

Pathways to Employment

Kenya Report

About the Authors

About the RLRH

The Refugee-Led Research Hub (RLRH) is an initiative of the Refugee Studies Centre (RSC) at the University of Oxford. The RLRH is based in the UK and Kenya, with a research office located in Nairobi at the British Institute in Eastern Africa (BIEA). We create opportunities for researchers with a displacement background to lead primary and secondary research studies in the field of forced migration, from start to finish. Our main thematic interests in Refugee Studies relate to 1) livelihoods and self-reliance; and 2) leadership and participation of displaced populations in humanitarian response and policymaking. RLRH also offers a series of academic programmes which support graduate access and professional development for students with lived experiences of displacement. You can visit [our website](#) for more information.

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Introduction

Executive Summary

- The new legal framework in Kenya, the Refugee Act of 2021, explicitly provides grounds for refugees to access gainful employment. According to section 28(4),(5), “a recognized refugee shall have the right to engage individually or in a group, in gainful employment or enterprise or to practise a profession or trade where he holds qualifications recognized by the authorities in Kenya.”
- Although there is no mention of work permit requirements in the 2021 Act and the subsequent 2024 Regulations, refugees wishing to engage in gainful employment or a particular occupation, trade, business or profession are required to apply for a Class M work permit to comply with the guidelines set out in the Kenya Citizenship and Immigration Act 2011/2012. Unlike other foreigners who only have to deal with one government institution (the Directorate of Immigration Services), refugees have to deal with both the Directorate of Immigration Services and the DRS, adding a layer of bureaucracy and complexity for refugees to access the Class M permit.
- Although the legal framework enables refugees to access employment opportunities, restrictions on their freedom of movement limit their access to these rights. This is particularly true for refugees living in camps, who cannot easily move to urban areas where employment opportunities are more prevalent. Similarly, although the law permits refugees to access formal employment, requiring a work permit, the process for obtaining one can be difficult and unclear in some cases.
- Refugees are required to obtain a recommendation from an employer justifying the hiring of a refugee over a Kenyan citizen. This is because non-Kenyans are not permitted to undertake roles that Kenyan citizens are capable of performing. This requirement is not only unlikely to be met in most cases, but it is also exclusionary. It reinforces the perception that refugees are not meant to have permanent access to formal employment. This perception is further reinforced by the fact that the Class M permit is only valid for two years and is difficult to renew.
- Although applying for a Class M work permit is free, refugees face significant costs throughout the process.
- It is difficult to determine how many refugees actually receive work permits, especially in urban areas where refugees are expected to be more independent. This lack of data makes programming and advocacy efforts challenging.
- The private sector is more receptive to the prospect of incorporating refugees into their supply chains as vendors or business clients, rather than having them as employees. The lack of clarity between the different government organisations about which document is issued at which particular time may discourage employers interested in hiring refugees.

Executive Summary

- Most collaborative initiatives in Kenya are aimed at enabling refugees to become self-employed, rather than facilitating their employment. However, there are also significant ongoing efforts to find ways for refugees to access formal employment.
- The report recommends that the government should consider removing the requirement for a Class M permit for refugees to engage in formal employment or simplify the process for obtaining a Class M permit. The government should

also ensure that refugees receive their identity cards within a reasonable time so that they can enjoy the rights provided for in the 2021 Refugee Act. The report also calls on humanitarian organisations employing refugees on an incentive basis to consider formalising refugee employment, and for stakeholders to prioritise comprehensive digital skills training and improve access to technology to promote remote working and digital opportunities for refugees.



Lamu, Kenya. Photos by Beks

Acronyms

DRC	Danish Refugee Council
DIS	Directorate of Immigration Services
DRS	Department of Refugee Services
eFNS	Electronic Foreign Nationals Services
ID	Identification
INGOs	International Non Governmental Organisations
KRA	Kenya Revenue Authority
LWF	Lutheran World Federation
MICDE	Ministry of Information, Communication, and Digital Economy
MoU	Memorandum of Understanding
NGO	Non Governmental Organisation
NRB	National Registration Bureau
RLOs	Refugee Led Organisations

Kenya Situation Snapshot

Country assessment:

- Open legal environment
- Wide literature available publicly, fewer gaps in knowledge



Photo by Aboodi Vesakaran

Kenya is one of the largest refugee hosting countries in Africa. As of 28 February 2025, Kenya hosts 836,905 refugees and asylum seekers.¹ About 612,796 of the highlighted total are refugees, of which 53.5% (37,789) are from Somalia, 32% (195,949) from South Sudan, 6.7% (41,775) from the Democratic Republic of Congo (DRC), 4.5% (27,588) from Ethiopia, 1.6% (9,858) from Burundi, 1.1% (6,814) from Sudan, 0.1% (850) from Uganda, and the remaining 0.4% (2,673) from other nationalities.² There are approximately 224,109 asylum seekers from the same countries as the refugees in Kenya.³ Delays in determining whether an asylum seeker qualifies for refugee status⁴ and the continuing instabilities in refugees' countries of origin are the causes of the large number of asylum seekers in Kenya.⁵ In December 2024, Kenya recorded 2,899 new arrivals.⁶ Due to persistent hostilities in their countries of origin, refugees often stay in Kenya for decades.⁷

1. UNHCR. "Kenya: Operational Data Portal." Accessed on 12 March 2025. <https://data.unhcr.org/en/country/ken>

2-3. Ibid

4. UNHCR. "Refugee Status Determination." Accessed on 12 March 2025. <https://www.unhcr.org/ke/refugee-status-determination>

5. Utsch Lorin, "Protracted Refugee Situations in Kenyan Refugee Camps." Ballard Brief, August 2020.

<https://ballardbrief.byu.edu/issue-briefs/protracted-refugee-situations-in-kenyan-refugee-camps>

6. UNHCR. "Kenya Statistics Package: Registered Refugees and Asylum Seekers as of 31 December 2024."

<https://www.unhcr.org/ke/wp-content/uploads/sites/2/2025/01/Kenya-Statistics-Package-31-December-2024.pdf>

7. Utsch Lorin, "Protracted Refugee Situations in Kenyan Refugee Camps." Ballard Brief, August 2020.

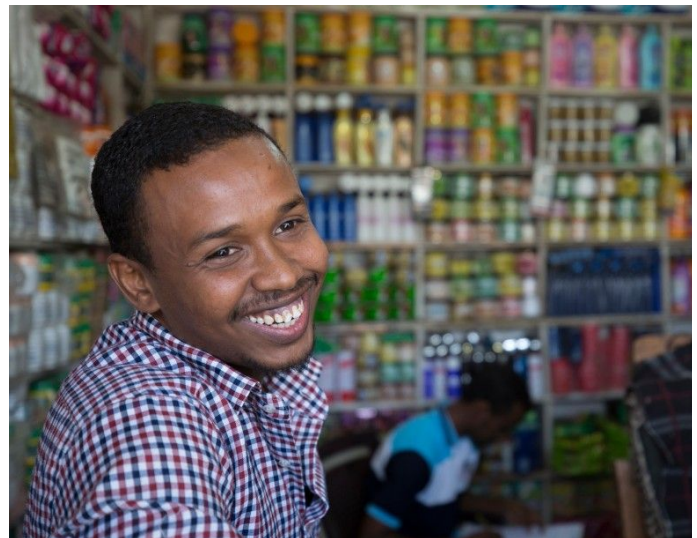
<https://ballardbrief.byu.edu/issue-briefs/protracted-refugee-situations-in-kenyan-refugee-camps>

Kenya Situation Snapshot

Refugees in Kenya reside in both camps and urban areas. According to the United High Commissioner for Refugees (UNHCR), approximately half of the refugees and asylum seekers in the country (402,092) reside in the Dadaab camp.⁸ Another 295,617 reside in the Kakuma camp and Kalobeyei integrated settlement, while 106,786 live in urban areas in Nairobi, Mombasa, Bungoma, Nakuru, Eldoret, Isiolo, Meru-Maua and Kitale.⁹ While UNHCR continues to provide protection in urban areas, the protection environment for urban refugees remains uncertain as the rhetoric of insecurity and encampment policies persist.¹⁰ Financial assistance in urban settings is largely restricted to situations that are critical and life-saving, with a particular focus on the most vulnerable individuals within the refugee community.¹¹

The government through the Department of Refugee Services (DRS) is in charge of registration, documentation, and refugee status determination.¹² All individuals who have recently arrived and approached the DRS are provided with movement passes and subsequently transferred to Kakuma refugee camp.¹³

In order to meet basic needs, refugees in Kenya engage in gainful employment and operate businesses both in urban and camp settings.¹⁴ In Kakuma and Kalobeyei there are approximately 2,500 businesses operated by refugees that make up 30% of all the businesses within Turkana county.¹⁵



Liban Tahlil answers customers' questions in this small store in the Kakuma refugee camp. Photo from [KWF Website](#)

8. UNHCR. "Kenya: Operational Data Portal." Accessed on 31 October 2024. <https://data.unhcr.org/en/country/ken>; UNHCR, "Kenya- Urban Areas," <https://www.unhcr.org/ke/urban-areas#:~:text=The%20Urban%20refugee%20program%20supports.%2DMaua%2C%20Isiolo%20and%20Bungoma>.

