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‘I am a Refugee in My Own Country’: Conflict-Induced Internal Displacement in Kenya



Acknowledgements

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Cover photo: IDPs camped in Kieni Forest, Thika District. (NRC, 4 June 2006)

Quotation in Title: IDMC interview, Member of Kieni IDP Committee, Thika District, Kenya, 4 June 2006.

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Map of Kenya



Source: United Nations, 2004

Summary

Internal displacement in Kenya is a complex and multi-faceted social problem that revolves around and reflects unresolved issues of land and property, as well as the struggle for the control of political and economic resources. These intricate and sensitive issues, manifested in ethnic conflict, violent cattle raids, and government evictions characterised by human rights abuses have displaced people throughout the country. While the different displacement situations are distinct, they share common trends, and any effort to address them requires a holistic understanding of the political history of Kenya as well as the socio-economic and cultural dynamics of affected communities.

Natural disasters, such as floods and drought, also cause displacement in Kenya, however this report focuses almost exclusively on conflict-induced displacement. While the work of humanitarian agencies and the government to address the situation of people displaced by natural disasters is indeed worth recognition, the overall response and information on conflict-induced IDPs is negligible compared to the response and information available on people displaced by the drought or floods. This difference in response and accessible information highlights the highly politicised nature in which conflict-induced displacement is viewed and presents the need for robust engagement from international and local institutions and organisations on the plight of conflict-induced IDPs.

Attempting to define or describe the profile of IDPs in Kenya is highly contentious. In May 2006, the UN estimated that various forms of conflict have displaced 431,153¹ people in Kenya, however this estimate should be treated with caution as it excludes recent displacement, and is partially based on a 2002 UN IDP survey which has not been updated. Nevertheless, research for this report reveals that due to a prevailing lack of security and protection for conflict-induced IDPs, the majority of IDPs are either unable or unwilling to return. This unwillingness to return is also due to the absence of a clear strategy to address the underlying causes of conflict. Moreover, with continued conflict and evictions taking place throughout the country, it is likely that the above figure holds a certain degree of accuracy and thus the various IDP situations in Kenya necessitate an immediate response from both the government and the international community.

To further complicate matters, in a number of relatively major displacement situations, different sources provide different estimates for the number of people affected, illustrating the lack of a sustained country-wide system to collect accurate and reliable information on conflict-induced IDPs.

Most of the attention and memory related to conflict and displacement focuses on events during Kenya's transition to multiparty politics in the 1990s. However, clashes along ethnic lines, largely a result of political infighting over resources and instigation by local politicians seeking to secure their positions, continues to cause displacement in the Rift Valley. Ethnic tensions have also been exacerbated by government-initiated evictions based on recommendations from the Ndung'u Report. The Report, issued in 2004, is a

¹ UNOCHA, Internal Report, May 2006, p.1.

product of a government commission initiated to investigate illegal and irregularly allocated public land. While many of the report's recommendations and findings are positive, most of them have not yet been implemented. The only tangible government reaction to the Ndung'u Report has been to carry out evictions in a manner which is contrary to the procedures detailed in the Report. The evictions have been politicised and carried out with violence and human rights abuses, and caused the forced displacement of thousands of people across Kenya.

Northern Kenya is a situation unto itself. The region, inhabited by pastoralists, continues to be marginalised and underdeveloped. Recurrent drought has resulted in inter-communal conflict over watering points and grazing areas, and with the proliferation of small arms in the Horn of Africa region, cattle rustling has become increasingly violent. Both the drought and conflict have caused migration into urban and peri-urban areas, yet the protection and assistance needs of those displaced by conflict often remain neglected as there is no sustained institutional mechanism to address needs of the conflict-affected population.

A virtual absence of actors addressing the root causes of internal displacement has protracted a number of specific IDP situations and left glaring assistance and protection needs unfulfilled. In Central Province, roughly 3,000 IDPs remain encamped in Kieni Forest and are denied their rights to adequate shelter and freedom of movement, and endure abuse from forest authorities. Classified as a "humanitarian crisis" by the Special Rapporteur on Adequate Housing in 2004, the conditions in Kieni Forest remain bleak despite the government's efforts to provide humanitarian assistance.

Pledges of attention and assistance to conflict-induced IDPs by the government have not yet yielded tangible benefits for the majority of IDPs. While a number of specific government initiatives on IDPs have been carried out, they are uncoordinated and illustrate a lack of political will to provide IDPs with protection and assistance. Moreover, the government's approach to IDPs is linked to land ownership – the government has attempted to determine "genuine" IDPs by requiring that they show proof of land ownership. Owning land is not a defining factor of displacement and thus should not be a prerequisite for being acknowledged as an IDP or qualifying for assistance. Overall, the government continues to lack an institutional framework to address conflict-induced displacement, and on many occasions the government has denied the existence of IDPs in Kenya.

The international response to conflict-induced IDPs closely follows the government response. Assistance is often only provided during emergencies, and is thus largely ad-hoc and inconsistent. An ongoing system to determine pockets of need does not exist. Despite the UN's commitment to address IDP issues, its response thus far has been largely fixated on people displaced by natural disasters. Like the government, the UN also lacks a system or focal point to respond to and address the needs of people displaced by conflict or human rights abuses, and a number of UN programmes on conflict and disaster make no reference to IDPs. Generally, all actors in Kenya evidenced a lack of knowledge on IDPs and their rights.

Considering the politicised nature of displacement in Kenya, and with the upcoming 2007 general elections, the possibility of increased violence and subsequent displacement is real and likely, evidencing the need for strong engagement to ensure that civilians are protected from arbitrary displacement and that IDPs are provided with protection and assistance. Kenya's long-term peace and security is at stake, failure to immediately address the IDP situation in a comprehensive manner raises the possibility for continued violence and prolonged conflict over land and property.

Key Recommendations

To the Government of Kenya:

- Recognise existing displaced populations in line with the UN Guiding Principles on Internal Displacement;
- Disassociate land-ownership from being recognised as an IDP and ensure that all IDPs are afforded equal protection and assistance;
- Support the collection of reliable and accurate data and information on IDPs throughout the country. While the government's IDP Task Force is positive step in the recognition of the existence of IDPs, as it used land ownership to determine the scope of displacement, its findings when released should not be viewed as comprehensive nor conclusive;
- As recommended by the Office of the President, develop a national policy on IDPs as a means to assign responsibility and provide guidelines to government authorities on the provision and coordination of ongoing protection and assistance to IDPs. The policy, based on the Guiding Principles, should seek to ensure a consistent and comprehensive government response to IDPs throughout the country;
- As required by Article 12 of the recently signed Pact on Security, Stability, and Development in the Great Lakes Region, implement the Guiding Principles into national legislation. In this process the government should draw upon the model IDP legislation developed as part of the International Conference on the Great Lakes Region;
- Establish a clear government focal point with a strong mandate to address IDP issues and advise and guide other government ministries on their responses to the protection and assistance needs of IDPs. The focal point should be provided with adequate resources and the necessary political will to respond to IDP situations in an effective manner;
- Continue to provide humanitarian assistance and protection to IDPs as long as needed, including vocational and small business training for youth groups as a means to combat idleness;
- Implement the Ndung'u Report's recommendations – including that the government should urgently recover public land acquired illegally for private gain and settle landless on alternative and appropriate land and provide mechanisms, such as a land tribunal and commission to formalise and clarify land ownership;

- Ensure the protection of civilians in armed conflict, as well as that civilians are protected from arbitrary displacement according to international humanitarian and human rights law;
- Provide sensitisation and training on IDPs and their rights to all levels of government representatives, including the central government, district officials and local representatives;
- Encourage and support programmes initiated by civil society and church groups for IDPs in conflict-affected areas;
- As a means to minimise conflict and resulting displacement, provide the adequate resources to develop northern Kenya on par with other areas of the country, including through the provision of basic infrastructure and ensure equal accessibility to services;
- Ensure that all IDPs are able to exercise their fundamental human rights, including rights to freedom of movement and employment;
- At the district and provincial level, ensure that displaced populations are provided with adequate protection through the deployment of increased numbers of civilian police, and ensure that they are held to the highest professional standard;
- Promote and enhance the work of district and provincial peace committees in an effort to reconcile disputes and provide long-term solutions to IDPs;
- Ensure that those who have committed human rights abuses and continue to perpetrate violence, including through arbitrary displacement, are brought to justice;
- Using the UN Guiding Principles as a framework, ensure that all IDPs are able to obtain a durable solution, including a safe and dignified voluntary return, resettlement to another part of the country, and the facilitation of reintegration.

To the United Nations:

- As recommended by the current UN Development Assistance Framework for Kenya, support the government to formulate a national policy on IDPs and ensure that relevant UN agencies and partners are made aware of IDPs and their needs as well as promote awareness on IDP issues;
- Ensure that current IDP-related UN programmes, such as programmes on conflict and disaster management include provisions to address IDP needs;
- Conduct a comprehensive IDP profiling exercise to determine IDP numbers and demographic characteristics, as well as protection and assistance needs;

- Develop a protection strategy and strategic action plan to guide the UN response to conflict-induced IDPs and assign sectoral responsibilities to different UN agencies;
- Considering the global commitments by UN agencies as part of the cluster process, UNHCR should make its expertise on refugee protection available to the UN Country Team as it develops its strategic action plan and protection strategy;
- Consider a stronger humanitarian presence in the country, through the appointment of a Humanitarian Coordinator and an expanded presence of the UN Office for the Coordination of Humanitarian Affairs (OCHA) in conflict-affected districts;
- Establish an internal displacement themed working group as means to coordinate response and assist in the development of a strategic action plan;
- Conduct trainings and sensitisations on IDP protection and the UN Guiding Principles on Internal Displacement for UN staff, the government, national and international NGOs;
- Consider the recruitment of a senior IDP advisor;
- Draw lessons from the UN's prior experience with IDPs in Kenya, and in particular the UNDP Displaced Persons Programme in Kenya;
- Ensure that the historical causes of displacement are adequately considered and addressed in any response strategy or plan;
- Support national authorities to develop mechanisms which ensure that government officials and local politicians who commit acts of violence or instigate conflict are brought to justice;
- Ensure the coordination of both the international and national response to conflict-induced IDPs, including the work of local NGOs;
- Support and strengthen the work of the Kenya National Commission on Human Rights to respond adequately and effectively to internal displacement;
- Through regular assessments, regularly report on conflict-induced displacement;
- Engage with the government at the highest levels on issues related to conflict-induced displacement;
- Identify mechanisms to engage, collaborate with and support local NGOs who are active on IDP issues, including the Kenya IDP Network;

- Ensure that drought-related food distribution to cover households affected by insecurity and conflict.

To donor governments:

- Continuously raise the issue of internal displacement with the government and encourage that the government fulfils its responsibilities for IDPs;
- Ensure that appropriate funding is made available to UN agencies and NGOs for responses to conflict-induced IDPs;
- Utilise leverage to ensure that the UN actively addresses the situation of conflict-induced IDPs;
- Use adherence to the Guiding Principles as a measure of good governance in Kenya.

To national institutions and Kenyan civil society:

- Ensure that actions taken on IDP issues are coordinated and represent the interests of IDPs throughout Kenya;
- Continue to conduct independent policy analysis of existing land issues as they relate to internal displacement in Kenya;
- Look for ways in which to support the development of a government policy on IDPs in Kenya;
- The National Human Rights Commission in Kenya should institute a programme on IDP issues and monitor compliance with the Guiding Principles;
- Enhance efforts of the National Network of Kenya IDPs, including through training and capacity building, to become independent and self-sustaining and ensure the Network is representative of all IDPs from throughout Kenya.

To international NGOs and the ICRC:

- Develop programmes which respond to the protection and assistance needs of IDPs in Kenya, through conducting needs assessments and mobilising the necessary resources;
- Continue to raise the issue of IDPs with relevant stakeholders, including the UN in Kenya and donors;

- Offer the relevant expertise, such as on shelter, education, and protection, to the overall international response to IDPs;
- Support and collaborate with local NGOs when addressing IDP issues;
- The International Committee on the Red Cross (ICRC) should continue to monitor conflict-induced displacement in Kenya and raise the profile of the issue with the government, donors, and UN officials;
- Considering its conflict-related mandate, the ICRC should consider a more robust presence in conflict-affected districts in Kenya, including the Rift Valley and northern Kenya. In deliberating on whether or not international humanitarian law applies in these situations, the ICRC should take into account that violence along ethnic lines has been ongoing in Kenya since independence and that violence continues to generate large-scale displacement.

