



PROFILE OF INTERNAL DISPLACEMENT : KENYA

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PROFILE SUMMARY

summary

Summary

The Global IDP Database has only limited access to information that gives a comprehensive picture of the current displacement situation in Kenya– especially in terms of the number of people who have remained internally displaced since the political violence during the 1990s and people who have become recently displaced because of the escalated ethnic violence in Kenya. One reason for this is apparently that organisations and individuals close to the displaced have not made their information available in written form – the political sensitivity of this issue perhaps being one reason for this. The country profiles in the Global IDP Database are continuously updated. It would thus be highly appreciated if users would share with us information they may have collected.

A report released in March 2001 indicates that more than 200,000 people could still be considered internally displaced because of the political violence during the 1990s (JRS March 2001, fn.70). The exact number is still uncertain as most return or resettlement has been spontaneous and there has been new displacement occurring during recent years. USCR gives a more careful estimate of 100,000 Kenyans remaining internally displaced by the end of 2000 (USCR June 2001).

The violence that caused major displacement in Kenya during the 1990s had its roots in historical migration patterns and unresolved land issues (AI 10 June 1998; CIDCM October 1999). By the early 1990s existing tensions between various ethnic groups erupted into violence aimed at forcing the victims and their ethnic kinship on the move. Access to land became a major factor in these attacks on civilians, as certain politicians exploited this issue in their efforts to establish loyal constituencies along ethnic lines after the emergence of multi-party politics (HRW June 1997, pp.38-39).

The extent of displacement and return/resettlement has in fact never been systematically quantified, largely, because it has been in the interest of authorities not to expose the problem (HRW 1997), but also because victims have been worried about the possible consequences of being registered (Kathina Juma May 2000). There have also been restrictions on outsiders in the monitoring and reporting of the situation (Article 19 October 1997). A Presidential Commission was in 1998 appointed to investigate the ethnic clashes during the 1990s. Although a report was submitted in 1999, it had by end-2001 still not been made public.

According to Human Rights Watch, two years of violence in the Rift Valley had by 1993 forced 300,000 people to flee their homes – most belonging to ethnic groups associated

with the political opposition in the 1992 election (HRW June 1997, p.36). Although additional displacement occurred during the 1993-1995 period, available reports suggest that perhaps half of those initially displaced had resettled by the mid-1990s (USCR 1998). It has not been documented to what extent these persons had been reintegrated in their home areas, but it has been claimed that fear of renewed violence and unresolved land entitlement issues have in general hindered the return of many IDPs to their former homes (HRW June 1997, IRIN 11 November 1999).

Reports that a total of some 200,000 persons remained displaced by 1998 (USCR 1999; Kathina Juma May 2000, p. 15), apparently takes into account a second wave of displacement that was related to the elections in December 1997. In the Mombasa area it has been reported that as many as 100,000 may have fled ethnic violence during the second half of 1997 (Nowrojee 1996, p.65). Several thousand people also fled during the first half of 1998 when Kikuyu communities in several districts of the Rift Valley were attacked (Article 19 December 1998; AI 10 June 1998). Further, thousands of people have been forced to leave their homes in the Pokot and Marakwet areas in the northern Rift Valley during the 1997-1999 period (ICRC 4 February 1998; 6 October 2000). It should be noted that the latter conflict area differs from the other ethnic clashes, because of its intra-ethnic nature – involving sub-tribes of the same Kalenjin group (Kathina Juma May 2000). Armed attacks in the north-eastern Wajir district caused displacement of pastoralist communities in 1998, as well as during December 2000 (IRIN-CEA 9 November 1998; IRIN 6 December 2000). In November 2001 tensions between resident farmers and pastoralist communities in the Tana River district broke into armed conflict and made 3,400 people internally displaced (OCHA 30 November 2001)

The displacement situation in Kenya brings to attention several protection concerns. A primary issue is the claim that security forces have lacked impartiality and have directly or indirectly provided support to the armed gangs instigating the violence and thus the displacement. (Article 19 October 1997, sect. 2.3, HRW June 1997). After being displaced and seeking shelter in camp-like settlements, many of the IDPs have been forcefully dispersed again when the authorities have dissolved settlements, often without providing the means necessary for reintegration (HRW June 1997, Carver August 1995). During a two year period between 1993 and 1995 the authorities declared large areas in the Rift Valley as closed security zones, allegedly to curb the violence. This measure, however, also hindered access for outside human rights observers to the displaced (HRW June 1997).

It has been reported that those displaced in the Mombasa area in 1997 have later returned (JRS March 2001, p.8). Although a large number of those displaced in the Rift Valley have been able to return to their homes or resettle during the 1990s, there is a significant group of displaced people who have not been able to re-establish their homes. Many of the displaced have seen their properties destroyed and do not have the means necessary to rebuild (Article 19 October 1997). Security is one obstacle to return, but unresolved land entitlement issues appear to be a major problem as well. Many of those dispelled from their land during the first half of the 1990s have been unable to return as they are no longer in possession of land title documents or, alternatively, their land has been

nationalised by the Government (USCR 2000). There are also cases where farmers have been forced to sell their land below the market price (HRW June 1997, pp. 71-72).

The Government's policy with regard to return of the remaining IDPs has been ambiguous. Senior government officials have openly expressed reluctance to allow IDPs to return to their former homes, and the Parliament voted in November 2000 against a proposal for resettlement (Carver August 1995; Daily Nation 23 November 2000). However, President Moi made a statement in November 1999 that those remaining displaced in the Rift Valley should return and that "maximum security" would be ensured, but local human right observers have questioned the commitment behind this statement (IRIN 11 November 1999). The responsibility for assistance to IDPs falls under the Relief department at the Office of the President, but nobody are specifically charged with addressing the problem of those displaced during the 1990s (JRS March 2001, p.24).

Available reports indicates that those remaining in IDP settlements during the late 1990s are living under very poor conditions (ICRC 9 July 1998; East African Standard 29 October 2000). Others have sought shelter in poor urban areas - an environment many are ill equipped to cope with as they are without other skills than farming (HRW June 1997). A large number of schools have been closed down in the wake of the displacement and lack of regular income have made displaced families unable to pay school fees for their children (JRS March 2001). 3,000 IDPs who had temporarily re-settled in the Kyeni Forest in the Thika District were forced to further re-settle during 2001 (IRIN 31 August 2001). Many of these had to cope with harsh living conditions in makeshift shelters while waiting for resettlement to a new site (OCHA 31 August 2001).

