioner for Refugees, and should, in particular, be protected from forcible return to a country where (he/she) claims to face threats to (his/her) life or freedom, pending a final decision on (his/her) refugee status. Any assistance accorded to the above named individual would be most appreciated.

Questions regarding the information contained in this document may be directed to the Office of the Commissioner for Refugees at the address above.

.....
(Signature of designated officer)

.....
(Signature of asylum seeker)

[Subsidiary]

SCHEDULE, Form 2—continued

This document is valid until: (Period of validity not to exceed one year from date of issue)

This document is only valid in the original when bearing official stamp.

Form 3

(r. 7)

REGISTRATION FORM FOR UNACCOMPANIED AND SEPARATED CHILDREN

ID NO

Other ID No.

(Please specify organization)

Unaccompanied child

Separated child

Please Note:

* A separated child is any person under the age of 18, separated from both parents, or from his/her previous legal or customary primary care giver, but not necessarily from other relatives. An unaccompanied child is any person who is under the age of 18, separated from both parents, or from his/her previous legal or customary primary care giver and also his/her relatives.

* If the child does not remember his/her address, please note other relevant information, such as descriptions of mosques, churches, schools and other landmarks.

Please fill out this form with a ballpoint pen. (1 form per child except for siblings under point 2.)

1. Identity of the child

Personal ID document type and no Sex M F

Full name (as expressed locally)

Also known as (nickname)

Name(s) given to the child by others after separation from parents? Yes No

Date of birth/age Place of birth

Nationality Country

Ethnic group

Language(s) spoken

Distinguishing physical characteristics

Father's full name

Alive Dead don't know

Mother's full name

Alive Dead don't know

If father and/or mother believed dead, please give details

.....

.....

.....

Other persons familiar to the child

.....

.....

.....

SCHEDULE, Form 3—continued

Address of the child before separation (i.e. where the child grew up)
..... Tel no

Person(s) with whom child lived
.....

2. Siblings (brothers/sisters) accompanying the child

A. Full name
Date of birth/age Place of Birth..... Country
Current address
..... Tel no

B. Full name
Date of birth/age Place of Birth..... Country
Current address
..... Tel no

3. Current care arrangement of the child

(a) Children’s centre (b) Foster family (please specify nationality)
(c) Other (Please specify)

Full name of Institution/person(s) responsible
.....
Address
..... Tel no

Date this care arrangement commenced Place
Foster family intends or is likely to return to resettle in
Address Country

4. History of separation

Date of separation Place of separation Country
Circumstances of separation

.....
.....
.....
List additional movements between place of initial separation and current location

5. In case the child has been evacuated

By whom/through which organization? Date
Reason(s) for evacuation
From where? To where?

6. Additional protection concerns

Has the child been associated with an armed force or armed group? Yes No

Child headed household Yes No

Disabled child Yes No

Medical Yes No

Street child Yes No

Girl mother Yes No

Abuse situation Yes No

Other (please specify)

Refugees

[Subsidiary]

SCHEDULE, Form 3—continued

Further information

Immediate action required? Yes No

7. Wishes of the Child

Person/s child wishes to find

Father Mother Brother Sister

Other (please specify)

A. Full name and relationship

Last known address

Country Tel No

B. Full name and relationship

Last known address

Country Tel No.

Is the child in contact with/has heard from any relative(s)? (Please give details)

Does the child want family reunification Yes, as soon as possible Yes later No

8. Interview by other organization involved in tracing

Has the child been interviewed by any other organization(s) Yes No

Name of organization(s)

Place of interview

Date

Country

Reference no. given to the child by other organization

9. List of documents carried by the child

.....

.....

.....

10. Additional information which could help trace the child's family (Please ask the child where he/she thinks his/her relatives, including sibilings might be or whether the child is in contact with any family friend)

.....

.....

.....

11. Disclosure of information

Does the child/guardian agree to the public disclosure (on radio, Internet, etc.) of his/her name and the names of relatives for the purpose of tracing his/her family? Yes No

12. Place and date of Interview

13. Information obtained from:

the child guardian other (please specify)

14. Name of the interviewer and organization

15. Organization in charge of tracing the child's family (please specify name, address and contact numbers)

.....