1. Background to displacement in Kenya

State-sponsored ethnic violence

Internal displacement in Kenya is often traced to the onset of multi-party politics in the 1990s, though in some quarters it is linked to the effects of land alienation during colonial times. The Kenya African National Union (KANU), which ruled Kenya from independence in 1963 to 2002 as a de facto one-party state, is widely associated with instigating violence targeting sections of the population affiliated to or suspected of supporting opposition parties.² In particular, violence largely stemmed from a determination on behalf of KANU leaders to maintain a one-party political system of governance. As several politicians and church leaders made calls for an end to one-party rule and urged that term limits be imposed on the presidency, KANU leaders, notably from the Kalenjin and Maasi communities, responded with calls for “majimboism”, rule by ethnic majority according to region or “ethnic regionalism”.³ KANU politicians stated their intention to push through a Majimbo constitution, which would require all ‘outsiders’ in the Rift Valley to return to their “motherland”, according to a parliamentary committee which investigated ethnic clashes in 1992.⁴ Against this backdrop of political and ethnic instigation, KANU youth groups and Kalenjin-associated groups perpetuated a cycle of violence resulting in the displacement of thousands. IDPs were forced to sell their land and property below market value, others abandoned everything, while those with share-holding certificates in land-buying companies were thrown out and their plots redistributed. By early 1993, the ethnic clashes ended, with over 1,500 people killed⁵ and an estimated 300,000 displaced and dispossessed.⁶ IDPs had moved into displacement camps in church and school compounds, forests and in nearby towns, where they received humanitarian assistance from churches and mosques, local and international NGOs, the UN and the government.

While many local government leaders addressed public gatherings to warn citizens of potential violence, district officers who arrested perpetrators of violence were promptly transferred and the perpetrators released without being charged. In addition many local leaders were complicit in the violence that took place, and a number of these officials still hold government positions today.⁷ Research findings indicate that that many IDPs in the Rift Valley still fear returning home as those responsible for committing acts of violence in the 1990s continue to hold official positions of power and authority. Indeed, numerous IDPs expressed a continued lack of confidence in security authorities to provide protection upon

² Article 19, 1997; Kenya Human Rights Commission, 1998; Norwegian Institute of Human Rights, 1998.

³ Human Rights Watch, 1997, p. 22.

⁴ Government of Kenya, 1992, p. 8-9. The committee was officially named the Parliamentary Select Committee to Investigate Ethnic Clashes, referred to as the Kiliku Commission, appointed in 1992 by the National Assembly, referenced in Human Rights Watch, 1997, p. 22.

⁵ Kenya Human Rights Commission, 1998, p. i.

⁶ John Rogge Reports, UNDP, 1993/1994.

⁷ Klopp, 2006, p. 69.

return.⁸ As one staff member from a local human rights organisation stated, “some IDPs are ready to return but there is no security”.⁹

Local and international condemnation of the violence and displacement compelled the government to initiate a return and relocation programme for affected families. Through a donor-sponsored initiative coordinated by the United Nations Development Programme (UNDP), some displaced people were relocated to government-owned farms. However, the exercise was riddled with corruption and benefited only a small fraction of the intended beneficiaries.¹⁰ Moreover, the programme did not consider the possibility that some displaced persons would be unwilling or unable to return.

Multiple forced displacements

Despite resettlement programmes in place and international attention to clash victims, local government officials on a number of occasions forcibly dispersed IDPs to make them invisible to visiting diplomats, human rights groups and the media. Often lured with a promise of resettlement, IDPs, mainly of Kikuyu origin, were transported in government army trucks and abandoned in Central Province, their supposed “ancestral home”.¹¹ A second forcible displacement followed as the government tried to disperse IDPs in the locations where they had been dumped, virtually entrenching the invisibility of IDPs in southern Kenya. In one instance in December 1994, local police and KANU youth groups raided Maela camp which housed roughly 10,000 predominantly Kikuyu people, and without any warning the camp was razed and some 2,000 Kikuyus were transported to their ‘traditional home’ in Central Province where they were questioned about their ethnic identity. Those who were allowed to remain in Maela camp were left without shelter and humanitarian agencies were denied access by the government. Such acts alluded to a continuing government process of emptying the Rift Valley Province of certain ethnic groups.¹²

After the demolition of camps and dispersal of IDPs, structures that had been put in place to address IDP protection and assistance needs at the Office of the President were disbanded or assigned other duties.¹³ The government no longer recognised the existence and protection needs of IDPs, and despite widespread knowledge of the realities on the ground, IDPs were judged a “sensitive” issue and national and international NGOs, donors and the UN maintained a disciplined silence on the matter. This was largely because they did not wish to contradict the government’s position, while others argued IDPs were internal security issue that lay outside their mandate.¹⁴ Despite resource constraints, a number of organisations gave discreet assistance through church groups, such as the National Council

⁸ See Page 23 where this issue is discussed in detail.

⁹ IDMC interview, Kenya Human Rights Commission, Nairobi, 6 June 2006.

¹⁰ Human Rights Watch, 1997, p. 30-31.

¹¹ Ibid, p. 40.

¹² Human Rights Watch, 1997, p. 40.

¹³ UNDP, 2002, p. 47.

¹⁴ IDMC Interview, Member of Parliament, Subukia Constituency (hosting over 2000 displaced households), Nairobi, August 29, 2006.

of Churches of Kenya (NCKK) and the Catholic Diocese of Nakuru (CDN), which continue to provide humanitarian assistance to IDPs in the Rift Valley today.

Over the last 15 years, IDPs in the Rift Valley have gradually scattered in search of livelihood opportunities in urban and peri-urban settings or the countryside far away from their former homes. This has not only made them less visible and reduced their chances of receiving assistance, but also reinforced a perception that there are no IDPs in Kenya.

After clashes erupted again in 1997 prior to the general elections, the then President of Kenya, Daniel Arap Moi, appointed a Judicial Commission of Inquiry to Investigate Ethnic Clashes in All Parts of Kenya, commonly known as the Akiwumi Commission. The Commission found that violence was triggered by unaddressed land ownership issues dating back to the colonial administration, which pitted pastoral groups such as the Maasai and Kalenjin ousted from the fertile 'White Highlands' of the Rift Valley by British settlers, against agricultural groups, mainly Kikuyu, Luo and Luhya, who came to occupy the land after independence. The Akiwumi Commission recommended that those who had been displaced during the clashes be identified and assisted to resettle back on their farms, "with appropriate security arrangements made for their peaceful stay thereon".¹⁵

Similarly, in 2003 a parliamentary motion narrowly passed on "assistance to the ethnic clash victims", with most KANU MPs, who at the time were members of the opposition, vowing to resist its implementation. During the debate, the minister of state, Office of the Vice-President and Ministry of National Reconstruction, said the government would form an implementation committee to identify "genuine" victims¹⁶, establish the status of the land from where victims were expelled, study all reports on ethnic clashes and ask the Ministry of Lands to identify land for settlement of victims who are too traumatised to return to their stolen lands.¹⁷ Like many of the above recommendations, the establishment of such a committee appears to have foundered, as no information on the committee's composition or mandate has ever been made public.¹⁸

Displacement continues under NARC government

In 2002, the National Rainbow Coalition (NARC), a coalition of a dozen political parties defeated KANU in general elections and now holds the majority in Parliament. The current president of Kenya, Mwai Kibaki is also a member of NARC and with his election and the consolidation of the NARC in government, IDPs and their advocates had high hopes that displaced persons would be compensated or allowed to return home.¹⁹ In fact, the NARC Manifesto promises to implement the recommendations of the Akiwumi Report,²⁰ which as noted above includes a recommendation to resettle and assist those displaced dur-

¹⁵ Government of Kenya, 1999, p. 285.

¹⁶ The notion of 'genuine victims' is highly problematic and is discussed in detail on page 40.

¹⁷ Klopp, 2006, p. 71.

¹⁸ Daily Nation, 16 January 2005.

¹⁹ Refugee Consortium of Kenya, 2005, p. 3; Klopp, 2006, p. 69.

²⁰ NARC Manifesto, 2003; IDMC interview, Kenya Human Rights Commission, Nairobi, 6 June 2006.

ing clashes. Unfortunately, and as will be discussed further below under national response, while the NARC government has made some efforts to address the IDP situation, a comprehensive response focusing on durable solutions for IDPs is still lacking.

In addition, under the NARC government ethnic clashes in the Rift Valley and elsewhere have continued, and thousands of Kenyans displaced during the 1990s throughout the country remain unable to return. Government-sponsored evictions have also aggravated ethnic tensions and in one area, the Mau Forest, led to the displacement of roughly 15,000 people.²¹ The evictions follow recommendations made by what is commonly known as the Ndung'u Report, released by a presidential commission tasked to analyse illegal land allocations in the country. While many in Kenyan civil society agree that the Ndung'u Report's recommendations should be implemented, especially in regards to protecting water catchment and environmental protection areas, the evictions taken place thus far have not adhered to the report's recommendations, and have been characterised by violence, forced displacement, and other human rights abuses. As will be elaborated upon in section II, the Ndung'u Report has been used to further political ambitions and on the way incited tensions and violence between communities. The continuation and escalation of such events, compounded by the many IDPs who have been unable to return, has protracted the situation of IDPs in the country and evidenced the need for a comprehensive response which addresses the root causes of violence, and which is based on the UN Guiding Principles on Internal Displacement.

Drought, Conflict and Neglect in northern Kenya

Northern Kenya, a predominantly arid and semi-arid region, also has a history of conflict and internal displacement. Inhabited by pastoral communities, the region has been marginalised by the government largely due to its perceived lack of economic potential as well as a deficient understanding on how to support and promote nomadic pastoralism as a viable and sustainable livelihood.²² The region is further characterised by chronic drought; at the height of the drought in 2005, 3.5 million people received food aid and of those 2.4 million continue to receive food assistance in 2006.²³ The drought has caused various groups and clans to move with their animals away from their traditional grazing land in search of water and pasture, and such movement has yielded numerous violent inter-communal conflicts and subsequent displacement. Resource-based dynamics within pastoral communities continue to underlie conflict and displacement in northern Kenya.²⁴ The legacy of 'empty space' and benign neglect which dates back to the colonial period has left a residual attitude of neglect for pastoralists, manifested in limited investment in developing the region

²¹ UNOCHA, May 2006, p. 6. The situation in Mau Forest is described in detail below.

²² Government of Kenya, September 2005, p. 4.

²³ Kenya Food Security Steering Group, September 2006, p. 1.

²⁴ For instance, the creation of administrative boundaries brings communities into increased competition with each other for shared resources such as water and pasture regardless of their traditional claims and customary practices.

and unequal economic opportunities for pastoralists, their products as well as inadequate access to livelihood opportunities.²⁵

While the majority of territory in Kenya, roughly 75 per cent, is classified as arid or semi-arid land, in these areas almost all of the population lives below the poverty line, infant mortality is twice the national average, school attendance is low and literacy is estimated at below 20 per cent compared to 60 per cent nationally.²⁶ Geographically, populations living in arid areas are far from commercial centres and access is hindered by poor roads and infrastructure.²⁷ The provision of basic services is generally inadequate in northern Kenya, including a low presence of police, and thus when conflict does erupt those affected are largely left to fend for themselves.²⁸ Just like in the Rift Valley, the role of local government officials in northern Kenya in instigating conflict for political and financial gain was highlighted by many as a key issue in addressing the situation.²⁹

Northern Kenya also borders highly unstable states, including Somalia, Sudan, Ethiopia and Uganda, and the borders with these countries are porous, if they can be said to exist at all. The regional dimensions of conflict, and in particular the ease in which groups and arms cross borders has increased the incidences and severity of conflict in Kenya and led to a commercialisation of cattle raiding and cattle rustling.³⁰ The loss of entire herds of cattle to cattle rustling and/or drought has contributed to the impoverishment of pastoral communities and their migration to urban and peri-urban centres.³¹ While an in-depth analysis of conflict in northern Kenya is outside the scope of this report,³² as will be illustrated in Section 4 the nexus between those who have 'dropped-out'³³ of pastoral livelihoods and migrated to urban centres and those displaced by conflict is an area that requires further research and possible humanitarian response. Similar to the situation of Kenyans displaced by ethnic clashes in the Rift Valley, a sustained and comprehensive response to conflict-induced IDPs in the north continues to be lacking.

²⁵ IDMC interviews, representatives of international community, Nairobi, 1 June 2006.

²⁶ World Bank, October 2005, p. 1.

²⁷ Ibid; IDMC interviews, representatives of international community, Nairobi, 1 June 2006.

²⁸ IDMC interviews, representatives of international community, Nairobi, 1 June 2006.

²⁹ IDMC interviews, UN officials, Nairobi, 6 June 2006; IDMC interviews, representatives of international community, Nairobi, 1 June 2006.

