



May 12, 2013

Mr. Joseph Ole Lenku
Cabinet Secretary of Interior and Coordination of National Government
Harambee House
P.O. Box 30510-00100
Nairobi
KENYA

SUBJECT: Concern over the transfer of refugee journalists to designated areas

Dear Secretary Lenku,

Reporters Without Borders (RSF), the Committee to Protect Journalists (CPJ), and the Rory Peck Trust—three international organizations dedicated to defending freedom of information and journalists worldwide—are writing to express concern over the Kenyan government's recent decision to transfer all urban refugees to designated areas. While we can understand the government's pressing need to ensure security in Kenya, this measure endangers refugee journalists who sought refuge in your country.

Research conducted by our organizations indicates that refugee journalists, whose work makes them highly visible at home and recognizable in their respective communities in exile, make up a particularly vulnerable population. Transferring them to designated areas that are known to be penetrated by Somali insurgents and Ethiopian intelligence agents, puts them at risk of continued threats and persecution for their work.

As you know, in December 2012, Kenya's Department of Refugee Affairs (DRA) issued a directive ordering all refugees to be relocated to designated areas. After Kenya's High Court declared the directive unconstitutional in 2013, the DRA appealed the decision. The official status of urban refugees remains ambiguous.

In light of growing insecurity in Nairobi, on March 25, 2014 your office issued a nearly identical directive to the one from December 2012 ordering all refugees to be relocated to designated areas. Given the High Court's decision to repeal the DRA directive, it remains unclear whether your newest decree is constitutionally viable.

According to recent inquiries by RSF and CPJ, at least 16 Somali and Ethiopian journalists were arrested in Nairobi during the month of April. Another five suffered the same fate in March. Some journalists told us they were arrested in their homes and forced to pay bribes to police officers to secure their release and avoid transfer to refugee camps. This, however, was not the case for several others, including two prominent Somali journalists, who remain in dire circumstances.

Hassan Sheikh Omar is an experienced Somali journalist who until 2008 worked for Radio Simba and Horn Cable TV when threats from the Somali Islamic militia Al-Shabaab forced him to flee. Arrested on April 25, 2014, he was held for three days in Kasarani Stadium and then transferred to Kakuma where he remains to this day.

Mahad Omar Diriye, an independent Somali journalist who serves as secretary-general of the Jubaland Independent Journalists Association (JIJA), was arrested on April 28, 2014. He is being held in Nairobi pending transfer to Kakuma. Originally from the Gedo province in southern Somalia, Mahad worked for various media outlets, including the *HornAfrik* and *Allgedo* news websites. In 2007, he sought refuge in Kismayo, Jubaland's commercial capital, after being threatened in retaliation for his work. The journalist was forced to flee his home country in 2010 after receiving threats from Al-Shabaab in connection to his reporting for Radio Mandeeg and Radio Luuliyo.

According to information obtained by our organizations, Hassan and Mahad are registered as refugees with the United Nations High Commissioner for Refugees (UNHCR). They also hold Kenyan identity documents issued in Nairobi recognizing their refugee status in Kenya.

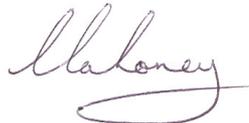
RSF, CPJ and the Rory Peck Trust respectfully call on the Kenyan government to clarify the legal status of the most recent decree to relocate urban refugees to designated areas. Given the particularly vulnerable situation for refugee journalists, we also urge your office to exempt them from this operation and allow them to remain in Kenya's urban centres.

Please do not hesitate to contact us should you have queries or concerns. We thank you in advance for taking our appeal into serious consideration.

Sincerely,



Christophe Deloire
Secretary General
Reporters Without Borders



Robert Mahoney
Deputy Director
Committee to Project Journalists



Tina Carr
Director
Rory Peck Trust

Cc
David Kimaiyo
Inspector General of Police