9-10. Ibid

11. UNHCR, "Kenya- Urban Areas," <https://www.unhcr.org/ke/urban-areas#:~:text=The%20Urban%20refugee%20program%20supports.%2DMaua%2C%20Isiolo%20and%20Bungoma>.

12. UNHCR, "Kenya-Situation Analysis," 2024. <https://reporting.unhcr.org/operational/operations/kenya>

13. UNHCR, "Kenya- Urban Areas," <https://www.unhcr.org/ke/urban-areas#:~:text=The%20Urban%20refugee%20program%20supports.%2DMaua%2C%20Isiolo%20and%20Bungoma>.

14. Foni Vuni & Iragi Buhendwa, 'Refugees' access to work permits and business licences in Kenya.' Refugee-Led Research Series, Research Report (7), June 2023. <https://refugeeledresearch.org/wp-content/uploads/2023/07/WUISC-full-report-July-2023.pdf>

15. UNHCR, "Kenya-Livelihoods and economic inclusion," <https://www.unhcr.org/ke/livelihoods>

Objectives

While refugee policy in Kenya is progressive, there is a gap between policy and practice.

Despite the introduction of the more progressive Refugee Act of 2021, the encampment policy continues to impinge upon the freedom of movement of refugees.¹⁶ Consequently, refugees and asylum-seekers remain at risk of detention, prosecution or arrest if they are found outside of designated areas.¹⁷ The government's 'Shirika Plan' initiative, which aims to develop integrated settlements for both refugees and host communities, is expected to significantly strengthen the self-reliance agenda for refugees and their full integration into national systems,¹⁸ but implementation is delayed.

Refugees in Kenya have the right to work and start businesses. However, acquiring a work permit is a complex and challenging process. Most refugees are forced into the informal sector or take up roles as incentive workers in humanitarian organisations. Refugees in the camps are generally unable to access employment, however, they engage in small scale businesses.

In light of those challenges, this study aims to examine the process of hiring refugees, with a focus on the gaps that exist between policy and practice, and on how the private sector can be meaningfully engaged in this process, by asking:

1. What policies and legal frameworks govern refugees' access to employment in Kenya?
2. What processes do refugees need to follow to find employment in Kenya? What challenges do refugees face in following the required steps to employment in Kenya?
3. What are the challenges private sector actors face in order to employ refugees in the different countries in Kenya?
4. How can collaboration and partnerships between stakeholders can be improved to create a more enabling environment for refugee employment in Kenya?

This study, conducted in partnership with the Mastercard Foundation, supports the Amahoro Coalition's mission to promote dignified and fulfilling livelihoods for refugees and displaced persons across Africa through multi-sectoral collaboration. It aligns with the Foundation's strategic objective of enabling 2.5 million young refugees and displaced individuals to access meaningful employment by 2030.

The research examines current policies, challenges, and opportunities affecting refugees' access to formal employment in host countries, identifying key barriers and recommending strategies to strengthen employment pathways and promote socio-economic integration into host communities. The views expressed herein do not necessarily represent those of the Mastercard Foundation, its staff, or its Board of Directors.

16. UNHCR, "Kenya-Situation Analysis," 2024. <https://reporting.unhcr.org/operational/operations/kenya>

17. Ibid

18. Ibid

Research Methods

This Kenya report is part of a 15-country study on hiring refugees, conducted by the Refugee-Led Research Hub, on behalf of the Amahoro Coalition. Data was collected both remotely and in-person in January-February 2025.

Data collection focused primarily on Nairobi (in-person), where there is more potential for refugees to access formal employment.¹⁹ Overall, the team conducted fifteen (15) interviews with refugees and stakeholders in Kenya, including:

- **Refugee Interviews:** Seven (7) individuals from South Sudan, Burundi, Somalia, Rwanda, and Ethiopia. The interviewed respondents come from diverse backgrounds with some engaged in the humanitarian sector, private sector, and some running their own businesses. Those working in the humanitarian sector include a Burundian man working with Inkomoko as a Business Development Adviser, a Rwandese man working as UNV (United Nations Volunteers) with UNHCR as well as a Somali man working with the Lutheran World Federation (LWF). In the private sector, a woman, Somali by ethnicity, works as an accountant for a privately owned motor company. Those engaged in

businesses include two Ethiopian men, one running a hotel business and one engaged in the retail industry, as well as one South Sudanese woman who owns a table banking business. Out of the seven refugees interviewed, one (1) had a work permit and two (2) had business licences. One of the co-authors has a work permit and has lived experience of applying to the Class M work permit.

- **Two (2) Refugee-Led Organizations (RLOs):** Relon-Kenya, Youth Voices Community (YVC)
- **One (1) Private Enterprise:** Equity Bank
- **Five (5) International NGOs (INGOs):** Amnesty International, IRC, INKOMOKO, DRC, UNHCR.

We acknowledge that due to the limited scope and budget of the study, the sampling strategy is neither systematic nor representative of the refugee population in Kenya. To reduce bias, we have attempted to triangulate the data with the literature as much as possible, and relied on our observations and insider knowledge of the Kenyan context for refugees. Still, this report does not provide a complete picture of refugee employment across Kenya, but is intended to be useful as a basis for discussion and advocacy.

19. This study is covered by University of Oxford Project clearance [SSH/ODID DREC: C1A_23_083].

1. Policies and Legal Frameworks That Govern Refugees' Access to Employment

Overview of Policies and Legal Frameworks in Kenya

Kenya is a signatory to the 1951 Refugee Convention, and its 1967 Protocol.²⁰ Kenya has formally ratified both the 1966 International Covenant on Economic, Social and Cultural Rights and the 1969 Organisation of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa.²¹

The Act of 2006 and the 2009 Regulation was Kenya's first formal policy on the matter of refugees.²² They granted refugees the right to move freely and earn a living. Section 16(4) proposed that refugees should be subjected to the same restrictions as those imposed on foreigners.²³ This was further emphasised by the Kenya Citizenship and Immigration Act, 2011 and the Kenya Citizens and Foreign Nationals Management Service Act, 2011 which indicated that refugees should be subject to the same restrictions as those imposed on other foreign nationals in the country.²⁴ The interpretation of the aforementioned was that refugees were required to have work permits and business licences in order to engage in gainful employment and legally operate businesses respectively.

Kenya's most recent legal framework, the Refugee Act of 2021, provides more explicit grounds for refugees to access gainful employment. According to section 28(4),(5), "a recognized refugee shall have the right to engage individually or in a group, in gainful employment or enterprise or to practise a profession or trade where he holds qualifications recognized by the authorities in Kenya," and also adds that "refugees shall be enabled to contribute to the economic and social development of Kenya by facilitating access to, and issuance of, the required documentation at the national and county governments".²⁵ The Act of 2021 is implemented through the 2024 Regulation.²⁶

There is no mention of work permit requirements in the Act of 2021 and its subsequent regulation of 2024. However, in compliance with the guidelines set forth by the Kenya Citizenship and Immigration Act 2011/2012, refugees intending to undertake gainful employment or engage in any given occupation, trade, business, or profession are obligated to submit an application for a Class M work permit.²⁷

20. Foni Vuni & Irangi Buhendwa, 'Refugees' access to work permits and business licences in Kenya.' Refugee-Led Research Series, Research Report (7), June 2023. <https://refugeeledresearch.org/wp-content/uploads/2023/07/WUSC-full-report-July-2023.pdf>

21. Ginn, Thomas, Reva Resstack, Helen Dempster, Emily Arnold-Fernández, Sarah Miller, Martha Guerrero Ble, and Bahati Kanyamanza. "Global Refugee Work Rights Report." Center for Global Development, 2022.