³⁰ SNV, 2002, p. 8-9. Throughout the course of research the proliferation of small arms was highlighted by many as a significant factor contributing to increasing levels of armed violence in northern Kenya.

³¹ IDMC interview, World Food Programme Nairobi, 13 June 2006; IDMC interview, Practical Action, Nairobi, 1 June 2006; IDMC interview, Secretariat, Provincial Administration and National Security, Office of the President, Government of Kenya, Nairobi, 6 June 2006.

³² For further analysis on this issue see *Conflict in Northern Kenya: A Focus on the Internally Displaced Conflict Victims in Northern Kenya*, Practical Action (formerly Intermediate Technology Development Group), October 2003.

³³ IDMC Interview, World Food Programme, Nairobi, 13 June 2006. 'Drop-Out' is currently a term used to denote those who have 'dropped-out' of pastoral livelihood due to the drought. For further information see, Kenya Food Security Steering Group, September 2006, p. 9.

2. Continued conflict and displacement in the Rift Valley

Currently, violent clashes continue to take place between different ethnic groups in and around the Rift Valley. The lack of a comprehensive mechanism to assess the protection and assistance needs of IDPs has made obtaining accurate information extremely difficult, if not impossible. Reports on displacement are sporadic, lack accurate data, and are often based on second hand information.³⁴ The Rift Valley also contains large numbers of people displaced in the 1990s who are either unwilling or unable to return. In 2002, it was estimated that Nakuru District, headquarters of the Rift Valley Province, hosts approximately 10,000 displaced households,³⁵ and the current status of these people remains unclear. As violence along ethnic lines has continued to cause displacement, and as will be illustrated below the lack of adequate security and protection continues to impede return, it is likely that IDPs recorded in 2002 remain displaced. The number of IDPs in the Rift Valley has also risen due to government evictions as a result of the recommendations from the Ndung'u Report. A comprehensive number of those displaced by evictions does not currently exist, and the estimates that do exist are based on specific instances of eviction in specific areas and vary greatly.

Ndung'u Report: Violent evictions exacerbate tension and cause displacement

Tensions related to ethnicity in the Rift Valley have been heightened by evictions which have led to long-term displacement. The evictions, carried out by the government as a means to implement recommendations of the Report of the Commission of Inquiry into the Illegal/Irregular Allocation of Public Land,³⁶ have been characterised by violence, human rights abuses and resulted in large numbers of Kenyans displaced in areas located throughout the country.³⁷ In the case of Likia which is described below, the Commission's findings have also escalated tensions resulting in communities themselves resorting to violence.

The Commission's final report, known as the 'Ndung'u' Report', was released to the public several months after it was completed in December 2004,³⁸ and recommended the formation of an Advisory Task Force to oversee implementation of the recommendations in the report, in particular that the government should repossess all illegally allocated land.

³⁴ For example, on 9 November IRIN reported the displacement of some 1600 people in the Rift Valley due to clashes. The location of the displacement was not identified, nor were the humanitarian needs, IRIN, 9 November 2006.

³⁵ UNDP, 2002, p. 27.

³⁶ The Commission was appointed to inquire about the allocation of land, and in particular to inquire into the allocation of public lands or those dedicated or reserved for public purposes to individuals or corporations. The commission also aimed to identify persons to whom such land was allocated, who allocated the land, and to recommend legal and administrative measures to be taken for the restoration of such lands to their proper title of purpose, Government of Kenya, June 2004, p. XVII.

³⁷ UNOCHA reports that evictions as a result of the N'dungu Report have taken place in Likia, Mau Forest, Mt. Elgon Forest, Mt. Kenya Forest and Eastern Mau Forest. Evictions have also taken place in the Sururu Forest in the Rift Valley, Balozzi Estate (Nairobi) and Timau, UNOCHA, May 2006, p. 16.

³⁸ Civil society groups and religious organisations applied concerted pressure in securing the public release of the report, see Kenya Land Alliance, July 2005, p. 4 and Kenya Human Rights Commission, October 2005.

Most importantly, the Ndung'u report highlights that there are more than 200,000 "illegal and irregular title deeds" in the country and to expedite the process of reviewing these deeds that a Land Title Tribunal be established as a first step in the revocation and recertification process.³⁹ The report also suggests that land be depoliticised by divesting allocation powers from the President and into a Land Commission.⁴⁰ Many in Kenya view the Ndung'u Report and its recommendations as potentially effective measures to permanently deal with the land allocation problem and to ensure that in the future, land allocation is cushioned against political patronage.⁴¹ Resolving how land is allocated is particularly important to ensuring that IDPs in Kenya are able to obtain durable solutions, as the majority of IDPs in southern Kenya have been displaced from their land and see owning land as means to ensuring successful and sustainable livelihoods.

Thus far, the only visible government action in response to the release of the Ndung'u Report has been the forced eviction and resulting displacement of people from forest land, a move that has been widely criticised as insensitive as it has targeted victims of previous displacement without providing compensation or alternative settlements.⁴² The evictions and displacement which have taken place are especially concerning as the Ndung'u Report explicitly notes that "where the land in question is a water catchment area or a fragile ecosystem, the Government should urgently settle the landless on alternative and appropriate land."⁴³ While the government has promised IDPs that they will be resettled once large parcels of land identified in the Ndung'u Report are repossessed and made available,⁴⁴ only a small fraction of resettlement has actually occurred.⁴⁵ Of further concern is that most of the people displaced through eviction had bought land, and followed procedures for purchase provided by the Ministry of Lands and were even issued with title deeds, not knowing their purchase would later be classified as illegitimate. For some victims, evictions constituted repeated displacement and dispossession of land.⁴⁶

Many, if not most of the more progressive Ndung'u recommendations, such as the establishment of a Land Titles Tribunal and National Land Commission, have yet to be implemented by the government. This is not surprising; to a certain extent the Ndung'u Report has already been discredited. When the report was released, the Minister of Lands at the time questioned if those named in the report as grabbing land had actually grabbed land. Further, many of the prominent politicians adversely mentioned in the report roundly dismissed the report as bogus, and some went to court to stop the implementation of its rec-

³⁹ Government of Kenya, June 2004, p. 67 & 175.

⁴⁰ Ibid, p. 189.

⁴¹ IDMC interview, Kenya Land Alliance, Nakuru, 6 June 2006; IDMC interview, Refugee Consortium of Kenya, Nairobi, 5 June 2006.

⁴² Ibid; IRIN 5 October 2006.

⁴³ Government of Kenya, June 2004, p. 175.

⁴⁴ IDMC interview, IDP Network Committee, Nakuru, 5 June 2006; IDMC interview, Kenya Human Rights Commission, Nairobi, 11 June 2006; IDMC interview, Director of Adjudication and Settlement, Ministry of Lands and Housing, Nairobi, 11 June 2006.

⁴⁵ See page 25 where resettlement is discussed in detail.

⁴⁶ IDMC interview, Kenya Land Alliance, Nakuru, 6 June 2006; IDMC interviews, IDPS, Likia Extension, 7 June 2006.

ommendations.⁴⁷ These doubts implied the commission had not carried out exhaustive, nor neutral, investigations.

As many powerful government ministers and supporters of the current government are named in the Ndung'u Report, there is widespread scepticism that its recommendations will never be implemented.⁴⁸ As has been the fate with other bills that do not meet the favour of certain members of parliament, the government may delay tabling the amendments to relevant land bills as recommended by the Ndung'u Report.⁴⁹ Due to upcoming general elections in 2007, it is unlikely the government is keen to question its supporters on such politically sensitive issues, and in this context the government may slow down or deflate the implementation of the report.

Conflict in Likia

Within the Rift Valley Province, Likia sub-location of Mauche Division in Nakuru District, as well as the four neighbouring divisions of Lare, Njoro, NDEFFO and Mau Narok have experienced sporadic skirmishes since 1992. The bitter relationship between members of the Kikuyu and Kalenjin ethnic communities is often expressed in killings, burning of homes and fields, and threats of violence. Open hostility, attacks and revenge characterise the relationship between the two groups, and minor inter-personal quarrels often degenerate into bloody ethnic clashes.

The situation in Likia escalated in February 2006 due to a dispute over forest land. Known as Likia Extension, land measuring 1,605 acres was excised from the Likia forest, a water catchment area, and allocated to 318 Kalenjin families in mid-1997. According to Kikuyu respondents, the beneficiaries were 'brought' into the area in 1997 to influence the outcome of the general elections that year.⁵⁰ Many were absentee landlords and did not develop their plots; rather, they allowed their relatives to cultivate the land.⁵¹ The Kikuyu felt that as the original inhabitants of the region, they had as much right of access to the forest as the Kalenjin, and as such began cultivation in the forest. Landless people who had fled clashes in other parts of the Rift Valley in 1992 also moved into the area, encroaching further into the forest.

In effect, large parts of the forest were destroyed. In 2003, the then Minister for Lands, Amos Kimunya, at a public meeting allegedly announced that Likia was part of Mau Forest and all parties, including the 318 allottees, should keep off.⁵² However, the government did not take further steps to repossess the land, and encroachment continued. With the Ndung'u Report now published and subsequent evictions occurring throughout the coun-

⁴⁷ Daily Nation, 12 December 2004.

⁴⁸ IDMC interview, Gitonga Kamiti, Nairobi, 24 June 2006; see also, Daily Nation, 12 May 2004.

⁴⁹ For instance, a Land Titles Tribunal must be approved by Parliament.

⁵⁰ IDMC interviews, IDPs, Likia sub-location, Nakuru District, 8 June 2006.

⁵¹ Ibid.

⁵² IDMC interviews, IDPs, Nakuru town, Likia and NDEFFO, 6-8 June 2006.

try,⁵³ tensions increased. In early 2006, the 318 allottees, the majority of which are of Kalenjin origin, feared that increased encroachment might result in revocation of their titles, and thus began to forcibly evict the “intruders”, mostly Kikuyu. This sparked inter-ethnic violence that quickly spread to Lare, Njoro, NDEFFO, Mauche and Mau Narok; the violence that took place was reminiscent of the 1992 clashes.⁵⁴ By the time government soldiers moved in to evict all parties from forest land in February and March 2006, it was too late. According to the Kenya Red Cross, 1,500 families had been displaced or otherwise affected by the clashes,⁵⁵ while OCHA reported 300 people displaced.⁵⁶ The violence also claimed ten lives, and at least 235 houses and other structures were destroyed.⁵⁷

Upon visiting Likia, the NRC/IDMC research team found that intolerance had reached new heights, as respondents expressed strong sentiments that either community, the Kikuyu or Kalenjin, should be resettled elsewhere as living peacefully as neighbours had become impossible. One respondent stated, with frustration:

“We are ready to move! These people do not want peace, so either they move, or we move. We have had many peace and reconciliation meetings, but look what they have done to my house. They did it in 1992, I reconstructed. They did it again in 1994, I forgave them. Now they have done it again. What do you want me to do? I can’t keep rebuilding my house and talking about peace. What is peace? I say they should be removed from here or we be resettled somewhere else!”⁵⁸

The level of animosity between the Kalenjin and Kikuyu is clearly evident. The incident in Likia also illustrates that communities have lost confidence in local authorities in initiating peace and reconciliation activities, to the extent that residents took matters into their own hands, with the end result being violence and displacement.⁵⁹ The potential for further conflict also exists in Likia as the Ndung’u Report explicitly notes cases of double and even triple allocation of land in Likia,⁶⁰ and a process to legally verify these claims does yet exist.

⁵³ Note 37 lists areas where evictions are known to have taken place.

⁵⁴ IDMC interviews, IDPs, Nakuru town, Likia and NDEFFO, 6-8 June 2006.

⁵⁵ Kenya Red Cross, 17 February 2006, p. 1.

⁵⁶ UNOCHA, May 2006, p. 7.

⁵⁷ Ibid.

⁵⁸ IDMC interview, primary school teacher outside his partially burnt house in NDEFFO, Nakuru, 11 June 2006. Six other respondents at the same location expressed deep frustration with recurrent clashes and associated losses.

⁵⁹ Report on the Likia Conflict by the Religious Leaders of Nakuru, to H.E. the President, 27 February 2006.

⁶⁰ Government of Kenya, June 2004, p. 155. In regards to Likia Forest, the Ndung’u Report also notes: “interestingly, most allottees share the same postal addresses.”