The displacement situation in Kenya has only received limited international attention. A major UNDP programme was in place between 1993 and 1995 and assisted a substantial number of IDPs to resettle. However, the programme appears to have been phased out prematurely as a reaction to the forceful expulsion of 2000 IDPs from the Maela camp in 1994 by authorities (HRW June 1997).

Although often facing restricted access, national NGOs and church organisations have provided local support for the remaining IDPs and have responded when people have been displaced during the late 1990s. The National Council of Churches of Kenya (NCCCK) has been particularly active in assisting resettlement and peace building in the Rift Valley (EPCPT November 2000). As a response to diminishing international support by the mid-1990s, reconciliation efforts have been forced to rely on local peace building initiatives (Kathina Juma May 2000).

(Updated January 2002)

CAUSES AND BACKGROUND OF DISPLACEMENT

Main causes for displacement

Ethnic violence, fear of ethnic violence and dispossession main causes behind displacement in the Rift Valley during the 1990s

- Violence rooted in land disputes between agricultural communities of Kikuyu, Luo and Luhya people and the pastoralist Kalenjin and Maasai
- Many of the displaced fled after being dispossessed of land or businesses
- Substantial evidence that senior members of the Moi Government organized and funded much of the ethnic violence

"It is estimated credibly that during the 1990's more than 400,000 persons were forced to relocate or were displaced within the country by ethnic violence, fear of ethnic violence, or dispossession. Most of these expulsions occurred between 1991 and 1994; during those years, disproportionately many of the victims were members of the relatively prosperous Kikuyu and related ethnic groups who had lived outside the home regions of those groups. Many of the victims were not only displaced but also dispossessed of land or businesses, and remain without restitution or compensation; several thousands were killed. There is substantial evidence that senior members of the Moi Government organized and funded much of this ethnic violence and large-scale dispossession. Some observers viewed this violent interethnic redistribution of wealth as a means of building or funding a political coalition to prevent the Kikuyus and related groups from regaining control of the State after the Government's need for external financing forced it to accede in 1991 to donors' demands to relegalize [sic!] opposition parties and to hold multiparty elections in 1992. Ethnic violence entailing somewhat smaller numbers of expulsions that victimized various ethnic groups including Luos and Luyhas occurred in the coastal region in late 1997 and in the Rift Valley region in early 1998; local authorities generally did little to stop this violence and appear to have instigated much of the 1997 violence in the coastal region." (US DOS 25 February 2000, sect.5)

"Political violence in the Rift Valley and other areas of western Kenya has cost at least 1,500 lives since 1991 and has caused massive displacement among the local population. At one point the number displaced may have been as high as 300,000.

The violence is ostensibly caused by land disputes between the settled agricultural communities of Kikuyu, Luo and Luhya people and the pastoralist Kalenjin and Maasai. This is often described as 'tribal clashes' and there is no doubt that allegiances in the conflict generally follow ethnic lines. However, it is not coincidental that many Kikuyus, Luyhas and Luos are supporters of the opposition parties, while President Moi is a Kalenjin and Vice-President Saitoti a Maasai, as are many of their immediate circle. To call the violence 'tribal' conceals the fact that one of its principal effects has been to alter

the political demography of the region in the government's favour. To call it 'clashes' conceals the fact that the predominant pattern of the violence has been attacks by Kalenjin and Maasai warriors on unarmed communities." (Article 19 October 1997, sect. 2.3)

"The victims were mostly non-Kalenjins, particularly the Kikuyu, Luo, Kisii and Luhya. Yet, the government blamed the violence on tensions caused by 'land-hungry' tribes and the country's multi-party political system. The Moi regime's response to the violence was grossly inappropriate. Little was done to protect or aid the victims while the government obstructed organizations and the press which had sought to monitor the violence or help the victims. Although some Kalenjin attackers have been convicted, there have been a disproportionate number of convictions of non-Kalenjins who had obtained weapons to defend themselves after being attacked.

[...]

Predictions of pre-election violence came to pass in August 1997 when ethnic clashes again took place in Kenya. The violence along the coast near Mombasa, and in the Rift Valley, have resulted in at least 60 deaths and thousands of displacements. Again, the opposition and government blamed each other for orchestrating the violent clashes. Kikuyu, Luo and Kisii seemed to be the groups most often targeted by the violence." (CIDCM October 1999)

"In areas where violence occurred, evidence indicated that the perpetrators were on hire. According to the interviews conducted by KHRC on the violence at the coast, gangs of young people were recruited, oathed into taking part in causing chaos, and taken into the forests where they received military training. They were paid about Ksh.500. The raiders were clad in informal uniform or traditional attire symbolically associated with the local people. Many of the recruits were outsiders brought into Likoni and other affected areas and familiarised with the region. It is alleged that some were Swahili-speaking Hutu refugees from Rwanda and some Ugandans who served as trainers. With regard to armaments, former recruits claimed that they used crude traditional weapons like machetes, bows, arrows and spears, although later some Somalis said to have escaped from the Utange refugee camp and operating gun-running businesses delivered guns.

Other groups of people were involved in election violence. They include ethnic militias like the *morans* and 'warriors', hired thugs, secret armies, 'hit squads', vigilante groups, personal armies like the *jeshi la mzee* and the *baghdad boys*, and party youth wingers. The use of such surrogate agents to cause chaos, disrupt rallies, beat up, intimidate opponents or otherwise defeat a political cause has been referred to as 'informal repression'. There is no hard and fast evidence to hold anybody directly responsible. Use of surrogate agents is on the rise in Kenya. They are rowdy groups of young people able to carry out their terror as the police officers sent into an area 'to provide security' watch indifferently. Because they are not formally organised or recognised, it is difficult to address the problems they cause. Rather, blame for the violence is placed on the organisers of the disrupted rallies or functions. The government easily denies

involvement in the hooligans activities, condemns the violence and calls for the perpetrators to be arrested.

[...]