<https://www.cgdev.org/sites/default/files/2022-global-refugee-work-rights-report.pdf>

22. Foni Vuni & Irangi Buhendwa, 'Refugees' access to work permits and business licences in Kenya.' Refugee-Led Research Series, Research Report (7), June 2023. <https://refugeeledresearch.org/wp-content/uploads/2023/07/WUSC-full-report-July-2023.pdf>

23. Refugee Act: No. 13 of 2006. https://kenyalaw.org/kl/fileadmin/pdfdownloads/Acts/RefugeeAct_No13of2006.pdf

24. Foni Vuni & Irangi Buhendwa, 'Refugees' access to work permits and business licences in Kenya.' Refugee-Led Research Series, Research Report (7), June 2023. <https://refugeeledresearch.org/wp-content/uploads/2023/07/WUSC-full-report-July-2023.pdf>

25. Refugee Act of 2021. <http://kenyalaw.org:8181/exist/rest/db/kenyalex/Kenya/Legislation/English/Acts%20and%20Regulations/R/Refugees%20Act%20-%20No.%2010%20of%202021/docs/RefugeesAct10of2021.pdf>

26. Act of 2021. Regulation-2024.

<http://www.parliament.go.ke/sites/default/files/2024-02/The%20refugees%28General%29%20regulations%2C%202024.pdf>

27. Department of Immigration Services: Permits Information Pack <https://fns.immigration.go.ke/infopack/permits/>; The Kenya Citizenship and Immigration Regulations: <https://www.kenyaembassyireland.net/wp-content/uploads/Kenya-Citizenship-Regulations-2012.pdf>

Overview of Policies and Legal Frameworks in Kenya

Refugees continue to face challenges accessing financial services, banking, and mobile money in Kenya. Most banking institutions require refugees to provide Kenya Revenue Authority (KRA) Personal Identification Number (PIN), refugee card, a recommendation letter from UNHCR and a work permit in order to open a bank account.²⁸ A limited number of successful applicants have been able to gain access to banking services through Memorandum of Understanding (MoU) between some humanitarian organisations and some specific banks such as Equity bank, that have agreed to waive certain document requirements, especially the KRA PIN.²⁹ Refugees covered by this kind of MoU are only those to whom humanitarian organisations such as DRC wish to provide regular financial assistance, which must be transferred to bank accounts. Some refugees have managed to open bank accounts, particularly with Equity Bank, which is a more accessible financial institution for them because of its commitment to provide access to financial services to refugees in Kenya.³⁰ In practice, employed refugees receive payments through various methods, including cash, M-Pesa, and bank transfers. Most of the time, banks require refugees to provide a KRA PIN, refugee documents, and, in rare cases, a work permit. Out of the seven (7) interviewed refugees, only one was paid in cash and one via M-pesa.

Box 1. Mode of Payment

"Yes, I have an account at KINGDOM bank." – A refugee key informant, January 2025

Refugees have access to the Social Health Insurance Fund (SHIF) which enables access to healthcare.³¹ The right of refugees to register with the Kenya Social Health Insurance Fund is governed by sections 26(2) and 27(1) of the Social Insurance Act of 2023³² and section 11 of its Regulations of 2024 provided that they are able to contribute regularly to the fund.³³ The minimum annual contribution required from refugees who are not formally employed is 3,600 Kenyan shillings³⁴ payable in one installment.³⁵ Applications for membership in the fund are made by filling in form 1 and submitting it to the Social Health Insurance Authority. Among the information that applicants are required to fill in is the KRA PIN³⁶ which most refugees struggle to obtain.³⁷

28. The East African, "Financial exclusion, lack of identity documents: The nightmare of Kenyan refugees," June 30, 2024. <https://www.theeastafrican.co.ke/tea/magazine/the-nightmare-of-kenyan-refugees-4673738>

29. Ibid

30. Equity, "Equity Group Partners with UNHCR and World Food Programme (WFP) to Transform Lives," May 22, 2024.

<https://equitygroup Holdings.com/equity-group-partners-with-unhcr-and-world-food-programme-wfp-to-transform-lives/>

31. UNHCR, "Kenya-Situation Analysis," 2024. <https://reporting.unhcr.org/operational/operations/kenya>

32. The Social Health Insurance Act of 2023, https://www.kenyalaw.org/kl/fileadmin/pdfdownloads/Acts/2023/TheSocialHealthInsuranceAct_2023.pdf

33. Social Health Insurance (General) Regulations of 2024, https://health.go.ke/sites/default/files/2024-11/Social%20Health%20Insurance%20%28General%29%20Regulations%2C%202024_0.pdf

34. Ibid

35. The Social Health Insurance Act of 2023, https://www.kenyalaw.org/kl/fileadmin/pdfdownloads/Acts/2023/TheSocialHealthInsuranceAct_2023.pdf

36. Social Health Insurance (General) Regulations of 2024, https://health.go.ke/sites/default/files/2024-11/Social%20Health%20Insurance%20%28General%29%20Regulations%2C%202024_0.pdf

37. Marie Godin, Ishimwe Jean-Marie and Evan Easton-Calabria, "Digital refugees economies in Nairobi: opportunities and challenges," Forced Migration Review, May 2024, <https://www.fmreview.org/digital-disruption/godin-ishimwe-eastoncalabria/>

Overview of Policies and Legal Frameworks in Kenya

Refugees can get their higher education certificates earned from other countries including their countries of origin, recognized by the Kenyan government. The recognition and equivalence of diplomas, degrees, postgraduate diplomas, and postgraduate certificates awarded by foreign higher learning institutions is the responsibility of the Commission for University Education (CUE) in Kenya.³⁸ The requirements for the recognition and equation of the diplomas are provided on the commission's [website](#).



Photo by Michael Kyule

The application for qualifications is made [online](#). The fee is 6,000 or 10,000 Kenyan shillings. This depends on whether the applicant wants the process to be expedited. Letters of foreign certificate recognition are usually issued within 48 business hours.³⁹ Respondents did not report any difficulties when applying for recognition of their foreign qualifications.

Refugees have the right to acquire Kenyan citizenship by registration, but in practice this appears to be difficult. The Kenya Refugee Act of 2021 requires the Kenyan government to grant refugees the same rights as non-Kenyan citizens.⁴⁰ One of these rights is the right to apply for citizenship after meeting one of two key conditions: being the spouse of a Kenyan citizen for at least seven years,⁴¹ or proving lawful residence in Kenya for at least seven years. While some refugees would be willing to become Kenyans,⁴² the Citizenship and Immigration Act No 12 of 2011, which guides the implementation of the right to citizenship enshrined in the Kenyan Constitution, does not recognise refugee identity cards, which refugees can use to prove their legal residence in Kenya, making it difficult for them to apply for citizenship. For this reason, the only option is to apply for a Class M work permit, which, among other things, is accepted as proof of legal residence, but the refugee must have worked with a work permit for at least seven years, which is not easy for most refugees to achieve given challenges with renewals.⁴³

38. Commission for University Education (CUE), "Recognition and Equation of Qualifications," https://www.cue.or.ke/index.php?option=com_content&view=article&id=10&Itemid=474

39. Commission for University Education, "Standard for Recognition and Equation of Qualifications," https://www.cue.or.ke/images/docs/Standards_Recognition_Equation_Foreign_Qualifications_Dec_2023.pdf

40. Refugee Act of 2021. <http://kenyalaw.org:8181/exist/rest/db/kenyalex/Kenya/Legislation/English/Acts%20and%20Regulations/R/Refugees%20Act%20-%20No.%2010%20of%202021/docs/RefugeesAct10of2021.pdf>

41. The Constitution of Kenya of 2010. <https://faolex.fao.org/docs/pdf/ken127322.pdf>

42. RLRH, Kituo Cha Sheria, and RELON-Kenya. (2023). Finding durable solutions: Refugees' access to citizenship and permanent residence in Kenya. Refugee-Led Research Series, Research Report (5), April 2023. <https://refugeeledresearch.org/wp-content/uploads/2023/04/RLRH-Kituo-and-RELON-Finding-durable-solutions-Full-report-For-website-1.pdf>

43. The New Humanitarian, "Could Kenya be the next refugee rights Champion?" <https://www.thenewhumanitarian.org/opinion/2024/05/23/could-kenya-be-next-refugee-rights-champion>

Gaps Between Policy and Practice

There are gaps between the stated intentions and outcomes of the refugee policy in enabling refugees to access employment in Kenya. The encampment policy is inherently restrictive. Camp-based refugees have very limited access to formal employment and their freedom of movement is restricted. While the law allows refugees access to employment, in practice the law restricts refugees' freedom of movement, preventing them from accessing this right as they cannot easily move from the camps to urban areas. Refugees are restricted to designated areas such as Kakuma, Kalobeyei and Dadaab.

