



**UMOJA EMPOWERMENT
RESOURCES**

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PRESS STATEMENT:

Violation of Refoulement Principle by the Kenyan Government

Uganda, East Africa – Umoja Empowerment Resources (UER) is a cross-generational group of professionals dedicated to fostering collaboration, partnerships, research, advocacy, and learning to empower individuals and organizations across Africa. Our mission is to ensure maximum productivity and sustainability in all spheres of life across the continent.

UER in solidarity with Amnesty Kenya and the International Commission of Jurists (ICJ) Kenya Section, condemns the continuous violation of the principle of refoulement by the Kenyan government. These acts contravene both international obligations and Kenyan law, undermining the protection of refugees and violating fundamental human rights.

In a recent, alarming case, 36 Ugandan nationals were arrested in Kisumu, Kenya. Among them was Mr. Rutarondwa Simon, a recognized refugee under Kenyan law. Despite his protected status, Mr. Simon was unlawfully extradited by Kenyan authorities, along with the other 35 Ugandan citizens, during what was reportedly a peaceful leadership training session. The deportation of Mr. Simon, is clear violation of the non-refoulement principle and it raises serious concerns about Kenya's commitment to its legal obligations under both international and domestic law. Refoulement, the forcible return of refugees or asylum seekers to a country where they are likely to face persecution, is expressly prohibited under international law.

Key legal frameworks that Kenya is bound by include:

1. The 1951 Refugee Convention and its 1967 Protocol, which establish the principle of non-refoulement.
2. The 1984 Convention Against Torture, which also prohibits the return of individuals to places where they would face torture or ill-treatment.
3. The African Union's 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, further reinforcing protection for refugees in the region.

Under Kenyan law, the Kenya Refugees Act, Cap 173, specifically Section 28 and Section 29, that guarantees legal protection to refugees and safeguards their right to remain in Kenya without fear of being returned to their country of origin. These provisions clearly prohibit any act of expulsion or extradition that would endanger the life or freedom of refugees.



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The unlawful extradition of Mr. Simon is not an isolated incident. In a more recent, disturbing development, several individuals namely: Necdet Seyitoğlu (British national), Mustafa Genç, his son Abdullah Genç, Hüseyin Yeşilsu, Öztürk Uzun, Alparslan Taşçı, and his wife Saadet Taşçı were reportedly kidnapped by unknown individuals. Although some, such as Necdet Seyitoğlu, Abdullah Genç, and Saadet Taşçı, have been released, the fate of others like Öztürk Uzun, Alparslan Taşçı, and Hüseyin Yeşilsu remains uncertain. They are at grave risk of being forcibly returned to Turkey, where they could face serious persecution.

These acts not only violate international human rights obligations but also contravene the Kenya Refugees Act and Kenya's commitments to uphold the rights of refugees. The principle of non-refoulement is a cornerstone of refugee protection, and any breach of this principle is a flagrant disregard for human dignity and the rule of law.

We urge the Kenyan government to:

Immediately halt all actions that violate the principle of non-refoulement.

Ensure the safe release of all individuals still missing and provide assurances that no one will be forcibly returned to countries where they face persecution.

Uphold Kenya's obligations under both domestic and international law to protect refugees and asylum seekers from harm.

Umoja Empowerment Resources, stands committed to advocating for justice, accountability, and the protection of fundamental human rights. We call on all stakeholders, both domestic and international, to join in this cause and ensure that Kenya remains a safe haven for those fleeing persecution.



Kato Vincent,
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Umoja Empowerment Resources (UER)



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