



Tom Lantos Human Rights Commission Hearing

HORN OF AFRICA: THE CONTINUING FOOD, REFUGEE, AND HUMANITARIAN CRISIS

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Co-Chairman McGovern and Co-Chairman Wolf: thank you for the opportunity to appear today. I returned recently from a research trip to Kenya and Ethiopia, and I appreciate the opportunity to share my observations.

Despite the declaration that famine conditions in South Central Somalia no longer exist, the number of displaced Somalis remains staggering. There are nearly one million Somali refugees residing in neighboring countries. Within Somalia itself, the UN estimates there are currently between 1.3 and 1.5 million Internally Displaced Persons (or IDPs) displaced by conflict, violence, and the impact of famine and drought.

As attention toward the latest crisis wanes, there are fears that international aid allocations aimed at supporting these displaced populations will be diminished.

To be clear, Somali refugees living in neighboring countries such as Kenya and Ethiopia face difficult conditions, but we do not expect large numbers of voluntary returns to Somalia anytime soon. Recent food security gains remain fragile and military operations various fronts - continue to

cause displacement. Today my testimony will focus on Somali refugees, since substantial and sustained attention on the part of the international community is necessary.

Let me begin with Kenya and the challenges for Somali refugees there.

Since 1991, Kenya has hosted the Dadaab refugee camp, now the world's largest refugee settlement with a population totaling nearly half a million in Northeast Kenya, one of the least developed regions of the country. Due to a spate of security incidents late last year in and around Dadaab – including attacks on Kenyan police, the assassination of two refugee community security leaders, and the kidnapping of several aid workers (potentially by Al-Shabab sympathizers in retaliation for Kenya's military incursion into Somalia last year, though details are not entirely clear) – the operating context in Dadaab has changed dramatically. The movement and activities of aid workers has been restricted and will probably never return to “normal.”

Dadaab has long been an overcrowded, challenging environment for refugees, but these mobility constraints pose a serious new challenge to operations in the camp. Some water projects are stalled, food distributions are more difficult, and high-level medical care is less available.

Aid is still being provided, however, and to adapt to the new environment, UNHCR and NGO staff are devising ways to empower refugees to take on more responsibilities and build their capacity to manage and supervise services. This involves strengthening relationships with refugee leaders; giving refugee incentive workers more responsibilities; expanding training programs; and beefing up remote communications between the camps and the Dadaab staff compound. These steps, which decrease the in-camp footprint of international aid workers, present an opportunity to shake up the way aid has long been delivered in Dadaab. It also creates programs that focus on development and skill-building for refugees.

This strategic shift has its difficulties. First, with decreased international supervision marginalized groups within the camps could become more vulnerable. Second, without the kind of technical help the UN and its partners can provide the health and wellbeing of residents could be affected. And third, though refugees may receive small sums of money for work done in the camp, they cannot be paid regular wages without work permits from the government. But this is Dadaab's new reality. Therefore, UNHCR, its implementing partners, and the international community must continue prioritizing the development of creative alternatives for providing services to Dadaab's refugees, and donors must continue to support this refugee assistance operation despite the change in circumstances.

Last October, the challenges in Dadaab were exacerbated by the Government of Kenya's decision to suspend the registration of new arrivals to the camp due to concerns regarding security and overcrowding. Kenya deserves serious credit for hosting so many refugees for so many years, but halting registration is unacceptable—without registration, refugee families are not officially eligible for assistance from the UN Refugee Agency. It means there is no official system for identifying refugees who are the most vulnerable, including unaccompanied children, women who have been abused, or refugees in particularly poor health.

We believe it is, in fact, in Kenya's own national interest to restart registration. The government's decision to halt registration was part of a security effort to restrict members of Al-Shabab from taking residence in the camp. Since that time, however, the security situation in Dadaab has deteriorated, and lack of registration is contributing to the problem. No registration means there are no security screenings to identify new arrivals who might pose a threat to camp residents, police, and aid workers.

Kenya's Department of Refugee Affairs has given positive indications that it may reopen registration soon, but we are still waiting. We ask Congress to urge the Government of Kenya – a major recipient of U.S. bilateral funding – to re-open refugee registration in Dadaab immediately.

Another note of concern are the periodic statements by some Kenyan officials that they intend to return Somalis potentially to areas in Southern Somalia that the Kenyans claim to have “cleared” militarily. At the UK-hosted London Conference on Somalia in February, Kenyan President Mwai Kibaki called for a “firm and durable” solution to the refugee crisis that includes “the return of these populations to their home country.” It must be stressed that any return by Somalis to Somalia must be voluntary, safe, and dignified. Any forced returns – by Kenya, or other nations – would be a violation of international refugee law and could possibly trigger further instability.

