



Federal Republic of Somalia

House of the People

MOTION

**FOR A RESOLUTION OF THE HOUSE OF THE
PEOPLE TO URGE THE NATIONAL ASSEMBLY OF
KENYA TO TAKE URGENT AND CONCERTED
ACTION IN THE WAKE OF TERROSTIST ATTACKS
AND THE AFTERMATH ON THE SOMALI
COMMUNITY**

Mogadishu, 9th April 2014

BARLAMAANKA FEDERAALKA SOOMAALIYA
XAFIISKA GUDDOOMIYAHA GELID / RECEIVED
TAR: 9/4/2014
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DEEPLY DISTURBED by the wanton terrorist attacks which have taken place in the sister Republic of Kenya leading to loss of life, maiming and destruction of property.

AWARE that terrorist acts undermine structures and institutions of society thereby sowing political instability and weakening the capacity of a state to fulfill its obligations.

STRESSING that terrorism thrives on reactions which are themselves inconsistent with observance of the fundamental principles of human rights.

AWARE that the Republic of Kenya has in a bid to contain terrorist activities, designated all Somali refugees into two refugee camps, and closed refugee registration centers in towns, carried out raids and mass arrests mainly in Somali neighborhoods.

CONVINCED that most of the affected persons are refugees who fled Somalia because of war and conflict.

DETERMINED to do all in our power to improve the situation in our country so that the refugees can come back home.

NOTING that both this House and the National Assembly of Kenya are members of the Inter Parliamentary Union (IPU) and subscribe to the values, aspirations and objectives of the said Union.

NOW THEREFORE DO RESOLVE as follows:

1. In accordance with Resolution 25 of 118th General Assembly of the Inter Parliamentary Union meeting held on 18.4.2008 Cape Town South Africa; call on the National Assembly of Kenya to oversee the work of law enforcement and security forces so as to make them accountable for the protection of fundamental individual freedoms in the performance of their duties and to acknowledge the link between security and human rights as stipulated in Resolution 1.
2. In accordance with Resolution 9 thereof that the National Assembly of Kenya oversees executive function to ensure that a balance is struck between national security, human security and individual freedoms.
3. In accordance with Resolution 10 of the said General Assembly meeting the National Assembly of Kenya recognizes that all human rights, the rule of law and democracy are interlinked and mutually reinforcing and are part of universal values and principles.
4. In accordance with Resolution 27 of the same said General Assembly urge the National Assembly of Kenya to enact legislation that require law enforcement agents to deliver terror suspects to the judicial authorities



immediately on arrest, thus ensuring that they are not taken anywhere else for further interrogation or further detention

5. That as stipulated in resolution 6 of the 115th General Assembly of the Inter Parliamentary Union (IPU) held in Geneva on 16.10.2006 every Parliament has a fundamental responsibility to ensure that human rights and the rule of law are kept in focus when pursuing the fight against terrorism. And be in line with Resolution 4 of the 113th meeting on 19.10.2005 urges the National Assembly of Kenya to make use of committees and other mechanisms to monitor closely whether Government bodies act properly in protecting the people during situations involving terrorism.

THIS HOUSE BELIEVES

1. That in fulfilling IPU obligations by the National Assembly of Kenya the refugees in Kenya shall be humanly treated and accorded treatment befitting refugees under the UN conventions.
2. That in rounding up the refugees, their fundamental human rights shall be guaranteed by the state in the knowledge that the National Assembly is keeping a watchful eye on all events relating to the said refugees and the fight against terrorism.
3. That the demonstrated commitment of the National Assembly of Kenya to protection of fundamental rights and freedoms shall manifest itself again in its actions to protect the refugees and Kenyans citizens of Somali origin.

Done at Mogadishu this 9th day of April 2014