16. Signature of the child (if old enough)

.....

SCHEDULE—continued

Form 4

(r. 13)

INTERPRETER UNDERTAKING OF CONFIDENTIALITY AND IMPARTIALITY

Name of Interpreter:

I make the following undertakings in respect of the performance of my role as an interpreter in Refugee Status Determination (RSD) procedures with the Department of Refugee Affairs (DRA):

Obligation of confidentiality

I undertake not to disclose or discuss any information about asylum seekers, refugees, colleagues or other work related matters that come to my knowledge as a result of my role as an interpreter with DRA. I understand and accept that my obligation to maintain the confidentiality of information I have received in DRA continues beyond the termination of my assignment with DRA.

Obligation of Impartiality

I undertake to carry out my responsibilities and to conduct myself at all times, both in and outside of DRA premises, in a manner that is fully consistent with my obligation of impartiality as a DRA interpreter. In particular—

- (a) I will, to the best of my abilities, provide accurate and complete interpretation in DRA RSD procedures;
(b) I will provide interpretation services in DRA RSD procedures in a neutral and non-judgmental manner;
(c) I will refrain from engaging in advocacy on behalf of asylum seekers and refugees;
(d) I will not accept payment or favour from or on behalf of asylum seekers and refugees;
(e) I will not engage in contact or exchange with asylum seekers and refugees or other third parties that could undermine, either my impartiality as an interpreter or the fairness and integrity of DRA procedures; and
(f) I will carry out my responsibilities in a manner that is consistent with cultural gender and age sensitivity in DRA procedures.

Duty to Report

I undertake to inform the staff member for whom I am providing interpretation services, and to report to my direct supervisor any facts or incidents that could undermine, or be perceived to undermine my impartiality or effectiveness in the performance of my responsibilities/Specifically, I agree to report without delay any –

- (a) ties, professional or person, I have with an asylum seeker or refugee in relation to whom I have been assigned to provide interpretation service;
(b) employment, association or private interest I have which could be inconsistent with, or be perceived to be incompatible with, my role as an interpreter;
(c) other factors that could adversely affect my competence to provide interpretation services that have been assigned to me.

Consequences of Breach of Interpreter Undertaking

I understand that this signed DRA Interpreter Undertaking of Confidentiality and Impartiality will be maintained on my personnel file, and that failure to comply with the undertaking above, without reasonable excuse, will amount to misconduct and may result in disciplinary proceedings against me or legal action.

I have read, understand and accept each of the undertakings set out above.

Signature of Interpreter:

Date:

Place:

Refugees

[Subsidiary]

SCHEDULE—continued

Form 5

(r. 20)

AUTHORISATION TO ACT AS LEGAL REPRESENTATIVE

To be completed by the Applicant

Name of Applicant:

Date of birth:

RSD File no:

This is to certify that is acting as my legal representative for all matters relating to my application for refugee status with the Department of Refugees Affairs.

I hereby authorize the Department of Refugee Affairs to disclose to the above-named individual information or documents that I have provided directly to Department of Refugee Affairs or any other designated authority, and to inform the above-named individual of decisions taken by the Department of Refugee Affairs regarding my application for refugee status.

The authorization is valid until a final determination in my refugee claim has been made by the Department of Refugee Affairs, or the date upon which I give notice to the Department of Refugee Affairs that the person named above is no longer authorized to act as my legal representative.

Applicant's Signature:

Date:

Form 6

REPUBLIC OF KENYA

REFUGEES ACT, 2006

APPLICATION FORM FOR REGISTRATION AS A REFUGEE

- Initial registration 1. Registration office no.
- Renewal 2. Individual no.
- Duplicate 3.
- Correction on civil status 4.
- Other corrections 5. Serial number of the Previous alien card

1. Surnames	
2. Other names in full	
3. Alias (if any)	
4. Date of Birth	5. /Sex/M/ / /F/
6. Place of birth	
7. Nationality	
8. Married/Single/M / / S /	
9. Full names of Husband or Wife	
or Father if unmarried	

Refugees

[Subsidiary]