Recent developments indicate that simmering ethnic tensions have led to revenge or retaliatory violence. Multi-ethnic South Rift is most affected as incidents at Baraget and Rare indicate. In these two cases, skirmishes involving Kalenjin and Kikuyu in 1997-9 led to the displacement of Kalenjin families. In 2000, retaliatory attacks at the Kaptagat Saw Mill resulted in the demolition or burning of houses belonging mainly to Kikuyu. Such 'new' cases of revenge and population displacement receive little if any national and international attention because they are small-scale and not related to obvious political incitement." (JRS March 2001, pp.7-8, 17)

Several thousands displaced as tension between resident farmers and pastoralist communities in the Tana River district broke into armed conflict (2001-2002)

- Continued drought has increased the tensions between the resident farming communities (Pokomo) and the pastoralist communities (Orma)
- Clashes in November 2001 displaced 3,400 persons
- Renewed violent clashes on 12 January 2002 between the Orma and Pokomo communities

"The conflict was initially triggered in December 2000 by a controversial land adjudication programme, which could have given the Pokomo title deeds to the land they cultivate. The programme was opposed by the Orma as it could have restricted their access to vital grazing lands, according to regional analysts. 'Land adjudication is one of the main factors which ignited the clashes,' Murithi [Assistant Development Coordinator for the international NGO Caritas] said." (IRIN 18 December 2001)

"Over the last few months [before November 2001], Tana River district has experienced conflicts ranging from domestic quarrels, to armed conflict between the predominantly Orma and Pokomo communities. A catalyst for this state of conflict has been the prevalence of natural disasters, like the current drought, plus diversity in land use practises. Since March 2001, as the drought continued, the majority of the animals, both wild and domestic moved in to the dry season grazing area around the River Tana Delta (Garsen Division). This increased the tension between the resident farming communities (Pokomo) and the pastoralist communities (Orma). The first recorded killings were reported in Ngao village, and it extended to Mnazini location later on. This tension resulted in the opening of an armed conflict that has claimed, up to now, more than 50 lives, 120 houses completely burnt down, and also as a direct consequence, a large number of displaced people." (OCHA 30 September 2001)

"The recent clash in Tana River District occurred on the 18 th November [2001] at Tarasaa and Ngao claiming 14 lives and displacing 3,400 persons.

The Pokomo and Orma, farmers and pastoralists respectively, inhabit the Tana River district area. Since December 2000, the two communities have been at conflict over pasture, water and land resources sometimes resulting in clashes during which property was destroyed, people displaced and lives lost. And due to these communities insistence on the use of heavy fire arms, education systems and social development have been disrupted consequently restricting movement and causing food insecurity at the household level as people are unable to access their farms." (OCHA 30 November 2001)

"The security of some 3,000 people displaced by recent violent clashes in Tana River District, eastern Kenya, has improved significantly over the last week, according to humanitarian sources.

'Up to yesterday, there have been no incidents for the last week," Pius Murithi, Assistant Development Coordinator for the international NGO Caritas, told IRIN on Tuesday. "There is quietness now, because people are weary of hitting one another,' he added.

Some families who had fled villages around the town of Hola had begun returning to their homes, the Daily Nation newspaper on Monday quoted Tana River District Commissioner James Waweru as saying. 'I am encouraged by the situation, as families are now coming back, although others are yet to return,' he said." (IRIN 18 December 2001)

"Five people were killed and two others seriously injured in renewed violent clashes on Saturday [12 January 2002] between the Orma and Pokomo communities in Tana River District, eastern Kenya, according to humanitarian and news sources.

A group of about 20 Orma pastoralists attacked the Pokomo farming community at Bondeni village, Galole Division, at 5am local time on Saturday, setting some 37 grass-thatched houses on fire, and stealing 300 goats and 100 head of cattle, Pius Murithi, Assistant Development Coordinator for the international nongovernmental organisation Caritas told IRIN on Monday." (IRIN 14 January 2002)

Armed attacks in the north-eastern Wajir district cause displacement of pastoralist communities (October 1998 and December 2000)

- Series of attacks within a 20 km-radius, in four sites, Tuli, Buthutha, Jerar and Tularoba
- Violence rooted in traditional dispute over grazing and water rights
- Proliferation of small arms has increased violence and affected the balance between pastoralist communities
- ICRC/Kenya Red Cross Society survey identified 6,500 displaced individuals
- New attacks in December 2000 made over 25,000 Kenyans flee the Wajir border area

"A massacre on 25 October [1998] in Kenya's remote Wajir District, North Eastern Province (NEP), has caused large-scale displacement of local pastoralist communities. The remote desert-savannah roads are filled with camels, cattle and goats moving towards

'safe centres'. But the trek of several hundred kilometres has put stress on the livestock and the watering points and dying camels dot the route, independent journalists say.

Members of the Degodia community, a Somali clan living in the North Eastern Province, were hit in an early morning dawn raid. Officially the death toll has been put at 42, but the real number, believed to be much higher, will almost certainly never be known. More than 10 days after the military-style attack, survivors are still emerging with bullet wounds and fractures.

The massacre took place through a series of attacks within a 20 km-radius, in four sites, Tuli, Buthutha, Jerar and Tularoba. Bodies were given a hurried burial two or three days after the attack. In Tuli, an ancient volcanic bowl with lush grazing and a large watering point, independent journalists counted 60 graves along a 12-km stretch alone.

[...]

The theft has rendered victims destitute. Survivors interviewed by journalists record their individual losses at anywhere between 30 to 100 camels, and similar numbers of cattle and goats. Locals say a camel is presently worth between 8-10,000 Kenyan shillings (US \$150). Supplying shelter and food to pastoralists can, therefore, only be an emergency stop-gap measure.

Oxfam and the Kenyan Red Cross are giving assistance to some 600 survivors and displaced families in Arbahajan, Giriftu and Eldas, Wajir district, with shelter material, water containers, blankets and food. Recent rain and continued fears about insecurity are hampering humanitarian efforts.

The attack was executed with automatic guns and rocket propelled grenades and turned a traditional dispute over grazing and water rights into unprecedented slaughter.

Raiders from the Borana community reportedly enlisted the support of Ethiopian rebels from the Oromo Liberation Front (OLF). Survivors claim to have captured, interrogated and killed one of the Borana raiders who said about 200 OLF rebels were involved.

[...]

Proliferation of small arms has increased incidents of banditry in the NEP, as well as affecting the delicate balance between pastoralist communities. Until recently, there was an alliance between the Degodia and the Borana, but issues of grazing and trespass have led to killings (notably the killing by Degodias of nine Borana last September). New alliances have developed in the Northern communities, principally between the Gabbra and the Borana. These shifting alliances draw on support from heavily-armed kin in neighbouring Somalia and Ethiopia, local leaders say.

