

**Statement of the Refugee Consortium of Kenya (RCK) on Human Rights Situation in Africa
by Mr. Imaana Fredrick Koome, Program Officer-Advocacy during the 56th Ordinary
Session of the African Commission on Human and Peoples' Rights (ACHPR) held in Banjul,
The Gambia from April 21st, 2015**

Your Excellency, Representative of the Government of The Gambia, Your Excellency, Representative of the African Union; Your Excellency, Chairperson of the African Commission on Human and Peoples' Rights; Distinguished Commissioners; Members of the African Commission on Human and Peoples' Rights; Honourable Members of the Diplomatic Corps; Honourable Representatives of National Human Rights Institutions, Honourable Representatives of the NGO Forum; Eminent Guests, and dear friends, all protocols duly observed.

It is a privilege and great honour to stand in your presence on this auspicious occasion of the 56th Ordinary Session. Ladies and Gentlemen, Refugee Consortium of Kenya's core mandate is advocating for rights-based policies, laws and practices for the protection and promotion of the rights of asylum seekers, refugees, IDPs and other forced migrants.

This session is taking place against a backdrop of continuing protection and assistance challenges to these vulnerable groups in Africa generally and Kenya in particular. RCK is concerned of the Kenyan government's commitment to address these challenges, and would therefore like to take this special opportunity to recommend as follows;

1. Recommend to the African Commission to urge the government of Kenya to commit to enhancing the protection of refugees and asylum seekers and uphold the humanitarian character of asylum by among others rescinding the decision to close the Dadaab refugee camp and subsequent forced return of refugees to their countries as this will not only breach its obligations under international, regional and national law but also threatens life and limb of refugees and asylum seekers.
2. Recommend to the African Commission to urge the government of Kenya to respect the integrity and dignity of individuals including refugees and asylum seekers by immediately stopping the current arrests, harassment, illegal detention and extortion of refugees and asylum seekers especially in the wake of terrorist attack in Garissa which claimed the lives of 148 persons among them 142 students.
3. Recommend to the African Commission to urge the government of Kenya to consider lifting the encampment policy and restriction of movement of refugees and asylum seekers as it has denied them especially the youth an opportunity to realize their potential and contribute positively to the economy of the country. Realistic consideration should be given to durable solutions to the protracted refugee problem in the country.
4. Recommend to the African Commission to urge the government of Kenya to grant access to the country the South Sudanese refugees and asylum seekers without levying visa charges at the Nadapal border point. Moreover, the Kenya government

should fully commit itself to lead in the process of restoring peace and stability in South Sudan to end the senseless human suffering occasioned by the ongoing civil war.

5. Recommend to the African Commission to urge the government of Kenya to fully support National Consultative Coordination Committee (NCCC), established under the IDP Act, 2012, by providing adequate financial resources, equipments and office space to ensure they carry out their mandate effectively including profiling and assistance to all IDPs in the country.
6. Recommend to the African Commission to urge the government of Kenya to consider ratification of the AU-2009 Kampala Convention on Protection and Assistance to Internally Displaced Persons.

Thematic recommendations

1. Recommend to the African Commission to urge state parties to develop legislative frameworks that protect refugees, asylum seekers and other migrants against discriminatory practices.
2. Recommend to the African commission to urge State parties to come up with both short and long term supportive and protective measures including durable solutions for displaced persons in their countries.
3. Recommend the African commission to urge State parties to implement international and regional instruments protecting refugees and IDPs especially the Kampala Convention.
4. Urge the African Commission to actively popularize regional and international instruments that will assist, protect and support refugees, asylum seekers, IDPs and other migrants
5. Adopt a resolution urging State parties to ensure full protection of human rights and refugees rights in the process of combating terrorism.

Once again I sincerely thank the African Commission for this noble opportunity and, to especially call upon the office of Special Rapportuer on Refugees, Asylum Seekers, Migrants and Internally Displaced Persons, to step up its monitoring missions in Kenya so as to enhance compliance with regional and international principles on the protection and assistance to these vulnerable groups.

Thank you for listening to me.