AMNESTY FINDINGS FROM CSOs, COMMUNITY AND VICTIMS

BY:

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## COUNTY SAMPLE DISTRIBUTION

- Sample was diverse and representative

<table>
<thead>
<tr>
<th>County</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kwale</td>
<td>21.9%</td>
</tr>
<tr>
<td>Mombasa</td>
<td>21.9%</td>
</tr>
<tr>
<td>Kilifi</td>
<td>15.6%</td>
</tr>
<tr>
<td>Lamu</td>
<td>40.0%</td>
</tr>
</tbody>
</table>
# Sample Distribution by Category of Respondents

<table>
<thead>
<tr>
<th>Category</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community leaders</td>
<td>15.6%</td>
</tr>
<tr>
<td>Family members</td>
<td>31.3%</td>
</tr>
<tr>
<td>Women</td>
<td>15.6%</td>
</tr>
<tr>
<td>Youth</td>
<td>3.1%</td>
</tr>
<tr>
<td>Religious Leaders</td>
<td>15.6%</td>
</tr>
<tr>
<td>Victims</td>
<td>3.1%</td>
</tr>
<tr>
<td>Members of the CSOs</td>
<td>15.6%</td>
</tr>
</tbody>
</table>
HEARD ABOUT AMNESTY

- Overwhelming (90.6%) of the members of the CSOs, community and victims reported that they had heard the offer of the amnesty by the government.

- Sources of information with regard to this offer,
  - Radio, 43.8%
  - Community meetings by CSOs, 15.6%
  - Radio and Television, 15.6%
  - Television, 6.3%
  - Community leaders, 3.1%
  - Government officials and, 3.1%
  - Other people, 3.1%
  - No response, 9.4%
Targets for Amnesty

- Al-shabaab returnees,
- Criminal Gangs
- Radical youth,
- Members of the Mombasa Republican Council (MRC),
- Illegal armed groups,
- Al-shabaab sympathizers and
- Extremist groups
OBJECTIVES OF THE AMNESTY

- Rehabilitation and re-integration,
- Disengagement,
- A way of getting intelligence,
- Discourage recruitment of youth to radical gangs,
- Build confidence and trust among members of criminal gangs to shun violence,
- Create linkage between Al-shabaab returnees and the government,
- Countering Violent Extremism (CVE) and insecurity or establish peace and national cohesion.
Were the objectives of the amnesty achieved?

81.4%

Yes

6/24/2017
WHY NO? (REASONS)

- No 81.4%
- Yes 15.6%

The overwhelming (81.4%) no - to the question implies gaps in the implementation.

- **Reasons for No:**
  - After surrendering people have disappeared
  - No returnees have been seen to come out or benefitted from the offer
  - Lack of information about the amnesty
  - Lack of trust on the government and consideration by the respondents that the amnesty offer is a trap by the government to hoodwink Al-shabaab returnees
  - Government should do more than relying on the administration system (central government officials at the grassroots) to implement the amnesty
  - No clear implementation mechanism, structure or policy is available

There are many recruits in Somali who have not responded to the amnesty call.
What do you think about the amnesty?

- Genuine: 34.4%
- Ploy: 28.1%
- Lack of seriousness: 34.4%
- Do not know: 3.1%
SUCCESS OF AMNESTY OFFER

- Very successful: 3.1%
- Successful: 12.5%
- Not successful: 43.6%
- Not sure of the success of the offer: 21.9%
- Did not know: 18.8%
How do you rate the success of the amnesty?

- Very successful: 43.8%
- Successful: 12.5%
- Not sure: 21.9%
- Not successful: 18.8%
- Don’t know: 3.1%
REASONS - NOT SUCCESSFUL

- Insecurity still poses a challenge to the government;
- Those who surrender are not the ones involved in causing insecurity;
- Lack of transparency from the government in the handling of the offer;
- Government just announced the offer but has done nothing (no clear procedures and programs to support the offer);
- Government is using excessive force towards its citizens as observed by the deployment of KDF in Lamu County, harassment of those who are suspected; allegations of extrajudicial killings or disappearances and no justice for victims and families;
- No follow-up after the announcement;
- Government has not addressed reasons for radicalization and youth joining extremist groups;
- Government just wants to collect counter intelligence
- No benefits for those who have come out;
- Not successful because violent attacks are still going on
GOVERNMENT EFFORTS ON AMNESTY OFFER

- Respondents were not particularly positive that the government has done much to achieve the objectives of the amnesty
  - Government has just changed tact from hard to soft in tackling the problem
  - The government has just announced the amnesty offer and done nothing after that
  - Government is not providing adequate information on the amnesty
  - Government has announced police curfew in Lamu
  - Government has welcomed returnees, introduced integrated programs and is engaging returnees in Kwale through partnership with IOM
CHALLENGES OF AMNESTY

• Community mistrust government and does not support the amnesty initiative

• Police are reported to torture those Al-shabaab returnees, suspects and accused of extra judicial killings through arbitrary arrests of suspects and unexplained disappearances

• Poor public relations by government on the amnesty exercise

• Corruption and abuse of office by some government officers who have taken advantage of the situation to make money

• Lacks implementation structure, process and policy on the amnesty offer

• Lack of stakeholder involvement in the implementation of amnesty offer

• Profiling of the community as Al-shabaab or sympathizers

• Threats, mistrust, suspicion and hatred between communities, (more open in Lamu county)
• Lack of law to guide the amnesty offer

• Lack of funds to implement the amnesty offer

• Lack of will power by the government to reform returnees

• Returnees are criminals who are hiding and cannot be easily identified by the community to enable easy engagement with them

• Skepticism, fear and lack of trust to the government by the citizens

• Low turnout of returnees responding to the amnesty offer

• The secretive approach by the government on the amnesty processes

• Government's lacks appreciation of work done by CSOs
know any people who responded to amnesty?