Of urgent concern - relating to the proliferation of arms among the border communities - is the inevitability of a revenge attack, particularly in the absence of effective government action. The Degodia are criticising the current official response and security operation as 'poor' and 'insufficient'. Rumours are already circulating in Wajir town that the Degodia have sent men to neighbouring Somalia to buy guns and get help from related Somali clans.

Gun control is a significant problem in the NEP. Since May, the Degodia community have surrendered thousands of guns in a three-month government amnesty; but the operation, without increased government security and a new force of promised 'home guards', has clearly left the community vulnerable. Local opposition MP, Adan Keynan, Wajir West, says people will buy guns 'if they feel they have to'. He says a cycle of revenge attacks arises from a 'lack of decisive government action in an area where people are treated like second class citizens'. Local residents say automatic guns are readily available at affordable prices." (IRIN-CEA 9 November 1998)

"The ICRC and the Kenya Red Cross Society have just surveyed the needs of people displaced following the massacre in the north-eastern part of the country two weeks ago. Some 6,500 individuals were included in the survey, 80% of whom were women and children. Most of them are living in the open or in makeshift dwellings." (ICRC 12 November 1998)

In December 2000, new attacks made people flee the Wajir area:

"Over 25,000 people have fled the Wajir area of northern Kenya as fears of further attacks from Ethiopian militiamen mounted Monday [4 December 2000], The People Daily newspaper reported Tuesday.

Kenyans living along the Kenya-Ethiopia border areas of Dugo, Ogomdi and Qudama have been fleeing to Bute and Ajawa, further inland, since the militiamen of Tabaga origin attacked the area at the weekend, killing 11 people and wounding scores of others. Two militiamen also perished in the attack.

The animosity between the Garre and Ajuran clans of southern Ethiopia has spilt over into Kenya in the last year with hundreds of Kenyans so far killed.

Abdullahi Amin, the Wajir County Council chairman, confirmed the exodus and said information reaching the town Monday had indicated that another raid was in the offing. He said top leaders from the Garre community in Kenya had hatched a plot in collaboration with their Ethiopian counterparts to attack all the trading centres along the border.

[...]

Amin said the thousands of displaced people camping at the Bute area were badly in need of food and medicine supplies. He called on the International Red Cross Society and other humanitarian agencies world-wide to come to their aid.

The Wajir District Commissioner, Muhamud Maalim, also confirmed the residents' flight, although he denied that the displaced people were in dire need of supplies.

He said the government had supplied them with enough food and medicines and that the provincial administration was making arrangements for resettlement." (PANA 5 December 2000)

"Last week, the Kenyan press said heavily armed militiamen attacked the border town of Gurar, killing 12 people, and wounding five others. The militiamen were reported to have come "from Ethiopia". A four year-old girl was also abducted by the militiamen, who retreated to Ethiopia with stolen livestock, the 'Daily Nation' said. North Eastern Provincial Commissioner Maurice Makhanu said after visiting the area that there was "sufficient evidence linking the raid to an Ethiopia militia group", Kenyan state radio reported on 2 December. Makhanu has made previous complaints about the Ethiopian government and attacks in the area.

The Ethiopian government blames insecurity on the presence of the Oromo Liberation Front (OLF), an Ethiopian armed opposition group said to be operating from Kenyan territory near the common border. Diplomatic sources told IRIN that insecurity on the border had worsened because the regional drought had exacerbated traditional conflicts at watering points and over access to pasture, as well as by being linked to the presence of the OLF." (IRIN 6 December 2000)

See also:

[Red Cross assistance to the displaced in the Wajir district \(1999\)](#)

Renewed inter-ethnic violence in the Rift Valley during 1998 caused displacement similar to the early 1990s

- Violence in Laikipia area in January 1998 made over 2500 flee the area
- Attacks and counter attacks between Kalenjins and Kikuyus in Njoro area led to the burning down of 200 houses and 'hundreds of people' fleeing
- Attacks by Kalenjin raiders on unarmed Kikuyus in the Nakuru district during January 1998
- Reduced violence in Rift Valley Province since mid-1998

"In December 1997, Kenyans went to the polls to elect members of parliament and the country's president. The elections were conducted in the glare of international publicity, not least because the international community was seriously concerned about whether the elections would be free and fair. Despite evidence of electoral irregularities, political violence and a legal framework which favoured the incumbent government, observers of the elections endorsed the resulting victory of President Moi and the Kenya African National Union (KANU) as being an expression of the will of the people.

In the wake of the elections, there rapidly followed a waning of international interest in political developments in Kenya. This was despite the fact that within a month of the elections, politically motivated ethnic 'clashes' erupted in Rift Valley Province. The violence left hundreds of people dead or injured, and thousands of others displaced from their homes and living in makeshift shelters. It was clear that this violence was following a pattern similar to that encountered during previous outbreaks of conflict in Kenya

between 1991 and 1994 — prior to and after the country's first multi-party elections in 1992 — in which predominantly Kalenjin supporters of KANU attacked members of ostensibly 'pro-opposition' ethnic groups. The important difference between then and now was that for the first time, members of a 'pro-opposition' ethnic group, the Kikuyus, were organizing and actively fighting back." (Article 19 December 1998, sect.1)

"11 January 1998: Violence in the Rift Valley Province began with an attack on a Pokot (sub-group of the Kalenjin) homestead by unknown raiders. This attack led to revenge attacks beginning 17 January against Kikuyu families living in Ol Moran, a village in Laikipia region." (CIDCM October 1999)

"On the night of 13 January 1998, some Pokot and Samburu men attacked Kikuyu communities in the Magande, Survey, Motala, Milimani and Mirgwit areas of Ol Moran in Laikipia. It appears that the attackers were armed not only with spears, bows and arrows, but also with guns. It was claimed that some of the attackers were dressed in military-type clothing. It has been estimated that over 50 Kikuyus were killed during these attacks and over 1000 others fled the area and sought refuge at the Roman Catholic church at Kinamba, from where they were later relocated to temporary shelters at Sipili and Ol Moran.

