

Rethinking Somali refugee solutions in Kenya

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Amid uncertain return conditions, the repatriation of Somali refugees from Kenya risks leading to instances of forced return. Alternative avenues, such as local integration, should be explored.

The signing of a Tripartite Agreement (TA) on voluntary repatriation is intended to signal an end to refugees' long wait to return home. However, difficult questions surround what constitutes normality in the home country, and whether conditions have improved to allow for a dignified return. Somali refugees in Kenya have found themselves facing these questions following the signing of a TA in November 2013 between the governments of Kenya and Somalia and the UN Refugee Agency (UNHCR).¹

While Kenya leads calls for repatriation, UNHCR, Somalia and donor States also favour repatriation. Because UNHCR is often overstretched in catering for millions of refugees globally, and tends to focus on emergent refugee situations, there is a tendency to view repatriation as the best solution. For the Government of Somalia, repatriation of its citizens strengthens the legitimacy of the Somali government at home and abroad. Somalia has, however, insisted on phased returns without deadlines as it systematically builds State capacity. For other donor States, repatriation means the gradual end to providing funding.

The Government of Kenya (GoK) has cited a number of reasons behind its rationale for the repatriation of Somali refugees. The most prominent reason provided is that Somali

refugees in Dadaab pose a security threat to Kenya, through collaboration with or sympathising with Al-Shabaab. Proponents of this argument claim that the Dadaab refugee camps have become training grounds for Somali-based terrorist group Al-Shabaab, and launch pads for attacks on Kenyan soil. This claim currently lacks substance as no Somali refugee has been successfully prosecuted on terror-related charges. This allegation is further challenged by human rights organisations such as Human Rights Watch and Amnesty International who claim that this scapegoats Somali refugees.² Secondly, GoK claims that Somalia is now a safe place to which to return. This is difficult to substantiate as many parts of Somalia are still unreachable and inhospitable, and Al-Shabaab remains capable of launching massive attacks on civilians – as witnessed in the Mogadishu bombings of October 2017 that claimed more than 500 lives. Return to some parts of Somalia is therefore premature. In cases where return **has** occurred, returnees have had to negotiate new access to land, as some of it had been occupied or claimed by others since they left.

The TA has been placed under sharp scrutiny, with several questions emerging. Do returns that take place under the TA remain voluntary even when GoK threatens

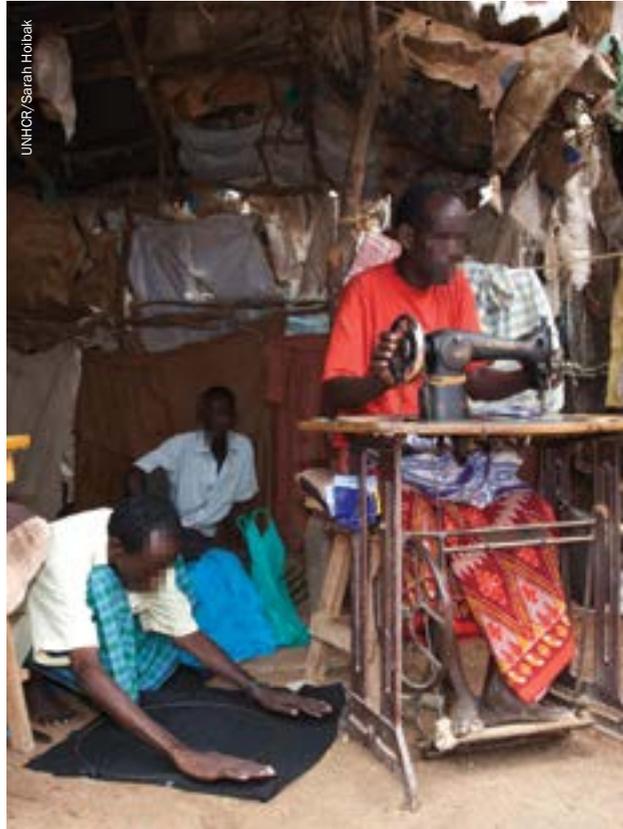
October 2019

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to close the Dadaab camps, as it has done on several occasions? Does the TA represent the general feelings or thoughts of Somali refugees about return? Although refugees may not be directly involved in negotiating and writing TAs, their informal participation is critical if they are to embrace TAs and voluntarily return. The question of whether the State of origin is capable and willing to handle the mass return of Somali refugees is also important. Establishing the answers to these questions will determine whether repatriation is likely to be a success and will help safeguard against premature return. Premature and involuntary returns are by no means confined to Kenya. Syrian refugees in Europe, for example, all face the possibility of premature and involuntary return.

Only 1% of Somali refugees have access to resettlement to a third country, making this an option with very limited viability. Local integration could, however, potentially complement return and resettlement and may be particularly effective for Somali refugees who have been living in the Dadaab camps for more than two decades – and who may therefore find it easier to integrate in Kenya than in Somalia. It may also be a better option for young adults who have been educated and socialised in Kenya and have probably known no other place as home. If permitted by the government, local integration could enable Somali refugees to establish productive livelihoods. The protracted refugee situation and the reliance of the Dadaab camps on humanitarian assistance could be alienating a potentially productive refugee population from meaningful participation in the socio-economic development of Kenya. And while local integration may be a source of potential conflict with local populations (especially when resources are limited), careful planning and progressive introduction could offer an alternative to Somali refugees.

Of the three durable solutions – repatriation, local integration and resettlement



In Ifo Camp, Dadaab, a tailor has a thriving business altering rectangular mosquito nets into conical nets, the preferred shape in the camp.

– none alone is adequate to address the Somali refugee situation but instead they must be pursued concurrently, not least in order to guard against the threat of forced return.

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1. www.refworld.org/pdfid/5285e0294.pdf

2. See for example

www.amnesty.org/download/Documents/4000/afr520032014en.pdf