



THE OFFICE OF THE PRESIDENT
MINISTRY OF INTERIOR & NATIONAL ADMINISTRATION
STATE DEPARTMENT FOR IMMIGRATION AND CITIZEN SERVICES
DEPARTMENT OF REFUGEE SERVICES

NOTICE TO REFUGEES USING PASSPORTS FROM COUNTRY OF ORIGIN

Pursuant to the Refugees Act No. 10 of 2021 and the 1951 United Nations Convention, its 1967 Protocol on Status of Refugees, refugees in Kenya are expected to reside in the country legally and to cooperate with authorities in obtaining legal travel documents. It has come to the attention of the Department of Refugee Services that some asylum seekers and refugees are using passports from their country of origin for travelling outside Kenya instead of the Convention Travel Document (CTD).

We would like to bring to the attention of all asylum seekers and refugees that pursuant to section 3 (1) (a) of the Refugees Act;

*“A person shall be a refugee for the purposes of this Act if such person—
(a) being outside of his or her country of nationality and owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion who is in Kenya and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of his or country of nationality or the country of habitual residence”*

It is important to note that Refugee status is granted to individuals who have fled their home country due to fear of persecution and are unable or unwilling to return and are unable to avail themselves to the protection of their country of origin.

Using a passport from your country of origin suggests that you can still afford the protection of your country. This contradicts the basis of your refugee status. It is important to cooperate with Kenyan authorities in obtaining legal travel documents (CTDs) in accordance with your refugee status and to surrender the passport of the country of origin to DRS for transmission to the Directorate of Immigration who are custodians of all Passports.

Accordingly, using passports from the country of origin shall put your refugee status in jeopardy and may lead to legal consequences including cancellation of refugee status and subsequent expulsion from the country of asylum as provided under Section 17 of the Refugees Act;

17 (1) The Commissioner shall have the power to cancel a refugee status where—

- (a) a person recognized as a refugee has fraudulently misrepresented or omitted material facts which, if known, could have changed the decision to recognize that person as a refugee; or*
- (b) new evidence becomes available that a person should not have been recognised as a refugee.*

We therefore urge all asylum seekers and refugees to adhere to all the laws in Kenya and specifically in the provisions of the Refugees Act No. 10 of 2021 and the 1951 United Nations Convention. Failure to comply with these laws and regulations may result in the cancellation of your refugee status and expulsion from the country.

Please ensure that you have valid legal Convention Travel Documents (CTDs) and all other documentation that comply with your refugee status for access to services and protection.

If you have any questions or concerns regarding this matter, do not hesitate to contact the **Department of Refugee Services** through cra@refugee.go.ke, info@refugee.go.ke or Tel: +254- 020-4348143/5, +254-020-4405057.

Thank you for your cooperation.

**COMMISSIONER FOR REFUGEE AFFAIRS,
DEPARTMENT FOR REFUGEE SERVICES.**