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Kenya

Almost two years after the disputed election and its bloody aftermath, grievances between the largest ethnic group, the Kikuyu and the various Kalenjin peoples in Kenya's Rift Valley have not yet been addressed. There are fears that until the next election in 2012 differences between the country's ethnic groups will not have been addressed properly, which might lead to another round of bloodletting. Kenya is currently suffering from its worst drought since 1991; up to ten million Kenyans depend on food aid. Hundreds of thousands of cattle have died, and in northern Kenya there are bloody fights between different ethnic groups.

Post-election violence

In the wake of the disputed election that were held in December 2007 and in which the incumbent Mwai Kibaki was declared the winner over Raila Odinga, some 1,500 people were killed and 300,000 were displaced. The crisis had serious ethnic aspects, with many killings targeting representatives of political opponent's ethnic base. In January and February 2008 allies of the opposition Orange Democratic Movement (ODM) started attacks on the Kikuyu and other tribes which they saw as supporters of the Party of National Unity that led the government in the Rift Valley and big city slums. Gangs of the Kikuyu took revenge on the Luo and others which they perceived to be supporters of the opposition. Until today it is still unclear to what extent top politicians were directly involved in the violence.

In March 2008 a coalition government was founded through international mediation. Kibaki remained president, while Odinga became prime minister. Former UN Secretary General Kofi Annan brokered a National Dialogue and Reconciliation Accord, an agreement on the need of land and institutional reforms and the establishment of commissions that would investigate the turmoil. The Waki Commission to investigate the post-election violence in September said that the electoral process had been severely disrupted so it could not be said who won the presidential elections.

Impunity

In March 2008 the government began a joint police-military operation titled "Operation Okoa Maisha" ("Operation Save Life") in the Mount Elgon region in Kenya's west. An armed militia, Sabaot Land Defence Forces, had been said to commit unlawful killings and forced displacement in the region. During the operation local and international organizations as well as local media documented human rights violations by the police and military, e.g. arbitrary and unlawful killings of dozens of people by the military, arbitrary detentions and torture in police custody and military camps. Over 4,000 people were held in military camps for "screening". The government denied the allegations.

In December 2008 the government stated that it would accept the recommendation of the Waki Commission of a special tribunal with regards to post-election violence including international

participation that would be independent of the high courts. The tribunal would have been set up to investigate and prosecute the perpetrators. On July 9, 2009, Kofi Annan handed over evidence garnered by the Waki Commission and a sealed list of suspects to the International Criminal Court. A number of influential cabinet ministers are believed to be on the list. The government has assured Annan it would collaborate with the court. On July 30, 2009, though, the government contrary to previous announcements said that a special tribunal to give justice to the victims of the violence. It stated that it would use a "reformed" national judicial system to charge the perpetrators. The problem of impunity might lead to more turmoil in the next elections in 2012: Unless the culprits are not prosecuted for the killings that took place in January/February 2008 and which included hacking up old people and burning babies to deaths, the next time there is an election, some people because of impunity might feel emboldened to perpetrate new crimes.

In 2008 alone, more than 450 members of the criminal Mungiki gang were extrajudicially killed in Nairobi. The government did not investigate the unlawful killings. Alleged culprits of gender-based violence, among them police officials were very seldom prosecuted.

Situation of Internally displaced Persons

The United Nations believes up to 600,000 people had been forced to flee their homes in Kenya as a result of the post-election violence. Kenya currently has some 400,000 IDPs who still are to return to their homes. They either live in host communities or in the so called transit camps that the government set up. Today many women living in camps for internally displaced persons (IDPs) take to prostitution to make a living.

Situation in Dadaab refugee camps

The Dadaab refugee camps near the border to civil war-torn Somalia were originally built to house up to 90,000 people. Since the ouster of Somali President, Siad Barre in 1991, there has been no effective control of the flow of immigrants in and out of Somalia. According to human rights organizations now some 280,000 refugees live in them. It is the largest concentration of refugees in the world. Since the beginning of 2009, more than 50,000 refugees have come to the camps. Most of the refugees flee Somalia's civil war between transitional government forces and armed resistance groups, among which the militant Al-Shabaab ("Youth") currently dominates the resistance.

Military recruitment of Somali refugees in Dadaab refugee camps

In violation of United Nations regulations that govern the Dadaab refugee camps in Kenya, Somalia military recruiters try to enlist Somali refugees to join a new force intended to fight on behalf of the Transitional Federal Government of Somalia. The recruits are brought in Kenyan government and military vehicles to a state facility in close range of Mombasa, a coastal city. It is said that so far hundreds of people have joined the new force. They are promised money and a false promise that the United Nations back the new force. There are also reports that Al-Shabaab recruits fighters in the Dadaab camps.