Mau Forest evictions

In June 2005, government evictions took place in the Maasai Mau Forest, located in the Mau Forest Complex, Narok District, Rift Valley Province. Due to concern over the preservation of forests, a process of emptying the forest of human settlements had begun years earlier. With the release of the Ndung'u Report, the process quickened and resulted in government-led evictions which subsequently displaced between 15,000⁶¹ and 30,000 people.⁶² The displaced were left with no access to food, shelter, sanitation facilities or education. Physical infrastructure was also destroyed, including 5,000 houses, school buildings and granaries. Due to the closure of schools and the displacement of families to other areas 3,000 children had their learning disrupted.⁶³ Allegations of rape and theft of harvest by evicting officers was reported when the evictions took place, and as in Likia, powerful local officials were cited as key in allocating land to those who had been evicted from Mau Forest. The brutality in which the evictions were carried out led to the suicide of three people, and one man suffered a heart attack when his school was torched.⁶⁴

While the environmental concerns regarding the depletion of the forest are considered to be valid,⁶⁵ the legality of the evictions remains in question. One report indicates the evictees held valid legal titles to their plots,⁶⁶ and another report notes that a number of those affected by the evictions admitted that their land claims were acquired through fraudulent means.⁶⁷ Regardless, the Ndung'u Report rightly recommends that all titles issued on forestland without following proper procedures should be revoked, however, the process of title revocation requires a titles tribunal, and at the time of writing such a tribunal has not been established.⁶⁸

In addition, the extent to which adequate warning was provided to those living in the Mau Forest regarding the impending evictions remains unclear. Providing notice to communities was apparently tasked to local churches, however local politicians stepped in "to confuse the people and make a mockery of the notice".⁶⁹ Just like in Likia, the evictions in the Mau forest also maintained an ethnic component, with the Kipsigis people, a pastoralist sub-group of the Kalenjins, bearing the brunt of the evictions. After the evictions, the members of the Maasai group in Narok were seen protesting with placards that demanded the Kipsigis return "home".⁷⁰ The Ogiek people have also been especially affected by evic-

⁶¹ UNOCHA estimates that over 3,000 families (15,000 persons) have been evicted and displaced in the Mau Forest area of the Rift Valley, UNOCHA, May 2006, p. 6.

⁶² Kenya Land Alliance, July 2005, p. 10.

⁶³ UNOCHA, May 2006, p. 6.

⁶⁴ *Ibid.*, p. 8, 11.

⁶⁵ The government, civil society groups and the United Nations Environmental Programme have highlighted pressing environmental concerns regarding the encroachment of Mau Forest. See Kenya Land Alliance, July 2005, p. 11-12, and IRIN, 05 October 2005.

⁶⁶ UNOCHA, May 2006, p. 6.

⁶⁷ Kenya Land Alliance, July 2005, p. 11.

⁶⁸ Kenya Land Alliance, July 2005, p. 11, 13.

⁶⁹ *Ibid.*, p. 11.

⁷⁰ *Ibid.*

tions. Traditionally hunters and gatherers, with their ancestral land located within Mau Forest, the Ogiek have endured repeated eviction since colonialism. The government has argued that the Ogiek have encroached on forest land, yet at the same time the government has allowed logging to take place within the forest.⁷¹ Competition for political supremacy between local political leaders was also noted as a significant factor in instigating the evictions.⁷²

Due to time constraints, the NRC/IDMC research team was unable to visit Mau Forest, and thus the many issues referred to above require further research and investigation. Considering the high number of displaced reported as a result of the evictions, a humanitarian needs assessment should be conducted immediately.

Lack of security

In both Likia and the Maasai Mau Forest, the violent evictions resulted in human rights abuses and the destruction of property, both of which were carried out with impunity. In addition, the evictions not only resulted in displacement but also led to increased tensions in surrounding areas. In areas located near Likia, the NRC/IDMC team interviewed a number of displaced who, due to security concerns, slept in towns or in neighbours houses and then returned home to cultivate their fields during the day.⁷³ Interviewees alleged that police officers posted to the area provided ineffective security due to a lack of ammunition, and held biases against their community. The number of police officers deployed was also found to be inadequate, and their role is further undermined by a lack of transport and food.⁷⁴ IDPs also alleged that police deployed were often inebriated and that they hardly made any arrests or follow-ups on security incidents.⁷⁵ On one afternoon, the NRC/IDMC team itself observed an inebriated contingent of police officers in the area, highlighting the lack of adequate security and protection and further evidencing the need for professional security forces able to build confidence with local communities.

The lack of security was further demonstrated when the NRC/IDMC team visited one Kikuyu compound which had been partially destroyed, allegedly by Kalenjins. While an in-depth analysis of the relationship and history between the Kalenjins and Kikuyu is outside the scope of this paper, in an effort to ease tensions there is an immediate need to enhance and support existing peace and reconciliation efforts.⁷⁶

⁷¹ Ibid, p. 7; UN Commission on Human Rights, 2004, p. 17. Kenya's Forest Act prohibits cutting, grazing and removal of forest produce, except with permission from the director of forestry, and permission can only be given with the object of conserving natural flora and amenities within the reserve. Despite this law, upon visiting Mau Forest in February 2004, the Special Rapporteur on the Right to Housing, Miloon Kothari, witnessed "extensive logging". Hence there is a need to further investigate the relationship between commercial interests and the evictions which have taken place in Mau Forest.

⁷² Kenya Land Alliance, July 2005, p. 11.

⁷³ IDMC interviews, IDPs, NDEFFO, Nakuru district, 8 June 2006.

⁷⁴ Report on the Likia Conflict by the Religious Leaders, Nakuru, to H.E. the President, 27 February 2006.

⁷⁵ Ibid.

⁷⁶ For example, the National Council of Churches of Kenya (NCCCK) maintains a conflict management and peace building programme in Nakuru.



Property destroyed by ethnic violence, NDEFFO, near Likia, Nakuru District (NRC, 8 June 2006).

Following the Maasai Mau Forest evictions, the government identified 282 plots in Nakuru District where evictees would be resettled. The government also noted that more land was being identified for “bona fide” evictees.⁷⁷ According to a local government official in Nakuru district, resettlement land is also being identified for those displaced by violence in Likia.⁷⁸ However, it remains unclear who will actually benefit from the resettlement plans. Throughout the course of research, government officials at national and local levels maintained their commitment to resettle “genuine” IDPs. Due to the 1990 clashes which left hundreds of thousands of Kenyans without land, the allotment of land through resettlement is compensation which many Kenyans feel they deserve. Government officials are thus conscious of possible exploitation and manipulation of resettlement schemes, as it is alleged that all landless persons claim to be victims of clashes, and there is not enough land to provide resettlement to the thousands of squatters that exist in the country.⁷⁹ With the

⁷⁷ IRIN, 5 October 2005.

⁷⁸ IDMC interview, government official, Nakuru District, 7 June 2006.

⁷⁹ IDMC interview, Director of Land Adjudication and Settlement, Ministry of Lands, 7 June 2006. Since the NARC government took over, 232,225 squatter families have been settled in 443 settlement schemes in both rural and urban settings. The process has been constrained due to the high cost of land and political interference. In addition, when settlements are established, at least four ministries are directly involved – Lands,

existing land allocation problems, mainly the fact that a lands tribunal or commission does not yet exist, defining "genuine-ness" will be extremely difficult, and controversial. Illustrating this, one local government official in Nakuru stated, "some people always sneak in and disguise themselves as IDPs when they are not".⁸⁰

As will be further discussed under national response, the process in which the government goes about identifying genuine IDPs is cause for alarm. If an individual is displaced due to conflict, situations of generalised violence, violations of human rights or natural or human-made disasters, according to the UN Guiding Principles on Internal Displacement that person is an internally displaced person.⁸¹ Owning land, whether through legal or illegal means, is not a defining factor of displacement, and thus the government is obligated by the Guiding Principles to provide protection, ensure security and non-discrimination for all IDPs on its territory in all stages of displacement. While many IDPs in Kenya may have obtained land illegally or are currently residing on illegally allocated land, if they were displaced they are IDPs and the government must recognise this and provide an appropriate response as needed.

Resettlement

Resettlement has been previously used by the government, the UN and NGOs as a means of assisting IDPs, with limited success. As noted above, after the 1990 clashes the resettlement that took place only benefited a small number of the displaced, and the exercise was characterised as corrupt, inefficient, and in a number of instances government authorities used resettlement as means to displace people and infringe on the rights of IDPs.⁸²

Resettlement programmes implemented by NGOs, such as the National Council of Churches and the Catholic Justice and Peace Commission, have also experienced problems. Land transfer procedures are slow, and often resettlement is based on credit scheme programmes where IDPs are obliged to over time pay back the relevant NGO for the funds used to purchase their plots. However due to poor crop yields, harvests are only enough for domestic consumption, leaving little if any surplus. Resettlement programmes are also expensive, and require that NGOs have the funds to maintain assistance in resettlement areas. Resettlement was also originally envisaged as a temporary solution, and as the larger issues of land ownership, security, and justice of perpetrators of violence have yet to be nationally dealt with, NGOs will continue to need support for their resettlement programmes.⁸³ Generally, the resettlement that has taken place thus far has been ineffective and ad hoc. As one local NGO states:

Water, the Office of the President (provincial administration) and Public Works, and hence the process lacks ministerial engagement and coordination.

⁸⁰ Ibid.

⁸¹ Guiding Principles on Internal Displacement, Introduction.

⁸² See p. 14 where resettlement in the 1990s is elaborated upon.

⁸³ UNDP, December 2002, p. 43.

“No serious efforts aimed at resettling the displaced have been made by the Government. Failure to resettle the displaced will send a dangerous message to the people regarding the sanctity of title in the country. It could also serve as a precedent for politically instigated ethnic evictions in other parts of the country. The potential for civil war cannot be ruled out if such phenomena were to spread countrywide.”⁸⁴

Throughout the course of research, most if not all IDPs interviewed in southern Kenya expressed their wish for resettlement. However, considering the turbulent history of resettlement in Kenya, any further plans for resettlement should be approached with caution and provisions should be made to ensure that the process cannot be manipulated for political benefit. In addition, resettlement cannot be used to prevent the return of certain groups to their areas of origin, in particular if their land has been occupied by others. In a number of prior instances, the government has done just this – the incident in Maela camp noted above is just one example of where resettlement led to the scattering of IDPs in their supposed “home area”. The incident not only contributed to the invisibility of IDPs in Kenya but also further inhibited any targeted assistance or return mechanism for those affected.

Thus any future resettlement plans should draw upon the Guiding Principles as a guide. The Principles urge that authorities ensure the full participation of IDPs in the planning of their return or resettlement and that return to areas of habitual residence, or voluntary resettlement to another part of the country, are conducted in safety and with dignity.⁸⁵

Land and displacement

The issue of land is one of the most politically sensitive in Kenya, and while it is also one of the most pressing social issues, it has been “swept under the carpet” by the government.⁸⁶ In many ways, the problem of IDPs in Kenya is a reflection of broader issues of land ownership.⁸⁷ In reality, the government may not be able to provide the entire IDP population with land. Yet even when resources are limited, according to the Guiding Principles the state has an unequivocal responsibility to ensure equal access to assistance and protection to all IDPs without discrimination.⁸⁸

The government has made a number of attempts to regularise and normalise land allocations and ownership, through the Ndung’u Report (despite its lack of implementation), as well as through a land policy, which is still in draft form and has yet to be tabled before Parliament.⁸⁹ The draft land policy makes no explicit reference to IDPs, however it does

⁸⁴ Kenya Land Alliance, 2004, p. 9.

⁸⁵ UN Guiding Principles on Internal Displacement, Principle 28 and 29.

⁸⁶ IDMC interview, UN official, Nairobi, 1 June 2006.

⁸⁷ IDMC interview, Refugee Consortium of Kenya, Nairobi, 7 June 2006.

⁸⁸ Guiding Principles on Internal Displacement, Principle 4.

⁸⁹ The draft policy was adopted by the Cabinet in August 2006, and in October, the Ministry of Lands and Housing released the policy to the public for debate. A national stakeholder forum on the policy will be held, after which it will be redrafted taking into account public input, and then is expected to be tabled before Par-

note the need for a resolution of historical injustices related to land grievances which date back to colonial land policies and resulted in the mass disinheritance of communities of their land. The policy requires the government to establish suitable mechanisms for restitution, reparation and compensation of historical injustices. The policy further requires the identification of vulnerable groups, through a determination process, to facilitate redistribution of land and resettlement.⁹⁰

As the process of land formalisation continues in Kenya, the government has an ongoing responsibility to ensure access to protection and assistance for IDPs, where ever they are located.⁹¹ Further research is also needed on the relationship between IDPs and Kenya's large squatter population, as the government has resettled squatters on a number of occasions.⁹² IDPs and squatters may overlap, as if squatters were forced to live on illegal land due displacement, they are IDPs.

While resettlement may be an ultimate goal, the Guiding Principles note that all displaced persons have the right to an adequate standard of living, and that IDPs should be provided with, at a minimum, essential food and potable water, basic shelter and housing, appropriate clothing and essential medical services.⁹³ Thus while plans for resettlement in Kenya are ongoing, the government has an obligation to ensure the protection and assistance needs of IDPs are met.

