



Représentation permanente de la Belgique auprès des Nations Unies  
et auprès des institutions spécialisées à Genève

**WG UPR 21 – Kenya**  
***Intervention de la Belgique***  
22 janvier 2015

We commend Kenya for the enactment of the Independent Policing Oversight Authority (IPOA) Act of 2011, and we agree with the Kenyan UPR report that civilian oversight over the Police Service is critical, especially when dealing with alleged cases of extra-judicial killings, deaths in prison of police custody and deaths caused by violent criminal acts. However, according to our sources, the results of its investigations in only one case have been published since the establishment of the IPOA in 2012. How will Kenya ensure a more thorough and swift implementation of the IPOA mandate?

The Republic of Kenya carries a heavy burden with the presence of a very considerable number of refugees who fled the conflict in Somalia. We very much appreciate the important humanitarian effort in which the Kenyan government and population is engaged and recommend the government to maintain this effort in cooperation with the international community and particularly the UNHCR in full respect of international refugee law. We recommend that no refugees should be forcibly returned to Somalia when conditions for their safe reestablishment are not present.

Finally we take note of the important report produced by the Truth Justice and Reconciliation Commission in 2013 and recommend that in line with the conclusions of this report the government of the Republic of Kenya takes all necessary steps to put in place a program for reparation for all victims of the 2007/2008 post-electoral violence.

In concluding our observations we wish to congratulate the Kenyan delegation on the very progressive constitution which is now in place. The application of for example the constitutional rules on gender parity will provide for full representation and participation of women in governance.