CULTURAL RIGHTS AND MIGRATION QUESTIONNAIRE

1. What are the issues relating to cultural rights that you see in your country's migration processes? Please provide rrelevant information concerning laws and regulations, programmes and measures, services and practices that seem relevant.

The cultural rights are recognized and protected under Article 11 of the Constitution of Kenya, 2010. The State Department for Culture and Heritage is better placed to provide the relevant information with regard to the specific issues in the migration processes and the programmes in place so far.

1. Do migrants have access to the cultural institutions and services of the host society? Yes. How about undocumented migrants,' asylum seekers and refugees? How is such access ensured? The State Department for Citizens Services is better placed to respond to this.
2. Are tangible artefacts belonging to migrants protected by the state? Yes. Does their use affect the cultural rights of migrants? No.
3. Which institutions have been successful in respecting and protecting the cultural resources and assets of migrants? Please provide examples when possible, including on how this was achieved. The State Department for Culture and Heritage is better placed to provide the relevant information with regard to this.
4. What are the steps that relevant local and national authorities take to ensure that the rights of migrants to access, practice, maintain and transmit living cultural resources are protected, especially forced migrants? The Refugees Act, No. 10 of 2021 has provided for the rights of and obligations of the Refugees. It further provides for the administration of refugees and assigned several functions to various administrative offices.
5. What is the position of governmental authorities when cultural practices of migrants are not in line with those of the majority of the population? Please  provide examples of how the tensions have been handled in the past. The rights of the refugees must be in line with all existing national laws.
6. How do the different sectors of the population learn about the cultures or the migrants, especially new and forced migrants? Please provide information about existing spaces, including media spaces, and opportunities for the host society to encounter and engage with cultural resources of migrants. The State Department for Culture and Heritage is better placed to provide the relevant information with regard to this.
7. What challenges do migrants face currently in practicing, maintaining and transmitting their culture, especially when they are new and/or forced migrants? The State Department for Culture and Heritage is better placed to provide the relevant information with regard to this
8. Please share good practices in protecting the cultural rights of migrants to access cultural resources and services, to enjoy their heritage and that or others, to use their language in private and in public, to participnte in cultural life, to freedom of artistic expression and to take part in decisions that impact their cultural life. Please focus more on new and/or forced migrants.v The State Department for Culture and Heritage is better placed to provide the relevant information with regard to this.
9. Please advise how cultural rights of vulnerable and marginaliscd sections of migrants are protected. The rights of the refugees are guaranteed by the Refugee Act as long as they are in line with all existing national laws.