On 21 January, about 70 unidentified people invaded three farms in Njoro including one belonging to the newly elected DP Member of Parliament for Molo Constituency, Kihika Kimani. Three days later, groups of what local residents described as Kalenjins attacked Kikuyus in parts of Njoro in the same constituency. There were varying explanations given for these attacks. One version of events blamed them on the refusal of local Kikuyu traders to supply goods and services to Kalenjins in response to the events in Laikipia. Another suggested that this was simply an unprovoked attack on Kikuyus by local Kalenjin youths. The attack on Kikuyus on 24 January provoked a counter-attack by a group of apparently well-organized Kikuyus, who on 25 January attacked Kalenjin residents of Naishi/Lare in Njoro.

According to police reports, 34 Kikuyus and 48 Kalenjins were killed during these initial attacks and over 200 houses were burnt down. Hundreds of people from both communities were displaced by the fighting, and many of them fled to temporary 'camps' at Kigonor, Sururu, Larmudiac mission and Mauche. During its visit to Kenya the joint mission witnessed the very poor conditions in which displaced people in these camps were living. Sporadic fighting continued during February and March 1998. By 11 March, police reports were estimating that at least 127 people had been killed since the 'clashes' had begun in January." (Article 19 December 1998, sect.3.2)

"By the end of January [1998] most of the killings in Laikipia district had stopped. Over 50 people had been killed, almost all Kikuyu, over 2,500 people had been displaced and 78 Kikuyu houses and stores had been burnt. There were five reported cases of rape during the attacks. In the previous seven years there had only been eight reported cases of rape. The majority of those people killed were aged over 60, with the exception of those Kikuyu killed on 17 January [...]. Not all of the bodies of those killed have been found.

In Nakuru district the violence began late at night on 24 January when Kalenjin raiders attacked unarmed Kikuyu in their homes in Mauche at 9pm and later at Ndeffo *Store Mbili* (two stores). The Kikuyu in the area fled to Naishi, a predominantly Kikuyu area, during that evening and the following day [Naishi, a Kalenjin name, is also known as Lare in Kikuyu.]. On 25 and 26 January the Kikuyu responded to the attacks on their community in an organised manner and attacked unarmed Kalenjin in their homes at Naishi. Over 35 Kalenjin were killed. Witnesses described being attacked by organised groups of Kikuyu men carrying *pangas* and *rungus*." (AI 10 June 1998, sect.3)

"7 February 1998: Fifteen Kalenjin were killed in recent ethnic violence in the Njoro and Mau Narok areas. At least 80 people (one report suggests at least 150) have been killed in the region since early January. Pokot and Samburu, sub-groups of the Kalenjin, are thought to be the main perpetrators of the violence, and Kikuyu the main victims. A curfew was imposed in the Rift Valley Province's provincial capital of Nakuru on 5 February. Hundreds of families have fled their homes in Gishu District, and thousands of others have reportedly been displaced.

[...]

Violence in the Rift Valley follows the pattern of 1991-1994. There is compelling evidence that initial attacks were organized from outside the communities. Recent attacks occurred only in areas where the Democratic Party won parliamentary seats. Violence began within days of KANU politicians visiting the area and verbally threatening DP supporters." (CIDCM October 1999)

"Attacks continued until mid-February. By then over 70 people had been killed many others wounded, 1,500 displaced and over 132 Kikuyu houses and 106 Kalenjin houses had been burnt. The majority of those killed were Kalenjin. Sporadic incidents continue - at the end of April five people were killed, including a 20-year-old woman, Helen Njeri Mbuthia, who died as a result of horrific wounds from *panga* cuts after her house was attacked by a group of Kalenjin men." (AI 10 June 1998, sect.3)

Since mid-1998 it appears that the violence abated:

"Over the last six months [second half of 1998], the levels of violence in Rift Valley Province have markedly reduced. The Kenyan government has announced a commission of inquiry which is mandated to investigate the reasons for the violence in Rift Valley Province since 1991. Furthermore, the bitter dispute between the Kenyan government and civil society organizations about the shape and direction of the constitutional reform process set in motion during the run-up to the December 1997 elections appears at last to have been resolved. So do these hopeful developments mean that the root causes of the violence in Rift Valley Province may finally be addressed? The answer to this question will be 'no' unless there is an end to the culture of impunity and disregard for human rights, which has, prevailed for so long in Kenyan government circles." (Article 19 December 1998, sect.1)

Displacement caused by fighting in Mombassa region/Coast Province (1997)

- Discontent toward upcountry settlers materialised into violent attacks especially aimed at people with Kikuyu, Luos and Luhya background
- Gangs of 200-500 people armed with guns, clubs, machetes and bows and arrows attacking villagers
- "Thousands" of people fleeing to safe havens in Mombasa or inland

"There was a major outbreak of ethnic-targeted violence along the coast in August and early September [1997], resulting in at least 100 deaths and thousands of people fleeing to safe havens in Mombasa or inland. Most of the victims were immigrants from upcountry Kenya who had settled along the coast, and the attacks reflected indigenous ethnic animosity and economic discontent toward the upcountry settlers. However, there were indications that the violence had political roots, with local KANU political leaders reportedly involved in the planning. The efforts of security forces to contain the violence were slow and piecemeal, allowing the violence and the exodus of refugees to continue for many weeks." (US DOS 30 January 1998, sect. 1a)

"Police have arrested 200 people so far [21 August 1997], including a leading KANU member in Mombasa and the leader of the party's youth wing on the coast, in connection with the ethnic violence that has surfaced in the Mombasa region. Some 2500 people have been displaced by the fighting and are camping at Likoni Roman Catholic Church south of Mombasa. The Church is guarded by 40-50 police. The attacks began in mid-August with gangs of 200-500 people armed with guns, clubs, machetes and bows and arrows attacking villagers. Kikuyu, Luos and Luhya are the main targets of the attacks, just as they were in the Rift Valley in 1992. At least 70 people have been killed in the violence.

[...]

Four people are dead in violence in Likoni, a suburb of Mombasa, in fighting between the Maasai and Kisii communities. Over the past few days [early September 1997], up to 100,000 people have fled Likoni by ferry. A recent raid on a police station in Likoni left ten police officers dead while the raiders got away with a large arms supply from the station." (CIDCM October 1999)

"Thousands reportedly remained displaced at year's end [1997], fearful that security personnel were unable or unwilling to protect them.

Kenya's coastal violence erupted four months before the country's presidential election and appeared to be politically motivated, according to most neutral observers. Attackers primarily targeted Kenyans who had migrated to the coastal Mombassa area from other regions of the country, many of them seeking employment in the area's healthy tourism industry. Leaflets warned 'non-native' families to return to their 'ancestral homes,' and attackers destroyed their houses and businesses.