3. IDPs in Kieni Forest

Huruma village, located in Kieni Forest in Thika District, Central Province, is roughly 64 kilometres from Nairobi, and hosts 520 IDP households, comprising roughly 3,000 IDPs. These IDPs have borne the brunt of both government evictions and ethnic clashes. During the KANU period, many landless people were allowed to cultivate crops in the forest while taking care of the trees, a practice popularly referred to as the 'shamba' system. As a result, thousands of people settled in forests, including civil servants working for the Forest Department. Owing to environmental concerns due to tree-felling for charcoal burning and increased forest encroachment due to the expansion of farms, in 1988 the government abolished the shamba system, demolished all settlements and evicted the remaining squatters. Many of the forest inhabitants from Kieni Forest moved to parts of the Rift Valley, where they again were displaced during the clashes in 1992-1993 as they belonged to communities associated with opposition parties. Knowing no other home, they found their way back

liament for adoption in January 2007, email correspondence, Deputy Co-Ordinator, Kenya Land Alliance, 28 November 2006.

⁹⁰ Government of Kenya, Ministry of Lands and Housing, *Draft National Land Policy*, p. 42 -43.

⁹¹ UN Guiding Principles on Internal Displacement, Section III. In particular, Principle 14 notes that every IDP has the right to liberty of movement and freedom to choose his or her residence.

⁹² Also see note 79 where resettlement of squatters is discussed.

⁹³ UN Guiding Principles on Internal Displacement, Principle 16.

to Kieni, where in 1994 they were again allowed by the Forest Department to cultivate and live in the forest.⁹⁴

In 2001, due to over-exploitation of forest resources, the former government issued a seven-day eviction notice to the residents of Kieni Forest. As a result, Kieni residents from neighbouring communities returned home, while others moved away to unknown locations. However the majority of Kieni residents had no home to return to – most never owned land, nor did their families as their parents had lived on forest land. Thus many Kieni residents were subject to eviction, and with no place to go camped along a nearby, well-travelled, roadside. Some defied the eviction order and remained in the forest hiding in caves and erected polythene structures at night for shelter. In May 2001, forest guards found those still remaining in the forest, and after reportedly beating them they were evicted and joined those camped alongside the road.⁹⁵

The presence of the IDPs on the roadside drew media attention and public condemnation, and despite an attempt by the district forest officer to yet again displace the group of IDPs, additional local government officials became involved and a registration process began. As a result, in August 2001, 520 families were returned to Kieni Forest and were told they would receive plots measuring 100 x 100 feet. They were also told this measure was temporary and that they would be granted resettlement “soon”. After the defeat of KANU in 2002, the new assistant Minister for Environment and Nobel Prize winner Wangari Maathai visited Kieni Forest and promised to resettle the displaced by 2003. Such a resettlement has yet to take place, and the IDPs currently remain in Kieni Forest as of December 2006. Numerous government officials have visited Kieni since 2003, however these visits have been followed by only limited action. Expressing this, one member of the IDP committee in Kieni stated with frustration, “many government officials come here, [and] give us fake promises”.⁹⁶

‘Humanitarian crisis’

The social and economic conditions in Huruma village are bleak, so much so that upon visiting the community in Kieni in 2004, the UN Special Rapporteur on Adequate Housing, Miloon Kothari, called the situation a “humanitarian crisis and recommended an emergency assistance programme” for IDPs in Kieni.⁹⁷ In June 2006, the NRC/IDMC team observed only mild improvements in the situation, as the majority of issues documented by Special Rapporteur Kothari have yet to be addressed by the government or the international community.

⁹⁴ IDMC interview, Kieni Forest IDP Committee, Huruma Village, Kieni Forest, 4 June 2006. Also see, UN Commission on Human Rights, 2004, p. 17; The Kieni and the IDP Memoranda to the Special Rapporteur on Adequate Housing, 12 February 2004.

⁹⁵ Ibid.

⁹⁶ IDMC interview, Kieni Forest IDP Committee member, Huruma Village, Kieni Forest, 4 June 2006.

⁹⁷ UN Commission on Human Rights, 2004, p. 21.

Shelter in Kieni remains the most pressing concern. Despite the fact the Kieni IDPs were promised plots measuring 100 x 100 feet, in reality they were provided with 10 x 10 feet plots, just enough for makeshift shacks which are built side-by-side in rows.⁹⁸ The Kenya Red Cross provided building materials, sunk boreholes and provided latrines to the IDPs. Expanding the shacks and plots of land is not allowed, thus there is no provision for family expansion. As a result, social relationships are strained due to the fact that parents have to share the same one-room living spaces with their children. Women in particular expressed concern about the lack of privacy.⁹⁹

The makeshift houses have leaking roofs and offer little insulation from low forest temperatures. It was reported that many children suffer from persistent coughs and colds, and from malnutrition. According to the secretary of the IDP committee in Kieni, thirty deaths occurred over the last year due to tuberculosis, malaria, pneumonia and HIV/AIDS. The forest is also home to many wild animals, and children going to school and women going to fetch firewood have had fatal encounters with elephants.¹⁰⁰



Makeshift shacks in Kieni Forest. IDPs are not allowed to expand the shelters (NRC, 4 June 2006)

⁹⁸ Ibid.

⁹⁹ IDMC interview, IDP women, Huruma Village, Kieni forest, 4 June 2006.

¹⁰⁰ IDMC interview, Kieni Forest IDP Committee, Huruma Village, Kieni Forest, 4 June 2006.

Livelihood opportunities remain extremely limited, as one IDP said, “this place is just like a prison”.¹⁰¹ Cultivation in the forest is not permitted, however, left with virtually no alternatives, a number IDP households earn a living by selling firewood collected from the forest. As a result, arrests for ‘malicious damage of forests’ are frequent. Women caught with firewood are reportedly subjected to sexual abuse, severe beatings and imprisonment by forest guards. On occasion, forest guards also allegedly demand bribes for IDPs to graze animals and fetch firewood, and the firewood is then exchanged for food with nearby farming communities.¹⁰²

Huruma village is also extremely remote with no access to public transport and is out of range of most cell phone networks. The nearest police station is 7 kilometres away, making it difficult for the community to seek help when needed, especially at night. It was also alleged that crimes committed in the surrounding communities were blamed on the IDPs when they had actually been committed by thugs who hide in the forest.¹⁰³

As the community is not allowed to make use of the land in or around the settlement, burying the deceased is a problem. And due to the lack of mobility, often corpses are left in shacks for extended periods before burial can take place in a location outside the forest.¹⁰⁴

Mild improvements offer no long-term solution

When Special Rapporteur Kothari visited Huruma village in June 2004, he observed that the village had been abandoned by the authorities in terms of services and assistance. Since his visit, this has changed. The government has provided a primary school for children who live in Kieni for both IDPs and the host community, with adequate staff and stationary.¹⁰⁵ IDPs are also able to access a mobile clinic from the Ministry of Health in Thika, and a medical dispensary has been built near the school. In addition, a nearby hospital allows the Kieni IDPs to access out-patient services free of charge, and the IDPs receive food relief from the government every two months. However, as the food is delivered by the local member of Parliament, it is perceived as a “campaign tool”, and as a result IDPs expressed uncertainty about the amount of food they receive and whether or not the distributions will continue.¹⁰⁶

These improvements are indeed positive, however they do not address the root causes of displacement nor is there any provision which affords IDPs a sustainable long-term solution, and the displaced are readily aware of this. One IDP stated, “we have been dumped

¹⁰¹ IDMC interview, IDP man, Huruma Village, Kieni Forest, 4 June 2006.

¹⁰² IDMC interview, Kieni Forest IDP Committee, Huruma Village, Kieni Forest, 4 June 2006. Special Rapporteur Kothari also reported highlighted documented these issues, see UN Commission on Human Rights, 2004, p. 21.

¹⁰³ IDMC interview, Kieni Forest IDP Committee, Huruma Village, Kieni Forest, 4 June 2006.

¹⁰⁴ UN Commission on Human Rights, 2004, p. 17. IDPs also talked about this issue with the NRC/IDMC team upon their visit.

¹⁰⁵ IDMC interview, Member of Parliament, Subukia Constituency, Nairobi, 29 August 2006; IDMC interview, Kieni Forest IDP Committee, Huruma Village, Kieni Forest, 4 June 2006.

¹⁰⁶ IDMC interview, Kieni Forest IDP Committee, Huruma Village, Kieni Forest, 4 June 2006.

here by the government”, while another said “I am a refugee in my own country, we are being kept here like wild animals”.¹⁰⁷ With evictions occurring throughout the country as a result of the Ndung'u Report, threats of new evictions to the community in Huruma village have already been made, and the community alleged that in March 2004 they received an eviction order which has yet to be implemented. Thus the IDPs in Kieni remain in a precarious situation, and have been denied the ability to sustain and support themselves.

When asked about their future, similar to IDPs in the Rift Valley, all IDPs interviewed expressed a desire for resettlement, presenting a complicating factor in relation to the government's wish to resettle 'genuine' IDPs. As will be further elaborated below under national response, the government equates genuine proof of land ownership not only to the definition of an IDP but also to qualifying for resettlement. IDPs in Kieni never owned land, thus they do not have titles. However, the IDPs in Kieni have been displaced in numerous instances as described above, and without any doubt they are IDPs as defined by the Guiding Principles, which explicitly note that their application should be applied without discrimination of any kind, including discrimination of legal or social status, national, ethnic or social origin or any other similar criteria.¹⁰⁸

The situation of the Kieni IDPs is characteristic of many IDP situations throughout Kenya. The government, as well as the Kenya Red Cross, have provided a certain degree of assistance, however the support is not part of a coordinated IDP response system which guarantees protection and assistance on an ongoing basis. In addition, just like in many other IDP situations in Kenya there is a lack of progressive thought on the long-term solution for IDPs in Kieni. The IDPs in Huruma village clearly cannot stay in Kieni Forest forever, and there is not a single actor in Kenya attempting to bring about a solution which allows the Kieni IDPs to fully enjoy the freedoms and rights they have as citizens of Kenya.

The provision of assistance on behalf of the government to the IDPs in Kieni is commendable. This assistance is something which the international community, and in particular the UN should build upon in ensuring protection and assistance to IDPs in Kieni and throughout Kenya. The fact that there has been no UN response whatsoever to the IDPs in Kieni is reason for concern, and illustrates the need for a robust UN engagement on IDPs issues in Kenya. In addition, after visiting Kieni and returning to Nairobi, the NRC/IDMC team met with a number of UN officials, the majority of whom showed little if any interest in responding to the IDP situation in Kieni. Even after showing them digital pictures of the very visible below-standard conditions, a genuine interest or will in investigating the situation further was not expressed. This passivity fits into a broader pattern of the UN, as well as many other actors, being unaware of their responsibilities to protect and assist IDPs, which will be discussed in detail under international response.

¹⁰⁷ Ibid.

¹⁰⁸ UN Guiding Principles on Internal Displacement, Principle 4.

4. Conflict, displacement and drought in Samburu District

Samburu District is located in the northern half of the Rift Valley, and is characterised as a semi arid area. Due to the drought which has affected the entire Horn of Africa region, over half of the population in Samburu requires food assistance.¹⁰⁹ The drought has extremely limited the availability of natural resources, such as water and grazing areas, as well as led to high numbers of cattle losses. As a result, pastoralists in Samburu and throughout northern Kenya have migrated to urban centres where they have 'dropped-out' of pastoral livelihood and are reliant on firewood production, petty labour and prostitution as means of survival.¹¹⁰ The shrinking natural resources have also caused different ethnic groups to graze their herds outside of traditional areas, exacerbating tensions and sparking conflict. With the proliferation of small arms, traditional cattle rustling has turned violent and led to numerous situations of conflict and subsequent displacement.

As noted in the introduction, the marginalisation of arid and semi arid areas in Kenya has also contributed to a lack of governance in northern Kenya and provided space for local politicians to instigate conflict and animosity for political gain. All of the above factors are illustrated in the displacement situation in Samburu, where both drought and conflict have displaced people and presented the need for a comprehensive response to both conflict and drought-induced displacement.