Box 2. Encampment policy and access of employment for refugees

"The issue stems from the encampment policy, which restricts your freedom. To gain your freedom, you need permission to move, work, or exercise basic rights. This means you don't truly have autonomy. Relying on someone else's authorization implies that you cannot act independently until you obtain a permit from that person. This system leaves you without the ability to make decisions or take action on your own."
– A key informant from an RLO, December 2024

"Refugees are not freely allowed to move in the country; their movement is highly regulated using movement passes. This, in a way, affects the ease with which refugees can freely come and look for employment, which then allows them to make an application for a work permit and also have access to the department that issues the work permit." – A key informant, December 2024

Refugees face challenges when accessing government services, particularly through the Kenya Foreign Nationals Service (eFNS) portal on the E-Citizen platform, as their refugee ID may not be recognised by the system or may not be present in the Kenyan National Registration Bureau (NRB) database. Additionally, the platform offers limited options for refugees, who may not have some of the required documents, such as passports, for applying for a work permit or other services. A study by RLRH reports that "if an applicant's ID number has not been integrated into the NRB database by the time they apply, the online platform might not recognise it".⁴⁴ Refugees also experience technical difficulties when trying to access the online platform, as it may be slow or fail to load properly.

Box 3. Access to Government platforms for refugees

"The main issue in Kenya is that there's no central database for refugees, so they can't use their documents to access most government services online—like getting a driver's license or insurance. It really shows how hard it is to link refugee records with the government system."
– A key informant from an RLO, December 2024

"It's hard to apply for things like Class M permits on eFNS because the system doesn't accept refugee IDs. I've applied for 27 refugees using my own account, but we haven't had any updates from immigration since early last year." – A key informant, December 2024

44. Foni Vuni & Irangi Buhendwa, 'Refugees' access to work permits and business licences in Kenya.' Refugee-Led Research Series, Research Report (7), June 2023. <https://refugeeledresearch.org/wp-content/uploads/2023/07/WUSC-full-report-July-2023.pdf>

Gaps Between Policy and Practice

Finally, there are also inconsistencies between policies. According to section 28(4),(5), of the Refugee Act of 2021, refugees have the right to gainful employment.⁴⁵ Under this law, refugees are entitled to work permits, but the work permit is regulated and issued by the Directorate of Immigration Services (DIS) under the Kenya Citizenship and Immigration Act 2011/2012.⁴⁶

The DRS and the DIS are two different government institutions that operate separately, leading to uncoordinated processes and systems. Unlike other foreigners who only have to deal with one government body, refugees have to navigate two government authorities which adds a layer of bureaucracy and complexity for them to access the class M permit.

Box 4. Inconsistencies between the Refugee Act 2021 and the Citizenship and Immigration Act

"The regulations governing work permits are inconsistent with other laws. For instance, the law that entitles refugees to a work permit is under the Refugee Act 2021; however, the law that governs the issuance of work permits is under the Kenya Citizenship and Immigration Regulations. These are two different laws. The laws don't speak to each other, and there is a bit of inconsistency. At the same time, the issuing institutions are different. The Refugee Act establishes the Department of Refugee Services, whereas the Directorate of Immigration Services is established under the Kenya Citizenship and Immigration Act. These two institutions follow two different rules and different laws."
– A key informant, December 2024

"One of the barriers is the lack of clarity between the different government organizations about which document is issued at which particular time. So, going back to Class M—refugees go to DRS looking for an introduction letter. DRS says, "Come with an employment contract," but the refugees go to the employer, and the employer says, "You need to have a work permit before I can give you the contract." When you go to the KRA, KRA says, "You need to have a work permit before I give you the PIN," but then the immigration people want to see the PIN before the work permit is issued. That is some sort of inconsistency in understanding and applying the rules, and which one comes first. Those are some of the barriers the Shirika Plan is meant to address."
– A key informant, December 2024

45. Refugee Act of 2021. <http://kenyalaw.org/8181/exist/rest/db/kenyalaw/Kenya/Legislation/English/Acts%20and%20Regulations/R/Refugees%20Act%20-%20No.%2010%20of%202021/docs/RefugeesAct10of2021.pdf>

46. Department of Immigration Services: Permits Information Pack <https://fns.immigration.go.ke/infopack/permits/>; The Kenya Citizenship and Immigration Regulations: <https://www.kenyaembassyireland.net/wp-content/uploads/Kenya-Citizenship-Regulations-2012.pdf>

Gaps Between Policy and Practice

As a result, government officials who issue work permits may not be fully informed about the rights of refugees to work in Kenya. The Immigration Office does not have a close relationship with refugees, unlike the DRS, which is familiar with refugee rights. The immigration office sees refugees like any other foreigners, and this can make it difficult for them to approve work permits for refugees.

More advocacy efforts targeting the Immigration Office are needed to cultivate understanding of refugees' unique circumstances and legal entitlements. Such initiatives would streamline document processing and establish more coordinated relationships among the various institutions involved in refugee services.

Box 5. Advocacy priorities according to refugees

"There needs to be more advocacy directed at government institutions because, at the end of the day, it's the government that issues those documents. The government should make this process easier for refugees. Additionally, there is a need for more funds to be allocated to RLOs so that they can more easily access and assist refugees". (A refugee key informant, January 2024)

"More advocacy is needed, specifically targeted at regulators and policymakers."

– A key informant, December 2024

"What we want to understand is the uniformity of the vetting and decision-making process."

– A key informant, December 2024

"Information is available. What is missing is the process to be online and eligibility conditions should be standard and clear, if any payment is necessary, let it be online with automated receipt and acknowledgement." – A refugee key informant, December 2024

"Humanitarian organizations must work with the government because these humanitarian NGOs cannot do this alone... There is a disconnection between the government and NGOs, and of course, there is a gap. We are actually feeling the consequences of this. At the grassroots level, such as with chiefs and nyumba kumi initiatives, there has been some improvement in recognizing refugee documents. Collaboration should not only happen at the grassroots level but also at higher levels, such as within the Ministry of Education and other key government sectors. Governments and NGOs must work hand in hand and collaborate to give refugees fair chances to access employment in Kenya." – A refugee key informant, December 2024

2. Processes to Obtain Work Permits

Work Permit Requirements

Processes to obtain work permits

For refugees to access formal employment in Kenya, they need to obtain a Class M work permit. A detailed step-by-step application process is provided in the Appendix. A necessary document to have is also a KRA PIN needed by the employer for tax purposes.

Work permit requirements

The requirements for the Class M work permit are available on the official immigration government website.⁴⁷ According to the website, below are the requirements to apply for a class M permit. Refugees do not have to pay to apply and acquire this permit.

- Duly filled and signed application Form 25
- Signed cover letter from the employer/self/ organization addressed to the Director General of Immigration Services
- Upload recent colored passport size photo
- Valid refugee certificate
- Recognition letter from the UNHCR and Department of Refugee Affairs

The permit is applied online through the eFNS.⁴⁸ Additional requirements and documents to upload on the website include:

- Copies of valid national passport
- Documents in foreign languages should be translated into English by either the Embassy, Public Notary, or authorized /recognized institution
- Copy of any previous permit(s) and or pass (es) held
- Recommendation letter from the Department of Refugee Affairs
- Valid organization Tax Compliance Certificate for new cases, and both organization and individual Tax Compliance Certificates for renewals cases from KRA
- Copy of Checklist of all required documents.

47. Kenya Directorate of Immigration Services. "Class M – Refugees." Accessed March 9, 2025. <https://immigration.go.ke/class-m-refugees/>.

48. Kenya Directorate of Immigration Services. "Class M Permit Information." Accessed March 9, 2025. <https://fns.immigration.go.ke/infopack/permits/classM/>.

Challenges Faced by Refugees in Obtaining Work Permits

Refugees face bureaucratic challenges when applying for a work permit. Before starting the application process, one must obtain a recommendation letter from DRS, which adds to the delays in acquiring this permit. The process is also subject to unclear timelines and a lack of communication about applications, which leads to further delays and ultimately discourages applicants.