Uprooted families fled to churches, mosques, and hospitals, where some of them suffered further attacks." (USCR 1998)

"In August 1997, a series of ethnically-driven attacks in the Coast province killed 40 people and displaced more than 120,000, adding to the hundred of thousands already displaced in similar violence in the early 1990s. The Kenyan government did not provide adequate security or protection to these people, nor did it take any steps to assist them to return to their homes. Armed gangs from coastal ethnic groups razed businesses and homes belonging to people from inland tribes." (Nowrojee 1998, p.65)

Renewed violence cause new displacements in Rift Valley during 1994 and 1995

- Some 800 families displaced in attacks by Kalenjins in Burnt Forest in March 1995
- Some 25-30,000 people driven from their homes security zone areas during 1994

"The Maela removals [in December 1994] were the signal for a renewal of violence. On 6 January 1995, some 650 displaced people at Thessalia mission were victims of a night attack by men armed with bows and arrows. Some accounts described the displaced as having been dispersed from Maela. However, there has been a long-standing displaced community at Thessalia which the government refuses to include in the resettlement programme, on the grounds that they are squatters, not victims of the 'clashes'.

Two days later, in a speech at Naivasha, President Moi accused the opposition of planning 'guerrilla warfare' against the government and of being behind recent Rift Valley violence. On 10 January, 10 Kikuyus, including two children, died in attacks by 60 Maasai *moran* (warriors) at Kagecha, near Mai Mahiu in Naivasha. Some reports alleged that the attack was prompted by the earlier killing of two Maasai in Mau Narok.

In February 1995 arsonists destroyed 22 houses in Burnt Forest and in March four people in the same area were killed and some 800 families displaced in attacks by Kalenjins." (Carver August 1995)

"The decline in the number of violent incidents in 1994 was claimed by the government as a victory for its policy of imposing 'security zones', introduced in September 1994. This involved restricting movement to and from three of the worst affected areas: Molo, Londiani and Burnt Forest [...]. Human rights groups and journalists claimed that the main aim of the policy was to prevent a flow of accurate information about the violence[...]. In March 1995 the security zone restrictions were lifted[...]. In fact the security zone areas continued to be the epicentre of the violence, with some 25-30,000 people driven from their homes during 1994, despite the restrictions in force[...]." (Carver August 1995)

"[A] large outbreak of 'ethnic' violence in the Burnt Forest area in March 1994, which left at least eighteen dead and perhaps 25,000 displaced.

Burnt Forest was an area that was particularly hard hit and, for some, this was the second or even third time they had been displaced. Communities in Burnt Forest were first

attacked in December 1992 and then in January, February, April and August 1993 and January 1994. The attacks in Burnt Forest in March 1994, which continued for a week, left the disturbing impression that the government was unable or unwilling to take effective measures to stop the clashes.

[...]

Other attacks on a smaller scale occurred sporadically elsewhere in the country throughout the duration of the UNDP program. For example, in January 1994, approximately 4,000 Kikuyus fled from their homes at Mwoyoi Scheme and Nyandonche, Ibere, Nyaiguta, Masimba and Tilango farms in Trans-Mara sub-district of Narok province, after their farms had been attacked by Maasais. The Kikuyu owners alleged that a meeting had been held at Lolgorien division headquarters of the local administration, which non-Maasais had been barred from attending, where a resolution had been passed to evict them. On February 21, there was a raid by approximately fifty Kalenjins on Kianjogu village at Laikipia district. The attack resulted in several injuries and the death of one Kikuyu, Kuria Njoroge, as well as the burning of houses. The victims of the attack reported that their attackers identified themselves as 'tribal executioners who will return soon to finish all of you.' On May 1, 1994, eight were killed and twenty-six seriously injured when over one hundred attackers chanting majimbo slogans attacked Mtondia village, approximately ten kilometers from Kilifi town in Coast province, hundreds of miles from the Rift Valley, where the clashes had previously centered. The houses and property of predominantly Luo residents were destroyed and looted. Approximately 2,000 people fled the area following the attack. The attack had been preceded by the circulation of anonymous leaflets stating 'if you are a Luo, the road to Kisumu is wide open, we have no mercy, we shall fight you.' Journalists who attempted to visit the area after the attack were prevented by police who had sealed off the area." (HRW June 1997, pp. 55, 57)

Environmental issues linked to violence induced displacement of 30 000 Kikuyus from Narok district in 1993

- The Enoosopukia area in the Rift Valley Narok district declared water catchment area one month before outbreak of violence in October 1993
- Enoosopukia clashes began after Kikuyu settlers allegedly mutilated Maasai cattle
- Claimed that Kikuyus had settled with permission from local authorities

"During the week of October 15, 1993 violence erupted in the Narok district of Kenya's Rift Valley province. Maasai *morans*, or warriors, attacked immigrant Kikuyu settlers and massacred at least 17 of them in the first three days of the conflict[...] . As the casualties mounted (16 more Kikuyus were killed in other parts of Narok), the rest of the Kikuyu population was forced out of the area and into refugee camps. This was, however, not just a typical case of ethnic cleansing, which had become almost routine since Kenya's transformation to a multi-party political system began six years ago. Environmental concerns also played a central role. Only months before, the Narok County Council had declared Enoosopukia, the site of the conflict, a water catchment area and decreed that all inhabitants, mostly transplanted Kikuyus, had to leave. The local

Maasai elites, supported by the central government, reacted harshly, expelling the Kikuyus.

[...]

The violence in Enoosopukia was preceded by years of distrust between the indigenous Maasai and the immigrant Kikuyus. In 1990 the Maasai, a pastoral people, were replaced as the majority in the area by the Kikuyus, who tended to be better educated and skilled. Kikuyu culture stresses economic productivity, and Kikuyus are well known in Kenya for their success in commerce. [...]. The Maasai had traditionally been their partners in trade. Perhaps because of this tradition of cooperation, both sides avoided open conflict, and the Kikuyus continued to obtain permission to settle in Enoosopukia from the local authorities, including Maasai hardliner and government minister William ole Ntimama. Tempers soon began to flare between the Maasai elites, who tended to support KANU, and the Kikuyus, many of whom favored the opposition. With the advent of the new political system in 1991, both sides realized that multi-party elections would require ethnic-based parties. Leaders such as Ntimama, ethnic Maasai and Narok MP, took advantage of the new politics of ethnicity to unflinchingly defend the perceived interests of their nations against all others. Ntimama demanded that Kikuyus residing in his district support him at the polls. According to Ntimama, the Kikuyus had acquired their land by dubious means, cheating the illiterate Maasai out of their ancestral property. [...] Ntimama fanned the flames of ethnic hatred by making 'blatantly inciting utterances at a public meeting, by saying that the non-Maasai living in Maasai land should respect the Maasai, and further warned that the title deeds owned and cherished by such non-Maasai were mere papers that could be disregarded at any time.' [...]