SCHEDULE, Form 6—continued

10. CTD No			
Passport no.	Date of issue		
11. Place of issue	Valid until		
12. Occupation			
13. Employed in Kenya/ / Own business/ / Student/ /			
14. Full names of employer of Business or University College or School			
Postal address			
Physical address			
Position held			
15. For Student duration of course			
16. For Refugee date of arrival	Accepted as refugee Y/N <input type="checkbox"/>		
17. Full postal address in Kenya			
18. Full residential address in Kenya (including name of road/street and plot no.			
19. Immigration status	20. File R		
21. Entry Permit/Pass no.	Valid until		
22. Refugee card valid until			
Date	SIGNATURE OF APPLICANT		
FOR OFFICIAL USE ONLY			
SIGNATURE OF OFFICER RECEIVING		Photo of Applicant	SIGNATURE OF ISSUING OFFICER
Date			Date
STATION STAMP			SIGNATURE OF REGISTRATION OFFICER
			Date

APPLICANT'S SIGNATURE

Full names

Date of birth

APPLICANT'S INFORMATION

SERIAL No.	SERIAL No.
DUPLICATE	ORIGINAL
REPUBLIC OF KENYA	REPUBLIC OF KENYA

Refugees

[Subsidiary]

SCHEDULE, Form 6—continued

APPLICATION FOR ALIEN REGISTRATION ACKNOWLEDGEMENT	APPLICATION FOR ALIEN ACKNOWLEDGEMENT
1. Registration office	1. Registration office
2. Surnames	2. Surnames
3. Date of Birth	3. Date of Birth
4. Passport No.	4. Passport No.
5.	5.
6. File No. R	6. File No. R
7. Name of Registration Officer	7. Name of Registration Officer
Signature	Signature
Date	Date

Form 8

(r. 34)

R

FOMU YA OMBI LA PASSPOTI WAKIMBIZI APPLICATION FORM FOR A CONVENTIONAL TRAVEL DOCUMENT (CTD)	Receiving Officer Name Signature Stamp
	Indexing Officer Name Signature Stamp
Majina Kamili } Full Names }	
Tafadhali soma maagizo kwa makini kabla ya kujaza fomu Please read instructions carefully before completing the form	