Two key requirements to apply for the class M permit is to possess a “special” set of skills that a Kenyan does not have and to have a Kenyan understudy to pass these skills to. However, it is unclear what entails a “special” skill. The law extends the same treatment to refugees as a foreigner as they are required to provide skills unavailable locally. Refugees are required to acquire a recommendation from an employer “to justify hiring of a refugee over a Kenyan national, as non-Kenyans may not hold any job that Kenyan citizens have the capacity to do.”⁴⁹ This is not only unlikely in most cases but exclusionary. This requirement reinforces the perception that refugees are not meant to have permanent access to formal employment. This is reinforced by the fact that the Class M permit is valid for two years and renewal is difficult to obtain.

The number of rejections based on unclear and vague grounds, such as ‘no merit’, remains significant. There is a lack of clarity surrounding the reasons for rejecting work permits, and only a small number of refugees actually obtain them.

Out of the seven (7) respondents interviewed, only one (1) had a work permit. Therefore while the law allows refugees access to work permits, actual numbers of refugees who have access to this document are low and “work permits are rarely granted to refugees.”⁵⁰

Box 6. Delays due to bureaucratic challenges

“When it comes to work permits, I’ve found that the Class M permit, which is supposed to be free, can actually be the most expensive one because of the time it takes and the complexity of the process. The only time you get a work permit is when you get a letter of offer, and this is where it gets complicated. You need a letter of recognition (mandate/ID) from DRS to get a letter of offer from the employer. The length of the process is a bureaucratic and administrative challenge.” – A key informant from an RLO, December 2024

“Once an application is submitted, it’s unclear what happens next. While all governments have administrative laws and procedures, the lack of clarity makes it difficult to appeal a rejection. In many cases, refugees simply receive a response stating ‘no merit’ without any explanation.” – A key informant, January 2025

49. International Labour Organization. World Employment and Social Outlook: Trends 2023. Geneva: ILO, 2023. https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@dgreports/@ddg_p/documents/publication/wcms_864207.pdf.

50. Ibid

Challenges Faced by Refugees in Obtaining Work Permits

In addition, refugees are required to have a job in order to apply for a work permit, or at least an offer of employment and a recommendation from their employer. The challenge with this requirement is that refugees cannot access formal employment without a work permit, and employers require this permit before offering a job. This creates a vicious circle, leaving refugees stuck in a difficult situation.

Box 7. The temporary nature of employment

"It is widely known that obtaining a Class M work permit is not easy, and only a few have been issued over the past couple of years. The qualifications for a Class M work permit are unclear, particularly regarding what documents need to be presented and how to demonstrate a special skill. Most refugees applying for this permit are ordinary individuals like you and me, making it difficult to prove specialized skills. As a result, many refugees remain in the informal economy." – A key informant, December 2024

Box 8. Unclear rejections

"For refugees, obtaining that work permit has been a nightmare. The same law states that you should get a work permit for free, but now, you don't get it even if you apply." – A key informant from an RLO, December 2024

"Once an application is submitted, it's unclear what happens next. While all governments have administrative laws and procedures, the lack of clarity makes it difficult to appeal a rejection. In many cases, refugees simply receive a response stating 'no merit' without any explanation." – A key informant, January 2025

"We are almost 850,000 refugees, and I don't know how many have gotten a work permit—probably not more than 20. How many refugees graduate every year? It's a huge problem, and it seems deliberate. Most refugees who apply get rejected with the reason "No Merit," but what does that mean? "No Merit" could mean that the person reviewing the application doesn't understand refugee circumstances. This is an administrative issue." – A key informant from an RLO, December 2024

"I was told I needed a work permit by DRS, so I applied using e-citizen in 2017. My first application for a work permit was denied. I checked it via e-citizen without clear reasons, marked "no merit" on the e-Citizen platform. Despite this, I continued working until 2020." – A refugee key informant, December 2024

Challenges Faced by Refugees in Obtaining Work Permits

Additionally, there is a significant backlog in refugee ID processing, which can hinder refugees' ability to obtain their IDs in a timely manner, potentially affecting their ability to apply for work permits and other essential documents. This backlog, estimated to exceed hundred thousands (100,000), is the result of the suspension of the refugee registration process since 2016, when the Kenyan government announced that it would close refugee camps,⁵¹ and delays due to the COVID-19 pandemic.

Even though the application for the Class M work permit is free, refugees incur significant costs throughout the process.

Some refugees must hire lawyers and bear legal fees to navigate the process. Applications may also require travel for follow-up, even though the original application is online.

Box 9. Administrative challenges

"Since a refugee ID is required to apply for a work permit, the backlog in Refugee Status Determination (RSD) further complicates access to legal employment." – A key informant, January 2025

Box 10. Challenges faced by refugees

"Legally, work permits for refugees should be free. However, the few cases I know of—maybe two or three—only succeeded because applicants had to hire lawyers, which involved paying facilitation fees. If the law were followed properly, this wouldn't be necessary." – A key informant from UNHCR, January 2025

"I paid Ksh 80,000 to obtain a Work Permit . After exhausting the maximum renewal period and failing to secure a work permit despite paying facilitators KSH 80,000, they were not able to provide it on time, so my employment was terminated in late 2022." – A refugee key informant, December 2024

"I applied for a work permit and paid KSH 200,000 to obtain a letter of support from the refugee office at the time . I submitted the letter to immigration, completed all the necessary procedures, but nothing ever came of it. I believe this was around 2013 or 2014." – A refugee key informant, December 2024

"My experience is that in Kenya the refugee doesn't have a fair play nor an equal pay like citizens or other foreign workers who have worked with local and international Civil Society Organisations (CSOs). I missed several opportunities to earn KES 70,000+ salary and bonus because I don't have a work permit and Conventional Travel Document (CTD). Then I have to apply for a protection monitor position in one of the refugee's concerned organisations with the hope that there would be a room for salary increase. With time passing, I learnt nothing is going to change with the load of the job and the transportation fees needed to move places even at odd times in Kamukunji constituency, Nairobi, hence I decided to stop." – A refugee key informant, December 2025

51. Abdullahi Boru Halakhe and Samsoni Omondi, "Lessons and Recommendations for Implementing Kenya's New Refugee Law," Refugees International, August 2024. <https://www.refugeesinternational.org/reports-briefs/lessons-and-recommendations-for-implementing-kenyas-new-refugee-law/>

Existing Support to Access Work Permits

Efforts have also been made to help refugees obtain work permits, but there is a lack of coordination in determining how many refugees actually receive them. It is particularly challenging to ascertain the number of refugees who receive work permits in urban areas, where they are expected to be more independent. Several organisations have supported refugees to obtain work permits, successfully or not. For instance, INKOMOKO has applied for work permits on behalf of refugees they employ, contacting DRS to obtain letters of introduction, which are required documents for the application. The UNHCR has also worked with the Kenyan government to ensure that interpreters employed by its partner agencies are issued with work permits. The Refugee-Led Research Hub has supported its Kenya-based researchers to obtain work permits. However, the lack of data makes programming and advocacy efforts challenging.

Box 11. Stakeholders efforts to enable refugees to get work permits

"We have a good relationship with both DRS and UNHCR. For instance, in terms of the letter of introduction, DRS provides it within two days." – A key informant from a refugee-serving organisation, December 2025

"In the past, we have helped refugees, especially interpreters, to get work permits. Interpreters hired by UNHCR partner organisations needed work permits, so UNHCR had to negotiate with the government because it was a complicated issue to get work permits, and we got work permits for interpreters. In the camps, these UNHCR partner interpreters do not need work permits; they are incentive workers." – A key informant, January 2025

KRA PIN Requirements for Refugees

While there is no publicly available source explicitly outlining the step-by-step process for refugees to acquire a KRA PIN, respondents shared their experiences with some successfully obtaining the PIN. Some refugees registered through KRA offices in Nairobi, others visited Huduma Centres, which serve as physical government service delivery points, while some sought assistance from local cyber cafés to complete their registration. Some refugees reported being asked by KRA to provide a recommendation letter from DRS, a certificate of good conduct, and a recommendation letter from their employer. The registration process for the KRA PIN is not consistent for refugees.