While mass forced returns (or “refoulement”) of Somali refugees is a legitimate worry, what is more likely (and currently happening) is that some refugees in Dadaab will be made to feel so unwelcome, and will have such difficulties in accessing basic services that they will essentially feel forced to return to Somalia. We heard numerous reports of abuse of refugees by Kenyan police – including arbitrary detention and sexual abuse – and about some camp residents who have fled Dadaab because of this abuse. One Somali refugee we met in Kenya said: “We suffer two times. We suffer harassment by Al Shabab in Somalia, and then we suffer again in Kenya, because people think we are Al Shabab.”

In the past, my organization, among others, has called for an increased police presence in Dadaab – to provide security for aid workers and refugees alike. But those police must be properly trained in refugee and humanitarian protection before arriving in Dadaab. To this end, the U.S. government must encourage and work with the government to ensure that Kenyan police training programs for protection of refugees are funded adequately and receive proper and ongoing oversight.

Turning to Ethiopia, it is now home to some 189,000 Somali refugees, many of whom arrived at the Dollo Ado camps in southeastern Ethiopia during the height of the 2011 famine in Somalia in very poor health.

Initially, death rates among refugees were very high. Fortunately, last summer when thousands of Somalis were streaming in to Ethiopia each month, the Ethiopian government and its agency overseeing refugee services (known as ARRA) kept its borders open, screened and registered new arrivals, and opened up space for numerous humanitarian agencies to operate and help manage the critical needs of refugees – the Ethiopian government should be commended for that. The morbidity and mortality rates have been reduced, compared to the height of the crisis. However, malnutrition rates in several of the camps are still disturbingly high, with recorded Global Acute Malnutrition rates of over forty percent , far above the emergency level of fifteen percent.

In a worrisome change of approach the Ethiopian government is moving to restrict the previously opened humanitarian space and reclaim implementing control over some activities. Refugees International is concerned that this action would weaken capacities to address the still high malnutrition rates. Further, we note the general lack of transparency about the needs of refugees in Dollo Ado and about how those needs are being met. Ethiopia could further enhance its reputation for respect for the rights of refugees if it would remedy the current inability of international UNHCR protection staff to oversee the registration of new refugees.

As a major bilateral donor to the Ethiopian government, the U.S. has and must use its diplomatic leverage to insist that agencies with the proper capacities be allowed to operate in internationally funded refugee operations – and that there is transparency about the needs of refugees – so that the adequate provision of services can be ensured.

Serious investments and diplomatic and donor attention toward refugee populations are necessary because large-scale, voluntary returns to Somalia are unlikely anytime soon. Despite positive comments by politicians and officials at the UK Somalia Conference in London two weeks ago heralding political and security advances, much of the country remains insecure and unstable.

First, though famine conditions no longer exist, several regions in Somalia remain on the edge, and could return to famine if the long-rains – from April to June – do not come through. Second, there is conflict in Somalia on multiple fronts. Kenyan forces (now operating under the umbrella of the African Union peacekeeping force in Somalia, AMISOM) is fighting Shabab from the South, Ethiopia is attacking Shabab from the West, and Ugandan and Burundian peacekeepers are fighting a Shabab insurgency in and around Mogadishu.

While last year, Somalis were displaced primarily as a result of the drought and famine, this year they are fleeing their homes as a result of conflict. In January and February alone, 63,000 Somalis were displaced – some newly displaced and some re-displaced. For example, in the Afgoye corridor, outside of Mogadishu, thousands of Somalis who fled Mogadishu for refuge in Afgoye were displaced back to Mogadishu last month when AMISOM engaged in an offensive against Al-Shabab in the Afgoye corridor.

Refugees International urges all parties to the conflict - and this is particularly salient for those forces that are bank-rolled by the US government - to take all measures necessary to reduce harm to civilians.

Additionally, as our colleagues observed during their visit to Mogadishu last fall, militias allied with the Somalia's Transition Federal Government (TFG) are acting essentially as the “gate keepers” of IDP camps and engaged in harassment and abuses of IDPs themselves. The U.S., which backs the TFG, must hold the TFG accountable regarding its mistreatment of IDPs.

The challenges in Somalia and the Horn are complex, but where we do have control, and where we do have access, it is our responsibility to ensure that the needs of the most vulnerable are being met and that international military efforts to stabilize Somalia do not cause more harm than good.

Thank you for your time.