Conventional Travel Document

SCHEDULE, Form 8—continued

MAAGIZO	NOTES
<p>1. Maelezo: Tafadhali ufahamu vyema kwamba wale wote wanaomba paspoti ni lazima waijaze Sehemu zote.</p> <p>2. Upendekezi wa ombi. Mwombaji lazima apendekezwe katika sehemu ya 7 na Afisa wa idara ya wakimbizi Kenya au mhudumu shirika la UNHCR.</p> <p>3. Picha. Picha tatu zilizopigwa hivi karibuni lazima ziambatane na fomu. Picha hizi lazima ziwe za uso wote, bila kuvaa kofia au kitambaa. Pia picha isiwe ndani ya fremu. Ukubwa wa picha usizidi inchi 2½ kwa inchi 2 upana wala usipungue inchi 2 kwa inchi 1½. Ni lazima picha hizi ziwe katika karatasi nyembamba ya kawaida ya picha na wala isiwe inag'ara. Kwa upande wa nyuma wa picha moja; anayependekeza aandike mnamo yafuatayo: Ninathibitisha kwamba picha hii ni sura hasa ya muombaji passpoti, Bw./Bi./ Bint na atie sahihi yake.</p> <p>4. Passpoti hii inatolewa kwa wakimbizi bila malipo yeyote.</p> <p>5. Fomu ya maombi ipelekwe katika Ofisi kuu ya passpoti, Nyayo House, Nairobi, na afisa aliyeteuliwa kwa kazi hiyo na idara ya wakimbizi.</p> <p>6. Paspoti haiwezi icutolewa au kuongezwa muda wake hapa nchini kwa niaba ya mtu ambaye layari yuko nje ya Kenya. Mtu huyo anapaswa kuwasilisha ombi lake kwenye ofisi ya ubalozi wa Kenya uliyo karibu naye, na katika nchi ambako Kenya haina uwakilishi wa kibalozi, katika ofisi ya ubalozi wa Uingereza iliyo karibu naye, Paspoti hazitumiwa nje ya Kenya kwa njia ya Posta.</p> <p>7. Hati za huonyesha ni mkimbizi halali wa Kenya ni lazima zitolewe.</p> <p>8. Fomu zote za maombi ya paspotini lazima ziambatanishwe na paspoti ya awali kama ipo, Kitambulisho cha wakimbizi, cheti cha kuzaliwa mkimbizi alizaliwa Kenya zimethibitishwa.</p> <p>9. Habari zote zitakazotolewa zitahifadhiwa kama siri ya serikali na hazitajulishwa mtu yeyote asiyestahili.</p>	<p>1. Instructions. Kindly note that all applicants must complete all Sections.</p> <p>2. Recommendation of application. The applicant must be recommended in Section 7 by an officer in the Department for Refugee Affairs or an employee of UNHCR.</p> <p>3. Photographs. Three copies of a recent photograph of the applicant must be taken full face without hat, and the photographs must not be mounted. The size of the face must not be more than 2½inches by 1½inches. The photographs must be printed on normal thin photographic paper and must not be glazed. The recommender is supposed to endorse on the reverse side of one copy of the photograph with the words: "I certify that this is a true likeness of the applicant Mr/Mrs./Ms and add his/her signature. In addition to this, the applicant will be taken a passport photograph in the application centre.</p> <p>4. The passport is issued to the refugees free of charge.</p> <p>5. Application for a passport must be submitted personally by the applicant to the Passport Control Office, Nyayo House, Nairobi, by an officer specifically for that job at the Department for refugee Affairs.</p> <p>6. A passport cannot be issued or renewed by a Passport Control Officer on behalf of a person already abroad. Such persons should apply to the nearest Kenya mission and where there is no Kenya representative, to the nearest United Kingdom Mission.</p> <p>Passports are not sent out of Kenya by post.</p> <p>7. Documentary evidence of legal refugee in Kenya must be produced.</p> <p>8. All applications must be accompanied by a previous passport, if any or current national Kenya Identity Card, Birth Certificates plus certified photocopies of each.</p> <p>9. Information will be treated confidentially and shall not be passed to any unauthorized persons.</p>

Refugees

[Subsidiary]

SCHEDULE, Form 8—continued

TUMIA HERUFI KUBWA

TO BE COMPLETED IN BLOCK CAPITALS

(1) Majina Kamili}
 Full Names {Jina ya Familia Jina la kwanza Majina mengine

Mahali pa kuzaliwa Tarehe ya Kuzaliwa Maelezo juu ya muombaji
 Place of birth Date of birth Description of applicant
 Mume/Mke Male/Female

Birth Entry Number	
Iwapo jina limebadilishwa kwa sababu nyingine mbali na ya ndoa, andika jina lako la zamani If name has been changed other than by marriage, state original name:	Nambari Ya Kitambulisho Identity Card Number Nchi unayoishi } Country of residence }
Anwani ya posta Postal Address Nambari ya simu Tel No	Kazi } Profession/Occupation }
Mahali unapoishi/Residential address: (a) Eneo la Makazi au Mtaa/Estate/Sublocation (b) Nambari ya Ploti/Plot No./Hse. No./Kijiji/Village (c) Nambari ya simu ya Nyumbani/Home Tel. No (d) Barua Pepe/Email address (e) Simu ya Mkono/Mobile Phone Number	Kimo } Metres (m).....cm Height } ft Ins Rangi ya Macho] Colour of eyes } Alama isiyo ya kawaida: Special Peculiarities
(2) Mkimbizi wa Kenya kwa: (Chagua neno lifaalo) Citizen by: (Tick the appropriate box) Country Nchi <input type="checkbox"/>	
(3) Hali ya Ndoa/Marital Status: Taja kama umeoa/olewa, hujaolewa Umetalik/Talikiwa/Umetengana au Mjane:	Majina Kamili ya Baba Father's Full Name Nambari ya Kitambulisho Identity Card