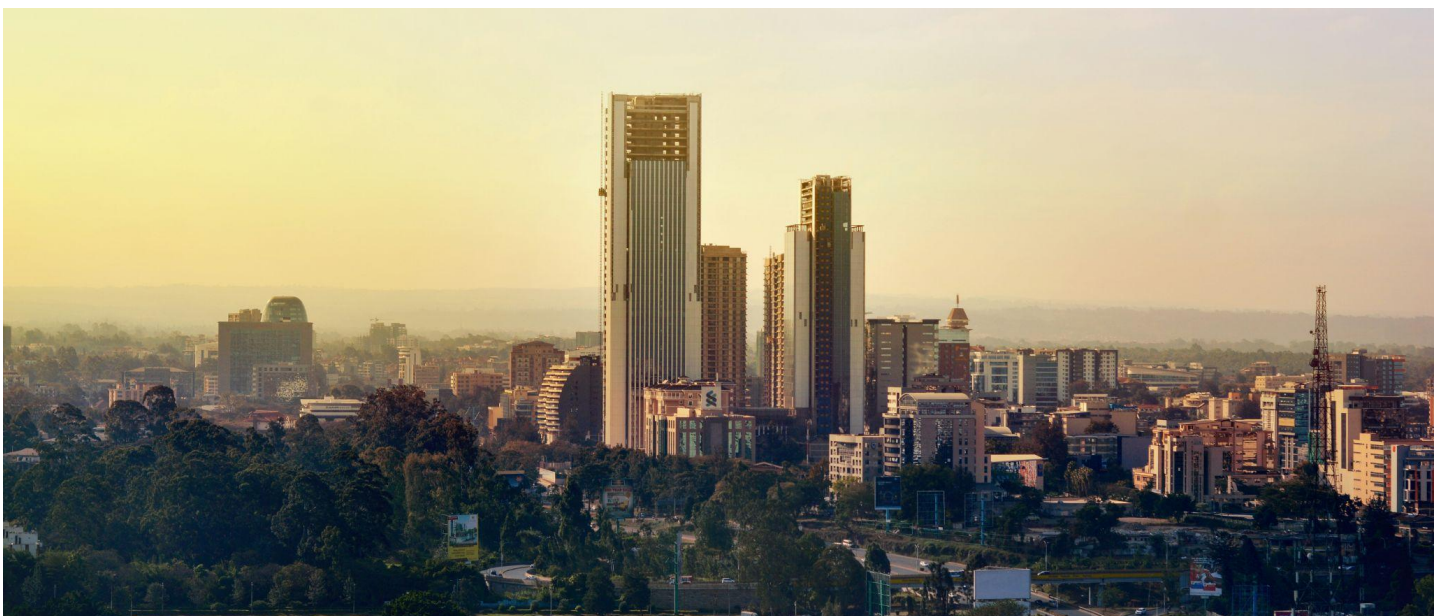
One key challenge reported by refugees is that their refugee ID was not recognized in the Kenyan database. As a result, the KRA portal could not validate their ID and issue them a PIN.

Box 12. KRA PIN

"The current refugee ID is not recognized in the system, and it is difficult to do it online. People used to be open about using cyber cafes, but I even tried at the Huduma Centre and still couldn't do it. Finally, I went to DRS for help with my KRA PIN and was told to go to Times Tower in town, where I finally got the PIN." – A key informant from an RLO, December 2024

"Getting a KRA PIN was a challenging and lengthy process. After completing my probation period at a private company, I struggled for three months without payment because I didn't have a KRA PIN." – A refugee key informant, December 2024

For refugees, obtaining a KRA PIN requires meeting three key requirements: A recommendation letter from DRS, a certificate of good conduct from Police and a recommendation letter from the employer."
– A refugee key informant, December 2024



Nairobi, Kenya. Photo by Amani Nation

Business Licences

The registration of business in Kenya is governed by the Business Registration Services Act 2015.⁵² Those running businesses are required to obtain either a business license or a business permit, depending on the type and nature of their business. Refugees must pay to register their businesses, and the payment amount depends on the type and size of the business. Refugees paid between \$30- \$250. One challenge shared by refugees is the sudden increase in registration fees. Since 2020, the cost has continued to rise.

Box 13. Business registration

"I paid 3,000 KSh to get the PIN at a cybercafé using e-citizen. I paid 6,000 KSh to open the business license, and I paid 6,000 KSh to renew it every year. However, since 2020, the renewal fee has increased to 27,000 KSh." – A refugee key informant, December, 2024

"The business grew, and I was told I needed an official business permit. I went to city hall in town five years ago. They asked me to bring my refugee ID and KRA PIN. Luckily, I had both." – A refugee key informant, December 2024

"The business licence can be renewed every year and you have to pay 25,000 KSH yearly." – A refugee key informant, December, 2024

"Usually, you have to go to the City Council at City Hall, where they provide you with a form to fill out. After completing it, you submit it at the same location." – Female, South Sudanese refugee

52. Foni Vuni & Iragi Buhendwa, 'Refugees' access to work permits and business licences in Kenya.' Refugee-Led Research Series, Research Report (7), June 2023. <https://refugeeledresearch.org/wp-content/uploads/2023/07/WUSC-full-report-July-2023.pdf>

3. Challenges Hindering Private Sector Actors and Other Employers to Employ Refugees in Kenya

Challenges Faced by Private Sector Actors to Employ Refugees

More refugees can find work in the private sector than in the public sector, however there is a lack of literature on private sector engagement in refugees' employment in Kenya. A 2021 study by the Research and Evidence Facility Consortium identified that there was a lack of adequate information among the private sector in regards to refugee employment in the sector.⁵³ The study indicated that the private sector was more receptive to the prospect of incorporating refugees into their supply chains as vendors or business clients, rather than having them as employees.⁵⁴ However the lack of clarity between the different government organisations about which document is issued at which particular time may discourage employers interested in hiring refugees.

Additionally, in the humanitarian sector, refugees report that they can only find work as incentive workers, despite having the necessary skills for paid jobs. Some refugees work for NGOs on an incentive basis, whereby refugees are employed by NGOs and UNHCR implementing partner organisations to carry out tasks related to providing services or assistance to other refugees. These roles are usually paid a small stipend, often referred to as an 'incentive', rather than a formal wage or salary.⁵⁵ Incentive work tends not to provide opportunities for career progression due to the lack of a work permit, meaning the career development of refugees does not follow a linear path and there is little room for growth.

Box 14. Work permit processing challenges

"One of the barriers is the lack of clarity between the different government organisations about what document is issued at what time. So, going back to Class M, refugees go to the DRS and ask for a letter of introduction. DRS says they come with an employment contract, but the refugees go to the employer and the employer says you need a work permit before I can give you the contract. When you go to the KRA, the KRA says you need to have a work permit before I can give you the PIN, but then the immigration people want to see the PIN before the work permit is issued."

– Key informant, January 2025

Box 15. Refugees' incentive work

"My contract with a refugee protection organization came to an end in 2023, and there was an absence of opportunities for career progression. The nature of my work remained constant over a decade and there was no room for learning new things."

– A refugee key informant, December 2024

53. Bathsheba Asati, Aparupa Chakravarti, Liviya David and Michael Owiso, "Mapping the refugee journey towards employment and entrepreneurship Obstacles and opportunities for private sector engagement in refugee-hosting areas in Kenya," The Research and Evidence Facility. 2021. <https://blogs.soas.ac.uk/ref-hornresearch/files/2021/07/REF-Private-Sector-Study-FINAL.pdf>

54. Ibid

55. Clacherty, G & Clacherty, J. "The Lives and Work of Refugee Incentive Workers: A Qualitative Research Study in Three Refugee Contexts in Africa," Africa Refugee Network, OXFAM, 2022. <https://reliefweb.int/report/kenya/advocating-refugee-incentive-workers-qualitative-research-study-three-refugee-contexts-africa>.

