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## **Kenya: Somali refugees need protection not abuse**

Kenya's violations of the human rights of Somali refugees and asylum-seekers are putting thousands of lives at risk, Amnesty International said in a report released today.

From life without peace to peace without life describes how thousands fleeing violence in Somalia are unable to find refuge, protection and lasting solutions in Kenya, due to the closure of the border between the two countries almost four years ago amid security concerns.

"Continued fighting and horrendous abuses in Somalia pose a very real threat to the lives of tens of thousands of children, women and men. No Somali should be forcibly returned to southern and central Somalia," said Michelle Kagari, Africa Programme Deputy Director at Amnesty International.

Last month around 8000 Somali refugees who had fled across the border into Kenya from the Somali town of Belet Hawo following intense fighting there, were ordered to return to Somalia by the Kenyan authorities. Moreover, Kenyan police then forced about 3,000 of them further into Somalia, where they continue to be at risk of grave human rights abuses.

"Many Somalis have no option but to cross into Kenya. Kenya's closure of the screening centre near the border however means no Somali is registered immediately and that nobody is screened. Inevitably, this does nothing to address Kenya's national security concerns."

Following a surge in violence in December 2006, Kenya closed its 682 kilometre border with Somalia, maintaining that fighters with alleged links to al-Qeada might otherwise enter Kenya and endanger national security.

However, because of the border's porousness, Somalis have continued to flee and seek refuge in Kenya. The Kenyan authorities have turned a blind eye to the continuous flow of Somali asylum-seekers across the border, calling into question what impact, if any, the closure has had on the security situation.

In a meeting with Amnesty International in March 2010, Kenya's Minister of State for Immigration admitted "the closure of the border does not help. We would be better to screen them [Somali asylum seekers] so that we can know who they are."

In its 18-page report, Amnesty International describes how since the border was closed, Kenyan security forces have forcibly returned asylum-seekers and refugees to Somalia; demanded bribes and arbitrarily arrested and detained them. Somalis are regularly harassed by Kenyan police at the border areas, in the Dadaab refugee camps in north-eastern Kenya and in urban areas, including Nairobi.

A 55 year-old Somali woman told Amnesty International in March 2010:

"I came to Dadaab seven days ago through Doble. I was caught after Doble and spent six days in jail in Garissa. I came by car with 25 other Somalis. We were all jailed... I had four children with me: one girl aged 11, and three boys aged eight, nine and three years-old. The Kenyan police said: "you came illegally

through the wrong way”. I had to pay 5,000 Kenyan shillings. My relatives had to send money.”

The three Daadab camps are themselves grossly overcrowded. Originally built to accommodate 90,000 refugees, they now house more than 280,000. This has put enormous pressure on refugees’ access to shelter, water, sanitation, health and education. The Kenyan government has been slow in allocating more land to host the growing refugee population.

Refugees in the Daadab camps told Amnesty International that the camps themselves were increasingly insecure and that members and sympathisers of al-Shabab, an armed Islamist group in Somalia, were present in the camps or travelled through them and at times recruited refugees to fight in Somalia. The Kenyan security forces are also reported to have been involved in recruiting Somali refugees for military training in late 2009.

“The situation in the Daadab camps has reached crisis point,” said Michelle Kagari. “Somali refugees find themselves stuck between a war zone and what many describe as an open prison, since Kenya does not allow them to leave the camps without special permission. Refugees who have made their way to Kenya’s cities live precariously and remain vulnerable to police abuse.”

“Kenya disproportionately shoulders the responsibility for massive refugee flows from Somalia and needs more support from the international community, including EU countries to provide durable solutions for these people.”

Amnesty International is calling on the Kenyan government to ensure that Somalis fleeing gross human rights abuses and indiscriminate violence are given refuge and adequate protection on Kenyan soil.

It also asks the international community and Kenya’s donor partners, to share responsibility for Somalia’s refugee crisis and to increase resettlement programmes and support local integration projects to improve the lives of refugees in Kenya.

Notes to Editors:

- Somali nationals in Kenya are usually recognized by UNHCR as prima facie refugees. Persons fleeing southern and central Somalia are considered in need of international protection
- Kenya hosts the largest number of Somali refugees in the region, with 338,151 registered refugees as of September 2010, according to UNHCR. However, the overall number of Somali nationals living in Kenya is probably much higher, as many are not registered.
- According to the UN High Commissioner for Refugees (UNHCR), the UN Refugee Agency, more than 1.4 million people are internally displaced in Somalia and over 600,000 Somali nationals have taken refuge in neighbouring countries.