Current conflict in Samburu relates to disputes between the Pokot and Samburu people over land and cattle. The Pokot claim that fighting erupted when one of their herdsmen was murdered by a Samburu.¹¹¹ Other sources in Maralal Town, the headquarters of Samburu District, report that the Pokot have stolen cattle from the Samburu in an attempt to restock livestock lost during the drought, and have not returned the stolen cattle despite being ordered to do so by the government.¹¹² A process of demarcating land for a wildlife conservancy in Samburu has also inflamed tensions between the Pokot and Samburu, as due to the drought grazing land is scarce.¹¹³

Numerous respondents also blamed local government officials for instigating and fuelling the conflict between the Samburu and the Pokot and referred to the alleged financial benefits local government officials receive when conflict takes place.¹¹⁴ Specifically, benefits relate to the small arms trade as when clashes occur, the price of weapons increases, as well as the possible relationship between local government officials and those who conduct cattle raids.¹¹⁵ The existence of these benefits have resulted in increased levels of political competition over constituencies and representation, and in particular parliamentary repre-

¹⁰⁹ Kenya Food Security Steering Group, September 2006, p. 92

¹¹⁰ Oxfam International, May 2006, p. 7.

¹¹¹ The Kenya National Commission on Human Rights, April 2006, p. 2.

¹¹² IDMC interviews, members of Samburu Peace Committee, Maralal Town, Samburu District, 9 June 2006.

¹¹³ Ibid; IDMC interview, National Council of Churches of Kenya, Nakuru, 9 June 2006.

¹¹⁴ IDMC interviews, members of Samburu Peace Committee, Maralal Town, Samburu District, 9 June 2006; IDMC interviews, IDPs, Lusok Division, Samburu District, 9 June 2006.

¹¹⁵ Ibid.

sentation which is often linked to clans.¹¹⁶ As one local NGO stated in reference to the conflict in Samburu, "politics are fuelling these problems."¹¹⁷ An in-depth analysis of conflict in Samburu is outside the scope of this report, however a sustainable solution which benefits displaced persons in the long-term must obviously be based on the root causes of the conflict.

Lack of information

The tensions between the Pokot and Samburu have resulted in numerous instances of armed conflict and violent cattle raids, displacing an uncertain amount of people. In June 2006, one local NGO reported that conflict in Lusok Division of Samburu District had displaced 15,000 people, and that conflict in the rest of the district had displaced 60,000 people.¹¹⁸ At the same time, a local government official reported that clashes between the Pokot and Samburu had displaced 12,000 people in Samburu District.¹¹⁹ More recently, it was reported that 22,000 people had been displaced in Samburu as a result of clashes.¹²⁰ Exactly what these figures are based on remains unclear, and the frequency with which they vary is concerning and thus they should be treated with caution. Similar to many other IDP situations described in this report, the lack of accurate data and information on IDPs in Samburu is a primary impediment to adequately responding to what could be grave humanitarian needs. Moreover, in such a context where constant movement is part of daily life, any attempt to register or profile IDPs will be extremely difficult, and to conduct such an exercise successfully would require a regular presence in the area as well as adequate financial resources.

Conflict-induced IDPs neglected

In Samburu, following violent cattle raids IDPs have fled to urban and peri-urban areas to live with relatives. Often the displaced bring their cattle with them into these urban areas, and in the evenings keep their cattle within their living compounds. In Lusok Division of Samburu District, the NRC/IDMC team visited a number of compounds which had provided shelter to IDP families, many of which reportedly host sixteen families.¹²¹ At night, small herds of cattle are brought into these same compounds, raising serious sanitation issues as animal excreta is left in the open. The lack of clean water was also identified as contributing to sanitation and health concerns. One IDP in Lusok Division stated, "the water is dirty but we are still using it".¹²²

¹¹⁶ IDMC interview, National Council of Churches of Kenya, Nakuru, 9 June 2006; IDMC interviews, members of Samburu Peace Committee, Maralal Town, Samburu District, 9 June 2006; IDMC interview, Practical Action, Maralal Town, Samburu District, 08 June 2006. See also note 24.

¹¹⁷ IDMC interview, National Council of Churches of Kenya, Nakuru, 9 June 2006.

¹¹⁸ IDMC interview, Practical Action, Maralal Town, Samburu District, 8 June 2006.

¹¹⁹ IDMC interview, local government official, Maralal Town, Samburu District, 12 June 2006.

¹²⁰ IRIN, 17 October 2006.

¹²¹ IDMC interviews, IDPs, Lusok Division, Samburu District, 9 June 2006.

¹²² IDMC interview, IDP man, Lusok Division, Samburu District, 9 June 2006.

IDPs in Lusok Division also expressed concern regarding food as during cattle raids granaries have also been raided. When the NRC/IDMC team visited Lusok, the government had distributed food, however uncertainty was expressed regarding when or if the next distribution would arrive.¹²³ According to a local government official in Maralal Town, the government had provided a one-time allocation of food following the clashes. However, unlike assistance to the drought-affected population which is part of a larger government-WFP relief programme, food assistance provided to conflict-induced IDPs is not continuous nor part of an ongoing humanitarian response strategy.¹²⁴



Compound hosting IDPs and their cattle, with animal excreta in the open (NRC, 9 June 2006).

In Lusok, at the time of research the host population was not receiving drought assistance before it began hosting IDPs, however, families who are receiving drought assistance are also taking in conflict-induced IDPs and caring for them. Thus conflict is placing renewed strain on the community in Samburu, and the lack of food is a pressing concern. At the time of research, food aid to the drought-affected population was fixed, and thus excluded

¹²³ IDMC interviews, IDPs, Lusok Division, Samburu District, 9 June 2006.

¹²⁴ IDMC interview, local government official, Maralal Town, Samburu District, 12 June 2006.

people displaced by conflict.¹²⁵ It was, however, recently suggested that food targeting be reviewed to cover the population of households affected by insecurity and those displaced from Laikipia District, which neighbours Samburu District.¹²⁶ As the situation in Samburu is replicated across northern Kenya, such a review would be useful to conduct on a national basis. While the usual WFP-government food assessments often do include families affected by insecurity and violence in their assessments,¹²⁷ there is a need to ensure that the assistance which is provided is conflict-sensitive and takes into account special needs of the conflict-affected population, such as the needs noted above relating to water as well as protection needs.

Insecurity due to clashes has also led to the closure of schools and health centres. In October 2006, it was reported that four health centres were closed and that 4,000 children had their education interrupted due to the closure of 21 schools.¹²⁸ A number of schools have been closed for years due to recurring conflict, and the lack of security has hampered the ability of district officials to travel to and visit remote schools.¹²⁹ In areas where displaced people have fled, such as Sugatamarmar, school enrolment has doubled, and as a result the Ministry of Education has transferred extra teachers to these locations.¹³⁰

There are also cases where conflict-induced IDPs lack social or familial networks, and in such instances IDPs who flee the countryside camp within church compounds. Women and children make up the majority of these groups, as men have either been killed during the clashes or spend the majority of their time grazing cattle. In Sugatamarmar trading centre, located just outside Samburu District, a church hosts roughly 3,000 conflict-induced IDPs. The Kenyan Red Cross has provided a certain degree of assistance, but again this assistance is ad hoc and is not part of a broader response plan.¹³¹

¹²⁵ IDMC interview, Ramati, Maralal Town, Samburu District, 12 June 2006. Ramati is a local NGO and acts an implementing partner of WFP.

¹²⁶ Office of the President, Special Programmes, Arid Lands Resource Management Project II, October 2006.

¹²⁷ Email correspondence, WFP Kenya, 14 December 2006.

¹²⁸ IRIN, 17 October 2006.

¹²⁹ IDMC interview, Ministry of Education, Maralal Town, Samburu District, 12 June 2006.

¹³⁰ Ibid.

¹³¹ IRIN, 17 October 2006.



IDPs camping outside of a church compound, Sugatmarmar, Samburu District (NRC, 10 June 2006).

Inadequate security

While the government has deployed the army to Samburu to provide protection and stem the violence between the Samburu and Pokot,¹³² in Lusok Division Kenya Police Reservists (KPR) have been deployed to provide protection. All IDPs interviewed expressed a lack of confidence in the KPR to provide adequate security. During the day KPR travel outside of Lusok Town to provide protection to men grazing their cattle, leaving women and children exposed and vulnerable to attack. In addition, a lack of ammunition has also hindered the effectiveness of the KPR in providing protection. Attacks have taken place in Samburu where KPR has been present, illustrating an inability or unwillingness to stop the violence and protect the population.¹³³ Without adequate security, prospects for return are bleak.

The lack of government response to the clashes and resulting displacement has further fuelled tension and animosity in the district. In one instance, police escorting the Samburu District Commissioner to a peace meeting were forced to fire shots in the air to disperse an

¹³² IDMC interview, local government official, Maralal Town, Samburu District, 12 June 2006.

¹³³ The Kenya National Commission on Human Rights, April 2006, p. 2; U.S. State Department, 2005, p. 19.

angry crowd who had blocked the road demanding an explanation as to why the government had not ended the violence.¹³⁴ While the government has launched a massive disarmament process in northern Kenya, the exercise has denied the ability of people to protect themselves. In speaking about return, one IDP questioned "how can we go back when we are not armed?"¹³⁵ Disarmament in itself is indeed positive, but such a process must also be accompanied by measures which guarantee security to the affected population. The population must also have confidence in these measures and in the relevant national authorities to provide security and protection.

Development and durable solutions

The lack of effective security is part of a broader pattern of government neglect and marginalisation of northern Kenya. The absence of a strong government presence in the region, illustrated through the lack of development and poor infrastructure, has led to a situation vulnerable to political instigation and exploitation. In Samburu, respondents reflected this by noting that the fighting which is taking place is between two groups which are usually at peace with each other. "Traditionally, the Pokots and Samburus do not fight, so maybe someone is engineering this", stated one member of the Samburu Peace Committee.¹³⁶ Reference was also made to a peace agreement that was signed over 200 years ago between the Pokots and Samburu.¹³⁷ More recently, peace meetings have been held between the two groups, and in October 2006 a peace agreement was signed in Naivasha where both the Samburu and the Pokot pledged to pursue peace unconditionally.¹³⁸ Such a development is positive, but for this agreement to be sustainable it must be accompanied by a strong commitment from the central government to develop northern Kenya. One MP attending the meeting in Naivasha expressed scepticism about the agreement, stating "the long-term solution is education of youths and initiation of development to bring the area to par with other regions".¹³⁹

The situation in Samburu is similar to many other situations in northern Kenya. In areas which border unstable states such as Marasbit and Moyale and its northern border with Ethiopia, and Mandera and El Wak and its eastern border with Somalia, the conflicts have taken on regional proportions as different ethnic groups have crossed borders in search of natural resources. In Marasbit in July 2005, tensions between the Borana and Gabra groups led to violent clashes, including the Turbi Massacre where 90 people were killed, including 22 children, and 9,000 people displaced from their homes.¹⁴⁰ Also in July 2005, in Mandera conflict between the Marehans and Garres resulted in the displacement of over 15,000 people.¹⁴¹ Just like in Samburu, in all of these situations assistance has been provided in ad hoc manner through NGOs, the UN and the Kenya Red Cross, with little coordination and

¹³⁴ The Seed, June 2006, p. 9.

¹³⁵ IDMC interview, IDP woman, Maralal Town, Samburu District, 12 June 2006

¹³⁶ IDMC interviews, members of Samburu Peace Committee, Maralal Town, Samburu District, 9 June 2006

¹³⁷ Ibid.

¹³⁸ The East African Standard, 6 November 2006.

¹³⁹ Ibid.

¹⁴⁰ IFRC, 11 October 2006; UNOCHA, 14 July 2005.

¹⁴¹ CARE Kenya, July 2005, P. 1.

planning regarding a long-term and durable solution. Such a solution requires the political will from both the government and the international community to give conflict-induced IDPs the attention they deserve and need through a standardised institutional response mechanism. Moreover, additional research and information is needed on the root causes of conflict in each of the areas noted, as any durable solution will necessitate measures which address why conflict erupted in the first place.

Of course, Kenya is officially a country at peace, and its game parks and coastlines receive thousands of tourists every year. The many situations described above have the possibility of tarnishing Kenya's image as country of peace and stability, however, should the lack of a genuine willingness to address the underlying causes of conflict persist, the possibility of increased and ongoing violence will become more of a reality.

5. National response

Kenya's response to IDPs has and continues to be varied. While numerous policy documents and official government commissions have recognised the existence of IDPs or "victims of clashes", a lack of political will has hindered any process aimed at tangibly improving conditions for IDPs or seeing that they are provided with durable solutions. "The government of Kenya doesn't want to talk about IDPs, that is why there are no figures",¹⁴² stated one diplomat in Nairobi. An NGO representative echoed this thought by stating that the "government won't accept internal displacement, because acceptance comes with responsibility".¹⁴³ Accepting and responding to IDP issues in Kenya necessitates addressing unresolved issues of land and property, as well as ethnic elites' struggle for the control of political and economic resources. Such issues are highly controversial and question the very notion of democracy in Kenya. As a result they are either avoided altogether, hindered by senior government officials as is the case with the Ndung'u Report, or efforts are disingenuous from the start. Thus despite the attempts of the government to address IDP issues, of which many have been described above and are further detailed below, there is a common perception amongst IDP stakeholders that the initiatives undertaken thus far have not had the full backing of the government and as a result will provide little if any concrete benefits to IDPs, especially in the long-term.