- Yes: 43.8%
- No: 40.6%
- No response: 15.6%
RESPONDENTS KNOWLEDGE OF AMNESTEES

- Yes 43.6%
- No 40.6%
- Did not know 15.8%

- However, there was no clear data about the numbers
- Except for Kwale County – 500 returnees with 48 having directly benefitted from government and IOM initiatives
- Newspapers had reported intermittently that there were about 1500 returnees (unsubstantiated)
Amnesty Programs by the Government

- No clear indications that the government was doing any program on the amnesty throughout the surveyed counties.

- However, there were minor mentions of amnesty programming in Kwale County where the government was only involved as a partner with an international NGO, the International Organization on Migration (IOM).

- More so, it was observed during field work that in some counties the government seems to have initiative to engage with returnees but in a small scale and almost secretive efforts done through opinion leaders.
GOVERNMENT WORKING WITH PARTNERS

- Yes 50.0%
- No 31.2%
- No response 18.8%

Apparently, when the participants were tasked to mention the partners, the following organizations were cited:

- Huria, Supkem, Muhuri, Haki Africa, IOM, UNDP, Inter faith groups, KECOSCE, Kimya and CICC, KEMNAC, LICODEP, KMYCG, KHRC and professionals

Respondents reported that there is division of roles in that the community identifies returnees, while IOM for instance implements livelihood programs.

More significant to mention is that the working relations were not based on formal agreement but respondents said that they were based trust between partners.
Relation between National and County Governments

- (68.8%) of the respondents revealed that there is no relationship between the national and county government in as far as the implementation of the amnesty offer is concerned,

- (9.4%) said there exist a relation and

- (21.9%) did not respond

Those who said no (68.8%) cited poor relations between national and county governments, lack of trust between the two governments; and what came out conspicuously from the participants is that the county governments are afraid of the issue and that they seek refuge in the constitution 2010, which places security issues under the mandate of the national government.

Interestingly, even those who said there was a relation between the national and county government in implementing the amnesty offer, cited cooperation on the issues of mitigating drug abuse but not directly on issues to do with the amnesty offer.
What should the **National** and County Governments do in Making Amnesty Effective

- Awareness and sensitization on the amnesty offer,
- Engaging all the stakeholders in the process,
- Bring back disappeared youth and build trust with citizens,
- Provide policy and structure for the implementation of the amnesty and make the amnesty process open or transparent,
- Fulfill government promises, address historical injustices and marginalization,
- Collaborate with CSO to address amnesty gaps,
- Address root causes of the problem (pull and push factors),
- Government should review its security approach towards the returnees because it does not respect human rights,
- Build confidence for the returnees by avoiding harassment, intimidations, ultimatums and arbitrary arrests and disappearances,
- Establishment of victims support services and programs,
- Full blown intervention program for the returnees who respond to the call for amnesty,
- Co-operations with the county government to develop a law to address the issues surrounding the amnesty
COUNTY GOVERNMENT

- Training the community and engineer community empowerment programmes,
- Allocate resources at the county level for amnesty campaigns,
- Cooperate with stakeholders in the implementation of the amnesty offer,
- Take advantage of goodwill between community and civil society and make a contribution to the success of the offer,
- County government should own security challenges in the county and not consider it a national government issue,
- Create employment opportunities for target groups (re-integrated returnees),
- County government to provide victim support services,
- Develop or support the process of developing counter narratives and establish a CVE department or desk to deal with this problem.
Do you think amnesty is the best strategy for CVE?

- Yes: 65.6%
- No: 25.0%
- No response: 9.4%
Amnesty as the Best Strategy to Address Violent Extremism

- (65.6%) Yes,
- (25%) No
- (9.4%) did not respond

However, those who said yes (65.6%) reported that:

- Amnesty creates unity, reduces threats, fear and tension,
- Promotes peaceful co-existence and co-operation,
- It eases grievances and makes people have a second chance,
- Gives returnees an opportunity to rejoin the community,
- Builds confidence and trust to returnees and reduces insecurity and avails an opportunity for collection of more information.

Contrary, those who said no said that:

- There is no proper implementation of the amnesty offer,
- No guidelines and policy,
- It will trigger more violence,
- Returnees have caused harm in the community and amnesty will not make them pay (quest for justice).
RESPONDENTS INDEPENDENT COMMENTS

- All stakeholders must be involved in countering extremism and the amnesty offer
- More needs to be done to make government accountable and make citizens know amnesty is real
- National and county government must empower youth to create positive thinking
- Ensure security of returnees and those given amnesty is guaranteed
- Create detention camps for returnees
- Foster respect for religious leaders
- Create a new beginning for returnees
- Reduce enmity between religions by promoting religious tolerance
- Engage the community in development programmes
- Make CVE a communal concern and involve everyone in the society
- Government should change tact by letting the people own the amnesty process
- Provide victim services to those affected
- Victims should be involved in the implementation of the amnesty process
THANK YOU