[...]

The Enoosopukia clashes began after Kikuyu settlers allegedly mutilated Maasai cattle. The Maasai accord great respect to cattle, the source of their livelihood and a gift from god. [...] As a result of this insult, five hundred Maasai warriors killed up to 33 Kikuyu as the clashes spread throughout the Narok district and forced 30,000 more out of the area. [...]. None of those driven from their homes was made aware of their destination. The displaced were forced to gather at the Maela refugee camp, about 10 km from Enoosopukia, while the Maasai took over their farms. Senior government officials called for the complete expulsion of certain ethnic groups from the Rift Valley Province." (American University – ICE 1997)

Ethnic clashes related to the 1992 election displaced more than 300,000 in the Rift valley

- The majority of the displaced came from the ethnic groups associated with the political opposition (e.g. Luo, Luhya, and Kikuyu)
- Competing land claims were used to inflame violence among certain ethnic groups
- People displaced as armed "Kalenjin warriors" attacked Luo, Luhya, and Kikuyu farms
- Most attacks carried out by organised groups

"In August 1991, an internal democracy movement had demanded an end to the monopoly on power held by KANU, which had led Kenya since independence in 1963.

President Moi, however, claimed that the return to multiparty rule would threaten the stability of the state by polarizing the country along ethnic lines. By the time multiparty elections were held at the end of 1992, it appeared that his claim was accurate: Kenya's political parties had divided largely along ethnic lines, and 'tribal clashes' in the rural areas of western Kenya had left hundreds dead and tens of thousands displaced. The great majority of the victims came from the ethnic groups associated with the political opposition. By 1993, Human Rights Watch/Africa estimated that 1,500 people had died in the clashes and that some 300,000 were displaced. The clashes pitted Moi's small Kalenjin tribe and the Maasai against the populous Kikuyu, Luhya, and Luo tribes. For a while, Kenya, previously an example of relative stability in the region, teetered on the brink of a low-level civil war.

[...]

As the campaign for multiparty democracy gained strength [during 1991] and then developed into a full election campaign, violence broke out between different ethnic groups, particularly in the Rift Valley, Western and Nyanza provinces, the heart of the 'white highlands' during colonial times. The 'tribal clashes,' as they became known, first broke out in October 1991 on the border of the three provinces, and rapidly spread to neighboring districts. By December 1991, when parliament repealed the section of the constitution making Kenya a one-party state, large areas of western Kenya had been affected as tens of thousands were displaced from their land.

Eyewitness reports of the attacks were remarkably similar. Bands of armed 'Kalenjin warriors' attacked farms belonging to the Luo, Luhya, and Kikuyu, the groups from which FORD drew its main support, destroying homes and driving the occupants away or killing those who resisted. The attackers were often dressed in an informal uniform of red or black t-shirts, their faces marked with clay in the manner of initiation candidates, and armed with traditional bows and arrows or pangas (machetes). The attacks by the Kalenjin warriors had in almost all cases been carried out by organized groups. Local Kalenjin often reported that outsiders had come to tell them that they had to fight and that the Kikuyu or others were planning to attack them. They also reported that they were promised the land of those they attacked. By contrast, where counter attacks had been mounted by Kikuyu, Luhya, or Luo, they were usually more disorganized in character, and by no means as effective in driving people away from their land. The great majority of those displaced were members of the Kikuyu, Luhya, and Luo ethnic groups.

Although it seemed that the first outbreak of fighting was a simple land dispute between members of the Luo and Kalenjin groups, the violence rapidly took on the content and ethnic breakdown of the wider political debate. FORD, the leader of the call for multipartyism, was dominated by Kikuyu, Luo and, to a lesser extent, Luhya, at both leadership and grassroots levels. Although the coalition included members of other ethnic groups and based its political platform on the misuse of power by President Moi, it built much of its appeal on the resentment of its supporters to the domination of the government by Moi's own ethnic group, the Kalenjin, and its allies, the Maasai. Moi, for his part, portrayed the calls for multipartyism as an anti-Kalenjin movement and played on the fears of the minority ethnicities at the return to power of the economically

dominant Kikuyu. At the same time, he argued that Kenya's multiethnic nature meant that multiparty politics would inevitably break down on ethnic lines leading to violence. Kalenjin and Maasai politicians opportunistically revived the idea of majimboism, ethnic regionalism, championed by KADU at independence. KANU politicians close to Moi revived the calls for majimboism as a way of countering the demand for multipartyism in Kenya. Under the cover of a call for regional autonomy, prominent politicians demanded the forcible expulsion of all ethnic groups from the Rift Valley, except for those pastoral groups-Kalenjins, Maasai, Turkana and Samburu-that were on the land before colonialism. A number of majimbo rallies were held calling for 'outsiders' in the Rift Valley to return to their 'motherland,' or for 'true' Rift Valley residents to defend themselves from opposition plots to eliminate the indigenous peoples of the valley. While many Kenyans have no quarrel with the concept of regionalism, *per se*, they viewed these calls as nothing less than ethnic expulsions." (HRW June 1997, pp. 36-39)

Background of the conflict

Land issues, ethnicity and politics major factors behind the violence during the 1990s

- Clashes were attempts to drive away "non-indigenous" Rift Valley populations to create ethnic homogeneity
- Opposition party leaders were warned not to enter the Rift Valley
- Conflicting rights of the pastoralists and the squatter communities not addressed after independence

"[...]increased internal and international pressure led to the repeal of Article 2(a) which had introduced the *de jure* one-party state in 1982, and saw to the return to multi-partism in December 1991.