IDPs in Kenya?

The existence and number of IDPs in Kenya has remained controversial. Different officials in the former and current governments have, at different forums, given different 'positions' on the matter, with some declaring that Kenya is over-burdened with refugees from war-torn countries and does not host any IDPs on its territory.¹⁴⁴ This opinion has been ex-

¹⁴² IDMC interview, with representative of international community, Nairobi, June 1, 2006.

¹⁴³ IDMC interview, Oxfam GB, Nairobi, 01 June 2006.

¹⁴⁴ IDMC interview, Under-Secretary, Department of Immigration, Ministry of Home Affairs and National Heritage, Nairobi, 22 June 2006. In July 2005, the same official, representing Kenya at a meeting of the International Conference on the Great Lakes Region, gave the same official view to regional representatives

pressed by officials from various government ministries and departments at meetings with UN agencies, donors, and at regional inter-ministerial forums.¹⁴⁵ However, in February 2006, the then Minister for Lands and Settlements said the government was looking for land to resettle displaced persons.¹⁴⁶ The Minister noted that there are not more than 10,000 IDPs in Kenya and warned NGOs quoting figures in excess of 300,000 to stop exaggerating numbers. The NRC/IDMC team was also told by a government official in Nairobi that NGOs often overstate figures "for their own benefit" and that the 300,000 figure was an exaggeration.¹⁴⁷

Thus the official government position on IDPs remains unclear, however for many stakeholders, the NARC government's manifesto,¹⁴⁸ which promises to implement the recommendations of the Akiwumi Report, including the resettlement of and/or compensation for IDPs, reflects the current government's official position on IDPs.¹⁴⁹

Task Force on Displaced People

In November 2004, the Head of Public Service and Secretary to the Cabinet appointed a Task Force to inquire into the factors and causes of internal displacement. The Task Force, titled the Task Force on Displaced People in Rift Valley, Coast (Likoni) and Other Areas, was mandated to review and ascertain the extent of genuine displacement, identify the extent of loss of land, and make recommendations on modalities of resettlement for genuine victims.¹⁵⁰ The Task Force members were drawn from the Office of the President, Ministry of Lands and Housing, the Forest Department, the Survey Department, the Attorney General's Chambers, and church groups.

According to members of the Task Force, NGOs and IDPs, the Task Force experienced grave difficulty implementing its mandate. First, the Task Force terms of references limited its scope of inquiry to the 1992 and 1997 ethnic clashes which effectively excludes more recent cases of displacement. Secondly, the Task Force relied on provincial and district governments to facilitate their work in the affected areas, including arranging meetings with IDPs and ensuring that the public was made aware of the Task Force and its objectives. The Office of the President provided two vehicles, however they were of poor quality and funds were not available for maintenance.¹⁵¹ Upon arrival of the Task Force in the districts, meetings were often not arranged, transport was not provided and questionnaires which were supposed to be disseminated before the Task Force arrived had not been

during a session to discuss 'The Draft Protocol on the Protection and Assistance to Internally Displaced Persons.'

¹⁴⁵ IDMC interviews, UN officials, Nairobi, 6 June 2006; IDMC interviews, representatives of international community, Nairobi, 1 June 2006; IDMC interview, Refugee Consortium of Kenya, Nairobi, 5 June 2006.

¹⁴⁶ Daily Nation, 17 February 2006.

¹⁴⁷ IDMC interview, Office of the President, Nairobi, 13 June 2006.

¹⁴⁸ NARC Manifesto, 2003; IDMC interview, Kenya Human Rights Commission, Nairobi, 6 June 2006.

¹⁴⁹ Government of Kenya, 1999, p. 285.

¹⁵⁰ IDMC interviews, members of the Task Force, 13 June 2006; IDMC interviews, members of the Task Force, 8 June 2006.

¹⁵¹ Ibid.

distributed. As a result, large numbers of IDPs did not meet with the Task Force due to a lack of information, and an inability to travel to designated venues where meetings were held. Although a number of questionnaires were later completed and sent to the Task Force's secretariat in Nairobi, it is likely that the majority of IDPs in Kenya did not have the opportunity to meet with the Task Force.¹⁵² The Task Force also did not travel to many places where IDPs exist (such as Kieni Forest or northern Kenya), making its conclusions on the numbers of displaced inaccurate.¹⁵³ The time allotted for the Task Force to complete its work – two months – was far too short, and perhaps most importantly, the Task Force was not gazetted as required by law, hence its findings may easily be challenged in court. The report of the Task Force was presented to the Office of the President in November 2006 in the presence of the Minister of Internal Security and other cabinet ministers, and currently remains under review of the Office of the President.¹⁵⁴

'Genuine' displacement

The most fundamental flaw regarding the Task Force relates to its determination to review and ascertain "genuine displacement". Such a determination was made using proof of land ownership, such as title deeds, letters of allotment, share certificates and agreements of purchase. While acknowledging the importance of a vetting procedure to rule out "pretenders and speculators",¹⁵⁵ IDPs and NGOs criticised the insistence of proof of land ownership as unreliable, as many people had lost everything in the clashes, including title deeds and personal documents.¹⁵⁶ In addition there are IDPs with incomplete land transactions who had not yet been provided a land title prior to their displacement. A number of IDPs have also reported that when they have searched for their records in the land registrar's office, their files were conspicuously missing.¹⁵⁷

Although the process of formalising land ownership is a needed exercise in Kenya, such a process should be kept separate from recognising IDPs and providing them with protection and assistance. Pegging 'genuine' displacement to land ownership leaves out a significant proportion of persons who qualify for recognition as IDPs according to the Guiding Principles. As referenced throughout this report, owning or not owning land is not a factor in defining displacement. Moreover, the Guiding Principles mandate that their application should be applied without discrimination.¹⁵⁸ The principle of non-discrimination (Principle 4) is derived from a number of binding international laws, and thus the government is le-

¹⁵² Ibid.

¹⁵³ IDMC interview, Kieni Forest IDP Committee member, Huruma Village, Kieni Forest, 4 June 2006.

¹⁵⁴ IDMC interviews, members of the Task Force, 13 June 2006; IDMC interviews, members of the Task Force, 8 June 2006.

¹⁵⁵ Ibid; IDMC interview, Refugee Consortium of Kenya, Nairobi, 5 June 2006.

¹⁵⁶ IDMC interview, Refugee Consortium of Kenya, Nairobi, 5 June 2006; IDMC interview, Kenya Human Rights Commission, Nairobi, 7 June 2006.

¹⁵⁷ IDMC interviews, IDPs, Nakuru, 6-9 June 2006; Jesuit Refugee Service, 2001, p. 16-19.

¹⁵⁸ UN Guiding Principles on Internal Displacement, Principle 4.

gally obligated to ensure the application of the Guiding Principles without discrimination.¹⁵⁹

Due to the above constraints faced by the Task Force, NGOs and IDPs expressed concerns about the authenticity of the final report. There are also fears that with the approaching general elections in 2007, the report is unlikely to be released. Addressing the issue of IDPs in Kenya would involve prosecuting individuals who hold positions in the current government at various levels, as well as persons deemed important for the political survival of the ruling elite.¹⁶⁰ For some, addressing IDP issues holistically would entail "opening old wounds that are best left alone".¹⁶¹ Moreover, it would raise complex issues related to property rights, such as how to calculate compensation or restitution for those who lost their livelihoods.¹⁶² It would also touch on land issues, one of the most controversial and politically-sensitive issues in Kenya, given rampant landlessness throughout the country.¹⁶³

NGO response

Given that Kenya's IDPs are not an obviously visible social problem compared to IDP populations in Kenya's neighbouring countries like Uganda or Somalia, the lack of consistent response from national NGOs to internal displacement is not surprising. Most of the NGOs interviewed for this report indicated that they "do not address IDP issues directly", nor have a specialised programme on IDPs, but that they are "interested" in following the issue.¹⁶⁴

The Kenya Human Rights Commission (KHRC),¹⁶⁵ which ostensibly spearheads advocacy activities on behalf of IDPs in Kenya, does not have a mainstream operational programme on IDPs. Rather, the IDP issue is a part of larger KHRC programme activities. In 2004, the KHRC did attempt to create a larger programme on IDPs by launching an IDP Stakeholders Forum, which aimed to bring together NGOs, representatives of IDPs from differ-

¹⁵⁹ The International Covenant on Civil and Political Rights, which Kenya ratified in 1972, states: "[e]ach State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status." A similar clause can be found in Article 2 of the Universal Declaration of Human Rights.

¹⁶⁰ IDMC interview, Refugee Consortium of Kenya, Nairobi, 5 June 2006; IDMC interview, Kenya Human Rights Commission, Nairobi, 7 June 2006; IDMC interview, Member of Parliament, Subukia Constituency, Nairobi, 29 August 2006; Klopp, 2006, p. 69.

¹⁶¹ IDMC interview, aspiring politician, NARC-Kenya political party, Nairobi, 26 June 2006.

¹⁶² IDMC interview, Refugee Consortium of Kenya, Nairobi, 5 June 2006; IDMC interview, General Secretary, Catholic Diocese of Nakuru, Nakuru, 9 June 2006.

¹⁶³ IDMC interview, Kenya Land Alliance, Nakuru, 9 June 2006.

¹⁶⁴ IDMC interview, Refugee Consortium of Kenya, Nairobi, 5 June 2006; IDMC interview, Kenya Human Rights Commission, Nairobi, 7 June 2006; IDMC interview, PeaceNet, Nairobi, 6 June 2006.

¹⁶⁵ The Kenya Human Rights Commission is a national NGO established in 1992, whereas the Kenya National Commission on Human Rights is an independent national human rights institution established by an act of Parliament.

ent parts of the country, and religious groups. The initiative, while indeed positive, collapsed a few months after it was launched due to a disengagement of NGOs, or what KHRC termed a “project-isation of issues” – NGOs felt that they were stepping outside of their mandates by engaging on IDP issues.¹⁶⁶

KHRC currently does support a network of IDPs, known as the National Network of Kenya IDPs. The Network includes IDP members from throughout the country, except from the northern region.¹⁶⁷ The Network, coordinated by elected committee members, maintains up-to-date data on the names of IDPs, household sizes, areas of origin, location and sizes of land abandoned (where applicable), and current livelihood activities. The committee members, who are IDPs themselves and are elected by their communities, are their recognised representatives and spokespersons. They disseminate information to and from IDPs on all matters pertinent to their protection and humanitarian needs, such as participation in government initiatives including the National Taskforce on IDPs, accepting food relief and informing on progress made in lobbying for durable solutions.¹⁶⁸

To a certain degree, the Network does serve as useful forum to bring IDPs together and consolidate advocacy efforts. However, Network members expressed concern regarding the role of KHRC and the limited amount of time KHRC devotes to advocating on IDP issues.¹⁶⁹ Currently the Network lacks autonomy from KHRC as well its own resources, and a number of its members expressed a desire to register as an independent organisation.¹⁷⁰ As the Network is the only structure in the country which exists solely to address IDP issues, adequate resources should be provided to promote and enhance its work.

Generally, the activities of NGOs are not coordinated and appear to be in competition with each other. In addition, there is a glaring lack of capacity and expertise on IDP issues, reflected in that many respondents had never heard of the Guiding Principles. Indeed, this scenario is grim; the lack of pressure and sustained advocacy from civil society only reinforces inaction by both the government and the international community.

Inconsistent attention and ad-hoc assistance

When armed conflict does occur in Kenya, the Kenyan media is significantly effective in raising the public's attention to specific IDP situations. Humanitarian agencies and the government react to media attention, however, once reports of violence and displacement fade from mainstream news, “NGOs and Kenyans forget about it.”¹⁷¹

¹⁶⁶ IDMC interview, KHRC Project Officer, Nairobi, 6 June 2006.

¹⁶⁷ Ibid.

¹⁶⁸ IDMC interview, IDP Network National Coordinator, Nakuru, 7 June 2006. On 14 March 2006, for example, the IDP Network presented a memorandum to the government which proposed a “viable roadmap towards resettlement and justice for IDPs in Kenya”, see unpublished memorandum of internally displaced persons (IDPs) network to the government of Kenya Advisory Committee on IDPs, 14 March 2006, on file with the IDMC.

¹⁶⁹ IDMC interviews, national network representatives, Nairobi, 3 September 2006.