4. Collaborations and Partnerships in Kenya

Collaborations and Partnerships in Kenya

In Kenya, most collaborative initiatives aim to enable refugees to become self-employed, rather than to help them find formal employment. There are several collaborative initiatives that target refugees' self-reliance. These include:

- Access to vocational, skill training and enterprise development.** Several organisations such as Don Bosco and Norwegian Refugee Council - NRC, UNHCR DRC, Refugee Education Trust (RET), World Vision International, CARE, LWF provide vocational training programmes to refugees in camps and in urban areas.^{56 57} As part of these programmes, organisations often support enterprise development, for instance through "business training, grants and start-up kit issuance, online jobs/ digital work, production activities (bead necklaces, soap production, tie and dye products, agricultural ventures through greenhouse model), community micro-finance scheme through the Village Saving and Loans Association Model (VSLA), market promotion."⁵⁸
- The IRC's Refugees in East Africa: Boosting Urban Innovations for Livelihoods Development (Re:Build) programme, in partnership with IKEA Foundation, and the BILLY Programme** are currently being implemented with a focus on the following areas: employment, entrepreneurship, and financial inclusion for urban refugees in Kenya and Uganda; skills-building; apprenticeships; start-up grants; and networking with local employers for refugees and other young people in Nairobi respectively. It offers "skills-building, apprenticeships, start-up grants, and networking with local employers to refugees and other young people in Nairobi."⁵⁹
- The African Entrepreneur Collective (AEC) provides "business support and financial services,** including loans," to refugee entrepreneurs in Kakuma, Kalobeyei and Dadaab to enable refugees to expand their entrepreneurial activities.⁶⁰

56. UNHCR, "Kenya-Livelihoods and economic inclusion," <https://www.unhcr.org/ke/livelihoods>

57-58. Ibid

59. Bathsheba Asati, Aparupa Chakravarti, Liviya David and Michael Owiso, "Mapping the refugee journey towards employment and entrepreneurship Obstacles and opportunities for private sector engagement in refugee-hosting areas in Kenya," The Research and Evidence Facility. 2021. <https://blogs.soas.ac.uk/ref-hornresearch/files/2021/07/REF-Private-Sector-Study-FINAL.pdf>

60. Ibid

Collaborations and Partnerships in Kenya

- **Equity Bank Kenya and International Finance Corporation (IFC) partnership.**

This recent partnership aims to enable existing and aspiring refugee and host community entrepreneurs to access financial credit, even without collateral. Ultimately, these loans will enable refugees to develop and grow their businesses, which in turn can create jobs for refugees and host communities. In parallel, the partnership will provide financial education to enable prospective loan beneficiaries to run their businesses professionally and profitably.⁶¹

- **Amahoro Coalition and Etihad Airways Partnership.**

At the end of last year (2024), the two institutions signed an agreement to set up a training centre in Nairobi to provide refugees and vulnerable Kenyan communities with skills to become employed or self-employed. This partnership, which targets primarily women, is one of the implementations of the Amahoro Coalition's strategies to engage the private sector in providing solutions to refugee needs, including creating employment opportunities for refugees and/or equipping refugees with the skills and resources they need to become self-employed.⁶²

Significant ongoing efforts are also being made to find ways for refugees to access formal employment. Several organisations are working with the government and higher education institutions to integrate refugees into their existing programmes.

In the digital field, the International Trade Centre (ITC), Danish Refugee Council, the Norwegian Refugee Council and European Union, have also collaborated with UpWork and SamaSource to provide online and international work opportunities for refugees through online work platforms which increase refugees' access to self-reliance opportunities for refugees.⁶³ Na'amal foundation, supported by the ILO, also provides digital literacy skills to enable refugees to enter the remote work sector. Through its Workforce Readiness for the Digital Economy Programme, "Naamal trains refugees, and provides remote internship opportunities with companies, mentorship, and job placement."⁶⁴ Collaboration and partnerships among different stakeholders are still an evolving space. However, much remains to be done in terms of advocacy and awareness raising.

61. Equity Bank, "Equity Bank and IFC Partner to Launch \$20 million Facility for Refugees and Host Communities," February 4, 2025, <https://equitygroup Holdings.com/ke/newsroom/press-releases/equity-bank-and-ifc-partner-to-launch-20-million-facility-for-refugees-and-host-communities/>

62. Amahoro Coalition, "Amahoro Coalition and Etihad Airways partner to launch a Community Development Centre in Nairobi, Kenya." Accessed on 17 March 2025. <https://amahorocoalition.com/amahoro-coalition-and-etihad-airways-partner-to-launch-a-community-development-centre-in-nairobi-kenya/>

63. Bathsheba Asati, Aparupa Chakravarti, Liviya David and Michael Owiso, "Mapping the refugee journey towards employment and entrepreneurship Obstacles and opportunities for private sector engagement in refugee-hosting areas in Kenya," The Research and Evidence Facility. 2021. <https://blogs.soas.ac.uk/ref-hornresearch/files/2021/07/REF-Private-Sector-Study-FINAL.pdf>

64. Na'amal, "Empowering refugees for the Digital the Digital Economy: Workforce Readiness for the Digital Economy Programme in Kenya." 23 August 2024 <https://reliefweb.int/report/kenya/empowering-refugees-digital-economy-workforce-readiness-digital-economy-programme-kenya>

5. Recommendations

Recommendations for Kenya

1. **The government should either remove the requirement for refugees to have a Class M permit to engage in formal employment, or simplify the process of obtaining one.** Currently, refugees cannot be formally employed until they have obtained a Class M work permit. The process of obtaining this permit is so difficult that many skilled refugees are unable to find employment due to the difficulty of obtaining a permit. As Section 28(6) of the 2021 Refugee Act states that a refugee ID is sufficient for refugees to access their rights,⁶⁵ the government should repeal the section of the Citizenship and Immigration Act that requires refugees to have a work permit to legally work in Kenya. Alternatively, since a refugee ID is equivalent to an alien ID, which legalises the residence of foreign nationals in Kenya, it could suffice for refugees to access a Class M work permit.
2. **The government should also ensure that refugees receive their identity cards in a timely manner so they can enjoy the rights set out in the 2021 Refugee Act.** A refugee ID is an important identification document that enables refugees to access various government services, such as SIM cards, bank accounts, KRA PINs, driving licences and work permits. The lack of ID deprives refugees of their right to access various services. The DRS should speed up the process of issuing refugee IDs and inform refugees when their IDs are ready for collection.
3. **Humanitarian organisations hiring refugees on an incentive work basis should consider formalising refugees' employment.** In countries where employers are restricted from hiring foreign nationals, including refugees, incentive work is often commonplace. In Kenya, however, refugees have the right to formal employment. Restricting refugees to low-paid incentive work without adequate compensation or labour protections is detrimental to their self-reliance. This practice has been widely condemned and documented, particularly in refugee camps in Kenya and Malawi. According to research conducted by Oxfam,⁶⁶ humanitarian organisations often fail to provide casual workers with opportunities for formal training or career progression. Instead of incentive work, the focus should be on formalising refugee employment and ensuring fair wages and opportunities for career progression. Donors can support this transition by prioritising funding for organisations that facilitate the shift from incentive work to formal employment, thereby ensuring that refugees have access to sustainable employment.

65. The Republic of Kenya, "Refugee Act of 2021."

<http://kenyalaw.org:8181/exist/rest/db/kenyalex/Kenya/Legislation/English/Acts%20and%20Regulations/R/Refugees%20Act%20-%20No.%2010%20of%202021/docs/RefugeesAct10of2021.pdf>

66. Oxfam (2023). "Advocating for Refugee Incentive Workers: A Qualitative Research Study in Three Refugee Contexts in Africa." <https://reliefweb.int/report/kenya/advocating-refugee-incentive-workers-qualitative-research-study-three-refugee-contexts-africa>

Annexes

ANNEX 1

Kenya Foreign Nationals Services Portal

Step 1: Go to the site: <https://fns.immigration.go.ke> > account

Step 2: Log-in using the eFNS account if you already have an account. If you don't have an account, select "Create eFNS account" at the bottom.



Department of Immigration Services

eFNS

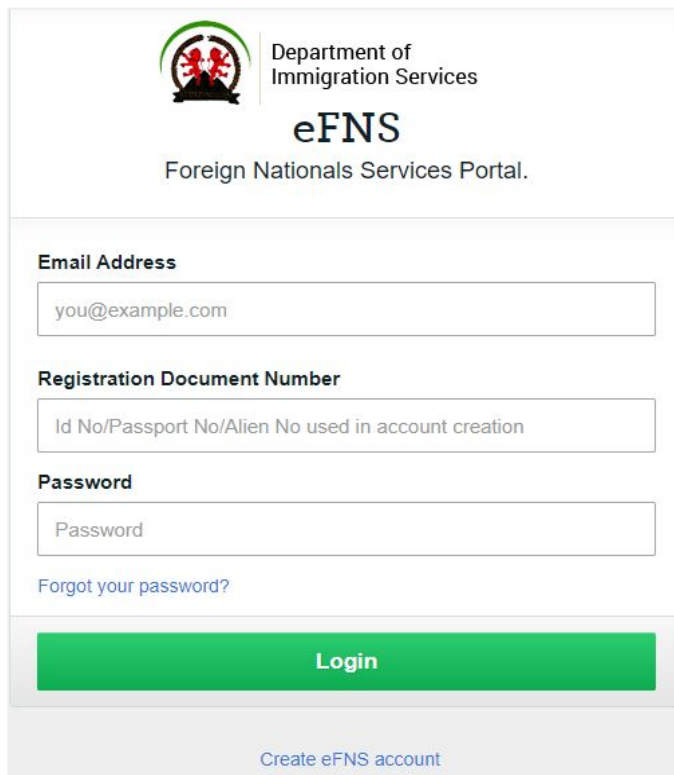
Foreign Nationals Services Portal.