SCHEDULE, Form 8—continued

Married, Single, Widowed, Separated or Divorced Majina kamili ya mke/mume Spouse's full names Jina la usichana (pale inapohusu) Maiden name Tarehe na mahali pa kuoa/kuolewa Date and place of marriage	Nambari ya Paspoti (au Rno.) Passport No. (or Rno.) (b) Mahali Baba alipozaliwa Place of Father's birth (c) SLP P.O. Box (d) Nambari ya Simu/Tel
	Majina Kamili ya Mama Mother's Full Name Nambari ya Kitambulisho Identity Card Nambari ya Paspoti (au Rno.) Passport No. (or Rno.) (b) Mahali Mama alipozaliwa Place of Mother's birth (c) SLP P.O. Box (d) Nambari ya Simu/Tel
(4) Unahitaji usafiri kwa dharula? Ndio/La. Are you traveling on an emergency? Yes/No If yes, specify and attach evidence	

- (5) Watu wa kupashwa habari dharura jambo linapotokea
 Particulars of Next of Kin (Person who may be contacted in case of emergency)
- Mji Eneo la Mkazi Nambari ya Nyumba/ploti
 Mtaa.....
 Town Estate
 House/Plot Number Street
- (a) MajinaKamili
 Full Names Tarafa/Division
 Kata/Location Uhusiano naye/Relationship
 Nambari ya Kitambulisho chake?Id No
 S.L. P/P.O Box Tel E-Mail
 Mji Eneo la Makazi Nambari ya Nyumba/ploti Mtaa
 Town Estate House/Plot Number Street
- (b) Majina Kamili
 Full Names Tarafa ya nyumba/plot Mtaa
 Uhusiano naye/Relationship Nambari ya Kitambulisho chake/Id No

Refugees

[Subsidiary]

SCHEDULE, Form 8—continued

Watoto wako

Particulars of legitimate/legally adopted child/children

Majina Kamili Full Names	Mahali pa Kuzaliwa Place of Birth	Tarehe ya kuzaliwa Date of Birth	Uhusiano na mwombaji Relationship to applicant	Mme	mke
				Male	Female

(7) **MDHAMINI** (Tazama maelezo ya kujaza nambari 2 na 3)

Natoa uhakikisho kwamba anaomba paspoti ni mtu ninaemfahamu binafsi na kwamba naamini maelezo alioandika hapa ni ya kweli. Mimi ni Afisa katika idara ya wakimbizi.

RECOMMENDER (Refer to notes No.s 2 and 3)

I certify that the applicant is personally known to me, and that to the best of my knowledge/belief the facts stated in this form are correct. I am an officer with the Department of Refugee Affairs.

Majina Kamili Nambari ya kitambulisho
Full Names: ID No. (Attach certified copy):
Kazi
Profession/Occupation E-Mail
Anwani
Address P.O. Box: Tel:
Sahihi Tarehe
Signature: Date:

(8) **UAMUZI**

Mimi niliyetia sahihi yangu hapa naomba nipewe paspoti. Naidhinisha:

- Kwamba maelezo yaliyotolewa katika fomu hii ya maombi ni ya kweli nijuovyo mimi mwenyewe na kuamini.
- Kwamba sijapata kuomba kuwa mkimbizi katika nchi nyingine yeyote.
- Kwamba sijawahi kuwa na, au kuomba paspoti yoyote; au
- Kwamba pasi zote nilizopewa nimerudisha isipokuwa paspoti au cheti cha kusafiri No:

.....
ambayo/ambacho kiko pamoja na fomu hii ya maombi, tena sijapeleka maombi mengine ya pasi tangu nipewe paspoti au cheti hiki cha kusafiri.