¹⁷⁰ Ibid.

¹⁷¹ IDMC interview, PeaceNet, Nairobi, 6 June 2006.

It is also difficult to continually report on the plight of IDPs in the press as there is no known focal point within the Kenyan government to provide information on the official position of IDPs in the country. One Nairobi-based editor stated, "We are not told who is in charge of displaced persons, but since they run away because of insecurity, we address Michuki, the Minister for Internal Security and urge him to restore peace to enable people to go back."¹⁷² In addition, the responsibility for IDPs within the central government has on a number of occasions shifted.¹⁷³ Ultimately, silence by the media and lack of sustained and coordinated advocacy by civil society reinforces a perception that there are no IDPs in Kenya. Yet the number of IDPs unable or unwilling to return to their homes or to re-establish livelihoods in alternative locations continues to increase due to natural population growth and new instances of displacement, as described above.

The government has provided a certain degree of humanitarian assistance to certain groups of IDPs – such as the IDPs in Samburu and in Kieni Forest. The assistance is ad hoc and is not part of a broader government strategy targeted at conflict-induced IDPs. It remains unclear if the government is even aware of the pressing humanitarian needs of conflict-induced IDPs. According to one UN official in Nairobi, "the government doesn't understand why IDPs don't go home. When we've gone to the government about IDPs the government says there are no IDPs".¹⁷⁴ Acknowledging the lack of government planning, one government official stated "In a country where there are no wars, it was not envisaged that we would have IDPs".¹⁷⁵

Thus the government has no formal or informal mechanism to respond to or address the needs of conflict-induced IDPs on a sustained basis, both due to a lack of political will as well a lack of expertise and knowledge on IDP issues.

Prospects for a comprehensive national response

The current national response to conflict-induced IDPs is limited to ad hoc humanitarian assistance during the heat of crises. Recommendations made by the various commissions of inquiry and task forces discussed above have not been implemented largely due to the involvement of powerful political personalities in perpetuating violence. Given the politicised nature of displacement in Kenya, it appears that concrete action to settle IDPs on their land or to prosecute instigators of violence is unlikely to take place. This situation is aggravated by the diminished capacity of civil society to engage the government on IDP issues, as exemplified by the feeble attempts of KHRC, and the evident lack of coordination and practical action amongst other stakeholders.

¹⁷² IDMC interview, *The East African Standard*, Nairobi, 16 June 2006.

¹⁷³ When the NARC came to power in 2003, the Office of the President formed an office for national reconstruction which was mandated to address IDP issues. The responsibility for IDP issues soon shifted to the Ministry of Lands, and then again returned to the Office of the President where it was later disbanded; IDMC interview, Kenya Human Rights Commission, Nairobi, 7 June 2006.

¹⁷⁴ IDMC interview, UN official, Nairobi, 6 June 2006.

¹⁷⁵ IDMC interview, Office of the President, Nairobi, 6 June 2006.

While not addressing IDPs as a distinct policy or programmatic issue, several NGOs including the Kenya Land Alliance and Oxfam view internal displacement as part of a wider problem, and in this regard are involved in seeking solutions to 'root causes', such as intractable land issues.¹⁷⁶ In this regard, the Kenya Land Alliance in partnership with other NGOs and the government have collaboratively developed a draft land policy, while Oxfam has been actively involved in conflict management activities, and contributed to the development of a draft Policy on Peace Building and Conflict Transformation.¹⁷⁷

There is a dire need to harmonise the various initiatives on IDPs which have taken place at a national level; such a harmonisation would ideally lead to a more consistent and predictable government response to the protection and assistance needs of all IDPs in the country. Such a response demands a strong policy and legal framework in which a response structure is outlined, government offices and NGOs are tasked with responsibilities, and coordination mechanisms are put into place to ensure all actors fulfil their responsibilities.

The draft Policy on Peace Building and Conflict Transformation, developed by the Office of the President, acknowledges the above need by stating:

“A national policy on the Internally Displaced should be formulated and implemented that provides guidelines to government authorities and other actors on the provision of relief and humanitarian assistance to IDPs, facilitating their reintegration and provision of basic amenities such as medical and education facilitates. The Internally Displaced Persons (IDP’S) policy should call for the enactment of laws that recognize IDPs and affords them the protection owed to them under international human rights law. The national land policy should provide for a land tenure system that is sensitive to the human rights of IDPs. Peace initiatives in communities where IDPs are from will be supported and facilitated in assisting in the reintegration of the IDPs back into the community and creating a culture of peace that will promote security for members of the community. Internally displaced persons will be resettled and recognition given of the new structures that exist where women are heads of households.”¹⁷⁸

The government’s recognition of the need for an IDP policy is positive, and now it must provide the necessary political will to both formulate and implement what is noted above. Moreover, the numerous government initiatives which relate to IDPs, such as the recommendations in the Ndung’u Report and the draft Land Policy, the limited amount of direct humanitarian assistance provided by the government, and the existence of the IDP Task Force show that despite the problems associated with all of these initiatives, there is a certain degree of willingness within the government to respond to and address the needs of conflict-induced IDPs. The work of the government must now be consolidated to ensure

¹⁷⁶ IDMC interview, Kenya Land Alliance, Nakuru, 9 June 2006.

¹⁷⁷ IDMC interview, Oxfam GB, Nairobi, 1 June 2006.

¹⁷⁸ Government of Kenya, July 2006, p. 39. The draft is currently being reviewed at the provincial level.

that all IDPs in Kenya benefit from a national response which is coordinated, predictable, and allows IDPs to exercise their basic human rights.

6. International Response

On paper, through the UN Development Assistance Framework (UNDAF), the UN Kenya Country Team commits itself to supporting the government to formulate a national policy on IDPs, to ensure that UN agencies are aware of IDPs and their needs, and to promote public awareness on IDP issues, including access to basic services and rights.¹⁷⁹ In practice, the UN has not come close to meeting any of these goals for conflict-induced IDPs. Furthermore, as will be illustrated below a number of UN programmes on disaster and conflict do not even mention IDPs, which is highly concerning considering the large numbers of conflict-induced IDPs in the country.

While various UN agencies are substantially involved in providing assistance to displaced persons affected by natural disasters such as floods and the drought, currently there is no UN framework in which to respond to conflict-induced displacement on an ongoing basis. Agencies which do respond to conflict-induced IDPs do so on an ad hoc basis, often in cases of emergencies only.¹⁸⁰ According to one UNDP representative, "we currently do not have an IDP programme, when there is an emergency, that's when we deal with IDPs".¹⁸¹

The sporadic nature of the UN response results in a situation whereby the protection and assistance needs of conflict-induced IDPs are not continuously assessed. While the UN Country Team in Kenya does maintain a disaster management working group, it meets only when emergencies arise. Even still, a UNOCHA representative in Nairobi acknowledged "there is no mechanism to see where pockets of need are".¹⁸² This is illustrated by the fact that IDPs in Kieni Forest have not received any assistance by an agency of the UN County Team.¹⁸³

Generally, the UN in Kenya lacks expertise on IDP issues. A number of UN officials interviewed were unaware of an official UN policy on IDPs, and often referred the NRC/IDMC research team to other UN agencies who also evidenced a similar lack of knowledge on internal displacement and what programmes the UN was implementing for conflict-induced IDPs. One respondent stated "the UN is politically not interested, they are unsure of what they can do. The UN lacks individual capacity."¹⁸⁴ Coordination was generally noted to be a challenge, especially due to the many UN agencies which operate regional programmes out of Nairobi.¹⁸⁵

¹⁷⁹ United Nations Kenya Country Team, June 2003, p. 27.

¹⁸⁰ For example, when clashes erupted in both Likia and Marasbit, UNICEF responded by conducting assessments and distributions.

¹⁸¹ IDMC interview, UNDP, Nairobi, 6 June 2006.

¹⁸² IDMC interview, UNOCHA, Nairobi, 6 June 2006.

¹⁸³ IDMC interview, Kieni Forest IDP Committee, Huruma Village, Kieni Forest, 4 June 2006.

¹⁸⁴ IDMC interview, representative of the international community, Nairobi, 6 June 2006.

¹⁸⁵ IDMC interview, UNDP, Nairobi, 7 June 2006.

The UN is readily aware of the sensitivity in which the government regards IDPs, and in particular those displaced by conflict. Technically, Kenya is not in a conflict or post-conflict situation and for the UN to institute a programme for conflict-induced IDPs would have political ramifications.¹⁸⁶ However, as detailed under national response, in various official documents and through direct assistance the government has implicitly acknowledged the situation of conflict-induced IDPs in the country. Thus there is no excuse for the lack of a UN response to continue, especially considering the IDP-related commitments made in the UNDAF.

A holistic international response

Kenyans have been displaced due to conflict, the drought, floods, ethnic tensions, and government evictions. Throughout the course of research, it was evident that Kenyans displaced by natural disasters are provided more attention and assistance by both the government and international community compared to conflict-induced IDPs. For drought-induced displacement, the World Food Programme, in partnership with the government, implements an Emergency Operation (known as the "EMOP") and coordinate drought relief amongst the UN, the government and NGOs through the Kenya Food Security Meeting (KFSM). While the EMOP is not meant to support conflict-induced IDPs, as the case of Samburu illustrated, there is a possible overlap between conflict and drought-induced IDPs which may require increased levels of assistance. In addition, conflict-induced IDPs in Kieni Forest and Samburu expressed concern about the lack of a uniform system in which food is distributed. While the KFSM does include a Disaster Management Sector Working Group, its terms of reference do not mention IDPs.¹⁸⁷ Similarly, a UNDP programme for strengthening national capacities for conflict prevention and conflict transformation contains no mention of people displaced by conflict.¹⁸⁸

Kenya's internal displacement situation is diverse, and thus requires a holistic response which ensures that due consideration for assistance and protection is provided to all IDP groups. A holistic response also requires that the root causes of displacement are analysed along with the long term needs of IDPs with the aim of eventually obtaining durable solutions. There is currently a dearth of progressive thought and analysis on how to best engage with the government in a manner which allows IDPs to seek durable solutions, namely voluntary return and/or resettlement to another part of the country accompanied by reintegration. Thus there is a need to mainstream conflict-induced IDP issues into the UN's current and relevant programmes, for the UN to more robustly engage at a senior level on conflict-induced displacement with the government, and for the UN to develop a strategic plan of action which draws upon both the Guiding Principles and the Inter-Agency Standing Committee's framework for Implementing the Collaborative Response to Situations of Internal Displacement.

¹⁸⁶ IDMC interview, UNDP, Nairobi, 6 June 2006.

¹⁸⁷ For a copy of the terms of reference, see <http://www.kenyafoodsecurity.org/mod.php?topic=17>.

¹⁸⁸ "Strengthening National Capacities for Conflict Prevention and Conflict Transformation, UNDP Country Programme Action Plan of the Government of Kenya, 2005-2007, on file with the IDMC.

When responding to conflict-induced IDPs in Kenya, the UN should draw lessons from its previous experience resettling IDPs in the Rift Valley. The UNDP Displaced Person Programme, administered from 1993 to 1995 to reintegrate persons affected by the clashes, may have facilitated return for a minority of IDPs, however it did not address the conditions which caused displacement in the first place. The programme was also manipulated by the government, resulting in additional displacement and human rights abuses.¹⁸⁹

An effective response to all IDPs in Kenya presents a key challenge for the UN, a challenge which can only be overcome if the UN commits itself to a vigorous strategy that allows for the provision of protection and assistance to IDPs and simultaneously addresses the root causes of displacement. The overall goal of ensuring an environment of safety and security, and one which allows all IDPs to exercise their fundamental rights, should be the primary goal in any response strategy.

Note: For more detailed information on the internal displacement situation in Kenya, please visit the [Kenya country page](#) on the IDMC's online IDP database.

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Note: All documents used in this report are directly accessible on the [List of Sources](#) page of the Kenya country page.

About the Internal Displacement Monitoring Centre

The Internal Displacement Monitoring Centre (IDMC), established in 1998 by the Norwegian Refugee Council, is the leading international body monitoring conflict-induced internal displacement worldwide.

Through its work, the IDMC contributes to improving national and international capacities to protect and assist the millions of people around the globe who have been displaced within their own country as a result of conflicts or human rights violations.

At the request of the United Nations, the Geneva-based Centre runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries.

Based on its monitoring and data collection activities, the Centre advocates for durable solutions to the plight of the internally displaced in line with international standards.

The Internal Displacement Monitoring Centre also carries out training activities to enhance the capacity of local actors to respond to the needs of internally displaced people. In its work, the Centre cooperates with and provides support to local and national civil society initiatives.

For more information, visit the IDMC website and the database at www.internal-displacement.org.

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