Login using eFNS account

Login using eCitizen account

Portal access using eCitizen account is not applicable for eVisa or eBusiness accounts

Note: Applicants should create their own accounts for efficient tracking of notifications and invoice(s).



Department of Immigration Services

eFNS

Foreign Nationals Services Portal.

Email Address

you@example.com

Registration Document Number

Id No/Passport No/Alien No used in account creation

Password

Password

[Forgot your password?](#)

Login

[Create eFNS account](#)

Note: An eFNS account is different from an e-citizen account. In order to apply for a Class M work permit you will need to have an eFNS account that has the service.

Account type: Select "foreign citizen" from the options provided. Then fill in your details: Alien ID number, first name, surname, middle name, gender and country (nationality). Then click 'proceed'.

To verify your account; Upload a profile photo (passport size), enter your email address and phone number then create a password for your account. Once done, click on the 'create account' button at the bottom.

A verification message will be sent to your email address. Open that email and log into your eFNS account using the link provided.

ANNEX 1

Kenya Foreign Nationals Services Portal

Step	3:	Application	Submission
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Once on the dashboard, select the first option for 'Submit new applications' (the blue box on the first row).

- Select '**Permit Issuance/Renewal**' (the blue box)
- Scroll down on the class options to "**Class M permit**", then click the green button "learn more" to go to the next option.
- At the bottom of the page, Click on '**Apply Now**'.
- Fill in the "**Form 25**" for Class M permit with the details required: Section 1.
 - Note: All the sections that have an asterisk* are mandatory, you can choose to put "N/A" or leave blank the sections without the asterisk*

Class M: Refugees (KEP/M)

This permit is issued to a person who has been granted refugee status in Kenya in accordance with the refugee law of Kenya and any spouse of such a refugee who intends to take up employment or engage in a specific occupation, trade, business or profession.

[Learn More](#)

Class M application confirmation

Verify that you have the required document/pre-requisites and you meet the relevant criteria before you apply. To choose a different class, click [here](#). Click on the "Apply Now" button on your right to apply.

[Apply Now](#)

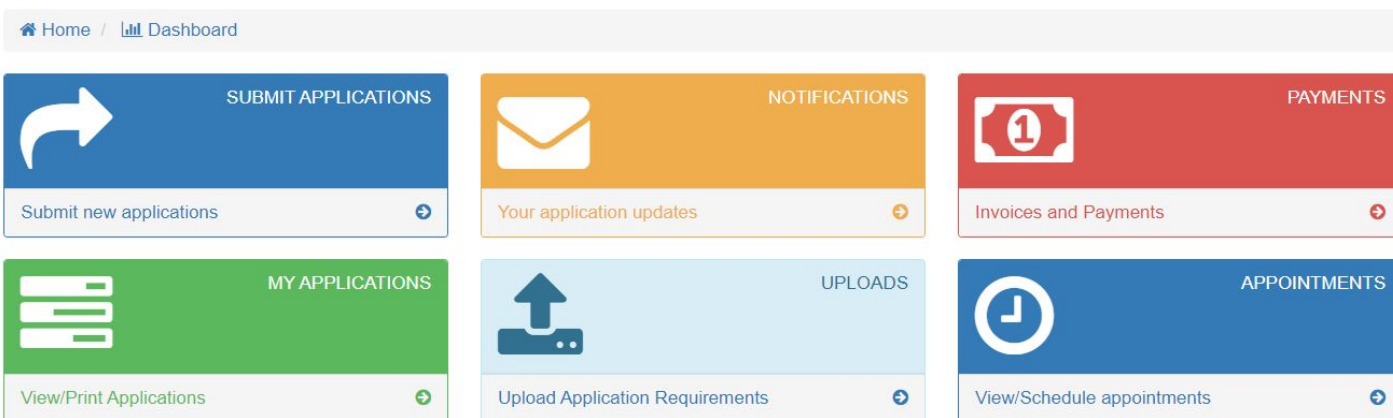
- Once all the sections are filled correctly click "Save" at the bottom of the page and continue to section 2 of Form 25.
 - List of dependents; Fill in the first name, middle name, surname, D.O.B, gender AND country of birth. Then click the green button to save the details.
 - List of previous permits held:
 - Note: In case you hold a previous Class M permit indicate the details required above. If you don't have any previous permits fill in as "Not applicable" or "N/A".
 - List of previous applications declined
 - Note: If you have a previous application that was denied fill in the required sections, for those that are doing their first application, fill in as "Not applicable" or "N/A"
 - Save and "Click Proceed" button for the next section
- Section 3 of the Form 25
 - Note: For this section, fill in the details of the organisation/company you are working with or that is endorsing you with the application process.
- Details of consultancy, profession, trade, business or manufacture in which you wish to engage
- Details of any licence and/or registration required to qualify for the class of permit for which you have applied and proof that you have obtained or will be able to obtain such licence and/or registration
 - Note: Fill in as "Not applicable" or "N/A".
- have applied and proof that you have obtained or will be able to obtain such licence and/or registration
 - Note: Fill in as "Not applicable" or "N/A".

ANNEX 1

Kenya Foreign Nationals Services Portal

Step 3: Application Submission (cont.)

- Attach (a) proof of available capital (b) academic qualifications and experience (c) technical qualifications and experience.
 - Note: You will need to attach a CV for this section that details your academic qualifications and experience or any other technical qualifications that are of relevance.
- You have now completed filling the Form 25. Go back to your eNFS dashboard. On the second row, first option click on "My applications". Your application will be saved there, click to view and then download a copy of the form.
 - Note: You will need to upload the Form 25 filled in the next step. Once you have downloaded the form, there are some blank sections on pages 4,5 and 6 that will need to be filled by the employer.
- The next step is uploading all the supporting documents. Go back to the dashboard, click the second option "Uploads" on the second row (the light blue box).

**Documents required:**

- Detailed and signed employer recommendation letter :
- Recommendation letter from the Department of Refugee Affairs
- Previous permits/pass held
 - Note: If this is your first time applying, on a Word document write that you have not held any previous permit and save the document as a pdf.
- Biodata page of passport
 - Note: Upload your Alien ID, front and back pages. Don't upload your CTD biodata if you have an Alien ID.
- Recent passport size photo
- Duly filled and signed Form 25
 - Note: Upload the completed Form 25 filled.

ANNEX 1

Kenya Foreign Nationals Services Portal

Documents required (continued):

- Current immigration status if in the country: Upload your Alien ID or manifest document
 - Note: Upload Alien ID, manifest or Mandate document.
- Previous permit/pass held: Fill in "N/A" if you have not held one before
- Current KRA tax compliance/exemption certificate:
 - Note: This is the tax exemption certificate from the organisation that is endorsing an applicant.
- Current KRA tax compliance/exemption certificate (Individual):
 - Note: The certificate details that one has filed relevant tax and paid taxes due as provided by law.
- Company's certificate of incorporation
 - Note: For anyone getting endorsement from an NGO/INGO you will need to provide the registration certificate of the organisation. This document isn't among those requested on the platform, you will either take it physically to Nyayo or wait upon request to provide it once you received such notification on your dashboard.

Your application has been received	2023/12/19
Provide company's certificate of incorporation	2024/02/09

- NGO board clearance letter
 - Note: This document will also be requested from applicants that are getting endorsement from an NGO. It isn't among the requested documents on the dashboard, you will provide it upon request. The employer will go to the NGO board offices and request for a recommendation letter requesting immigration offices(Nyayo) to issue the applicant with a work permit. The fee for acquiring this document is at KES 20,000 per applicant, this amount is charged to the NGO endorsing the applicant.
- Finally click the green **"upload"** button at the end. Your application will be submitted.
 - Note: It takes 2-3 days before you receive the notification that your application has been received on the platform. In case it doesn't show on the platform after 3 days, visit Immigration offices at Nyayo house, 17th Floor and have them process the documents.
- To view updates of your application, click the **"Notifications"** bar on the dashboard. Once your application has been received, a notification will be sent to your platform.