(Futa kwenye mstari "C" au "D" yale yasiyokuhusu)

I declare

- That the information given in this application is correct to the best of my knowledge and belief.
- That I have not acquired refugee status in any other country.
- That I have not previously held or applied for a passport of any description.
- That all previous passports granted to me have been surrendered other than passport or travel document No. which is not attached, and that I have made no other application for a passport or travel document.
- I (Emigrant/Parent/guardian) of P.O. Box and
- I.D Number hereby agree to bind myself to pay the Government any charges

Refugees

[Subsidiary]

SCHEDULE, Form 8—continued

and expenses (including expenses of repatriation from overseas of the Emigrant and Dependents, if any) which may be incurred by the Government of Kenya in respect of myself

(Delete "C" or "D" whichever is inapplicable)

Sahihi Tarehe

Signature Date

FOR OFFICIAL USE ONLY

Documents produced

Applicant's Birth Certificate and ID	Father's/Mother's Birth Certificate	Grandparent's Birth Certificate	Child(ren) Birth Certificate	Marriage Certificate	Other Documents

Photograph
Two photos
only

Applicant's ID No

Verified By

Passport No

Issued on

Serial No

Remarks

Recommending Officer: Approving Officer Issuing Officer

Name: Name: Name:

Signature: Signature: Signature:

Date: Date: Date:

Form 9

(r. 34)

TRAVEL DOCUMENT

(Convective of 28 July 1951)

This document expires on

Unless its validity is extended or renewed

Name

Forename(s)

Accompanied by child (children).

1. This document is issued solely with a view to providing the holder with a travel document which can serve in lieu of a national passport. It is without prejudice to and in no way affects the holder's nationality.
2. The holder is authorized to return to (state her/his country whose authorities are issuing the document) on or before Unless some

Refugees

[Subsidiary]

SCHEDULE, Form 9—continued

late date is hereafter specified. The period during which the holder is allowed to return must not be less than three months.

- 3. Should the holder take up residence in a Country other than that which issued the present document he must if he wishes to travel again apply to the competent authorities of his country of residence for a new document (The old travel document shall be withdrawn by the authority issuing the new document and returned to the authority which issued it).

(This document contains pages, exclusive of cover)

(2)

Place and date of birth

Occupation

Present residence

*Maiden name and forename(s) of wife

*Name and forename(s) of husband

Description

Height

Hair

Colour of eyes

Nose

Shape of face

Complexion

Special Peculiarities

Children accompanying holder

Name	Fore name(s)	Place and date of birth
Sex		
.....
.....
.....

*Strike out whichever does not apply

This document contains pages, exclusive of cover)

(3)

Photograph of holder and stamp of issuing authority

Finger-prints of holder (if required)

Signature of holder

(This document contains Pages inclusive of cover)

(4)

- 1. This document is valid for the following Countries

.....

.....

.....

Refugees

[Subsidiary]

SCHEDULE, Form 9—continued

Issued at

Date

Signature and stamp of authority
Issuing the document

Fee paid:

This document contains Pages exclusive of cover)

(5)

Extension or renewal of validity

Fee paid From

To

Date Date

Signature and stamp of authority extending or
renewing the validity of the document:

Extension or renewal of validity

Fee paid From

To

Date Date

Signature and stamp of authority extending or
renewing the validity of the document:

(This document contains Pages exclusive of cover)

(6)

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To

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renewing the validity of the document:

(This document contains pages exclusive of cover)

Refugees

[Subsidiary]

SCHEDULE, Form 9—continued

Visas

The name of the holder of the document must be repeated in each visa

(This document contains pages exclusive of cover)

Form 10

(r. 35)

MINISTRY OF STATE FOR IMMIGRATION AND REGISTRATION OF PERSONS

DEPARTMENT OF REFUGEE AFFAIRS (DRA)

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MOVEMENT PASS

RE: Name:

Nationality

Case or HH No:

DOB:

Camp:

Ration/Token Card No:

Dependant(s):

No.	Name	DOB	Relation	No	Name	DOB	Relation
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This is to certify that the above named person(s) is/are individual(s) of concern to the Government of Kenya.

Pursuant to Section 17(f) of the Refugee Act, 2006, the Refugee Camp Officer hereby authorizes the foregoing individual(s) to leave the designated area.

The authorities are kindly requested to allow him/her/them safe passage in accordance with this travel authorization. This document expires on and should be surrendered to the Refugee Camp Officer upon return from travel.

Refugees who overstay the validity of the Movement Pass will be subject to sanctions in accordance to Section 25(f) of the Refugees Act, 2006.

Date

.....
Refugee Camp Officer