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Kenya's decision to confine refugees and asylum-seekers in camps is unlawful

Kenya's decision to place refugees and asylum seekers in camps away from urban centres is a discriminatory and unlawful restriction on freedom of movement, Amnesty International said.

The government stated the policy is a reaction to security concerns in the country.

"This restriction on freedom of movement is likely to lead to other serious human rights abuses in already overcrowded, insecure refugee camps," said Kathryn Achilles, Amnesty International's East Africa expert.

Thousands of refugees and asylum-seekers from Somalia living in urban centres including the capital, Nairobi, will be required to move to the Dadaab refugee camp complex in north-eastern Kenya, while those from other countries will be required to move to the Kakuma camp.

The Dadaab complex in particular is already extremely overcrowded, even without the additional influx of refugees required to move from urban areas.

Overcrowding has placed a strain on the provision of essential services to asylum-seekers and refugees, including access to shelter, water and sanitation.

"The government cannot simply scapegoat refugees and asylum-seekers en masse for security incidents.

North Eastern Kenya has suffered from recent insecurity, including attacks against people living in the Dadaab camps, and others living and working in the area.

"Targeting entire groups of people and blaming them in this way is unacceptable. It is not, and never can be, an appropriate response to security concerns."

Amnesty International is calling on the Kenyan government to rescind the directive and it urged the authorities to resume registration and service provision in urban areas, as well as to those living in camps.

The move comes after weeks of discriminatory or arbitrary arrests of ethnic Somalis, particularly in the Eastleigh area of Nairobi, in the wake of grenade and other bomb attacks.

Hundreds of people have been arrested, with most subsequently released without charge. There were also numerous reports of harassment, ill-treatment and extortion by security forces, which Amnesty International called upon the government to investigate.

More than 500,000 Somali nationals are registered in Kenya as refugees, and they make up the vast

majority of refugees and asylum-seekers there.

As a signatory to the 1951 UN Refugee Convention and the 1969 OAU Refugee Convention, Kenya is under an obligation to protect those seeking asylum on their territory.

Amnesty International acknowledges the responsibility Kenya has shouldered in hosting refugees, particularly those from Somalia, but the answer is not simply to force people to move to camps, or to restrict their freedom of movement.

Kenya must live up to its obligations under international law, and must have the support of the international community to do so, including through increased funding and resettlement programmes.