With the return to pluralism, violence referred to as 'ethnic cleansing' or 'land clashes' erupted in many parts of the country, including multi-ethnic regions in the Rift Valley, Coast and Western provinces. Tensions that often resulted in violence were also prevalent in areas of common borders like Gucha, Trans Mara, Migori, Tigania and Tharaka Nithi, among others. This violence caused the displacement of thousands of people and undermined their civic and political rights, especially their right to vote. The bloody confrontations between supporters of different parties, and the indifference of the government to the violence drew international attention to the elections, which were described by monitors and observers as massively flawed.

[...]

Research into the violence indicates that the affected communities were mainly supporters of opposition parties. The Kenya government got into pluralism involuntarily due to internal and international pressure, and it is alleged that KANU leaders were firmly resolved on either reverting the country to one party status or keeping genuine democracy at bay.

[...]

The land issue is a problem along district boundaries in other parts of the country as well. It became more prevalent with the creation of new constituencies and districts because they are viewed as describing tribal boundaries. In multi-ethnic areas, the creation of a new district has led to the victimization and expulsion of the ethnic minority. It has affected border areas such as Busia/Teso, Migori/Kuria, Gucha/Kuria, Gucha/Transmara and constituency boundaries in Meru. Such tension causes displacement of the minority group. Affected people usually do not move into camp-like settlements, but go to live with relatives or rent rooms and shanties in towns." (JRS March 2001, pp.5, 6, 11)

"The nexus between ethnicity and geographical space gave the 1990s clashes their unique character. The campaign against multiparty politics would have had a less violent impact, were it not for this association [...]. These clashes were attempts to drive away populations seen as 'alien' (non-indigenous) in a bid to create ethnic homogeneity, presumed to operate as bloc that could offer political support. As 'enemy' communities were expunged, KANU strongmen urged vigilantes to create and protect KANU zones. For example, in early 1991, the controversial *majimbo* rallies promulgated the theory that the Rift Valley was an exclusive Kalenjin KANU zone. Opposition party leaders were warned not to enter the Rift Valley. Meanwhile, their presumed supporters were being driven out of the Rift Valley[...].

[...]

Ironically, the relationship between ethnicity and territory is rooted in colonial policies that created the enviable 'white' highlands. During this period, Kenyans were evicted to create space for settler agriculture. With independence, the principle of 'willing seller, willing buyer' determined who could own these lands. People of different ethnic backgrounds, with the ability to purchase these farms, either individually or as members of co-operatives, became neighbours. Meanwhile, large numbers of people who had been evicted earlier, but did not have money after independence, remained squatters. The areas that witnessed the most violent of inter-ethnic clashes were within the former 'white' highlands. The principal areas of conflict include (1) the Rift Valley districts of Nakuru, Molo, Kericho, Nandi, Uasin Gishu, Trans-Mara, and Marakwet; (2) the districts that flank Mt. Elgon, namely, Trans-Nzoia, Bungoma and Mt. Elgon, and (3) Mombasa located in the Coast Province." (Kathina Juma May 2000)

"Access and rights to land are a key issue of contention in Kenya, particularly in the Rift Valley Province. The customary rights of the nomadic pastoral communities, including the Kalenjin, to land in the province were usurped during the colonial period by white settlers, who expropriated much of the best land. The settlers recruited agricultural labour from neighbouring provinces, particularly the Kikuyu from Central Province, who became squatters on European farms. After Independence the conflicting rights of the pastoralists and the squatter communities were not addressed. Many Kikuyu took advantage of land-buying schemes and settled permanently in the Rift Valley. The area in the Nakuru district affected by the violence had been settled in the late 1970s by both the Kikuyu and Kalenjin communities. Since 1996 2,000 to 3,000 Kalenjin families have been settled by the government in the forest areas neighbouring the Njoro to Molo road [Pressure on land has resulted in forest areas being settled. However, this policy has caused controversy and many settlement schemes have been challenged, often on the

grounds that they ignored customary rights to the land. This settlement was challenged by the Ndorobo, one of the Kalenjin ethnic groups.]. These families were from the Bomet and Kericho areas. Prior to the elections the two communities lived peacefully together." (AI 10 June 1998, sect.2)

Background to the ethnic divisions in the Rift Valley (1999)

- Kikuyus moved into the Rift Valley Province during the colonial period and after independence
- Large number of Kikuyus bought land in areas inhabited by among others Maasai and Kalenjin people, in the Rift Valley in the 1960s and 1970s
- Proponents of "Majimboism" have called for the expulsion certain ethnic groups from the Rift Valley
- Moi's Kalenjin group and the Maasai instigated the violence against other groups in the Rift Valley

"The Rift Valley is home of people of many ethnic backgrounds. Some communities are pastoralists and others small-scale farmers. Prior to the multi-party era, these people lived harmoniously together, intermarried and engaged in trade. In 1992/3, most of the agriculturalists, mainly from Central and Western provinces, were ordered to return to their ancestral lands, and failure to do so resulted in their being killed and their property looted or destroyed. Ethnic sentiment and suspicion is deep in South Rift, where there is a mixture of Kikuyu, Kalenjin and Maasai tribes. Memories of 1992 are still fresh as people remain displaced. Small differences between individuals rapidly escalate into tribal skirmishes as one tribe is seen to be attacking the other. The researcher was told of an incident in August 2000 at Baraget where a quarrel over a wrist watch between two young people from different ethnic groups led to a tribal war that saw to the death of six. It could have got worse had elders from both tribes not met to find out the root of the problem. In this part of the Rift Valley, issues are judged according to the ethnicity of the person raising them, rather than by their merit. See a version of this kind of ethnic animosity in Museveni, Y., *Sowing the Mustard Seed* (Kampala: Macmillan, 1998) pp.10-21. Nepotism and favouritism has made matters worse as people from a particular community have benefited more or at the expense of others. Fear of economic and political domination by certain communities is evident by the appointment of individuals from particular tribes to key or strategic government positions." (JRS March 2001)

"The Moi government capitalized on unaddressed land ownership and tenure issues, dating back to the colonial period. During colonial rule, pastoral ethnic groups on the land in the Rift Valley area were ousted to provide land to British settlers. Following independence in 1963, much of this same land was used to settle squatter laborers who had been previously used as cheap agricultural labor on the settler farms.

After independence, Kenya became a de facto one-party state led by KANU, following the voluntary dissolution of the Kenya African Democratic Union (KADU) which had advocated ethnic regionalism and another party, the African People's Party. KANU rule under president Jomo Kenyatta was characterized by strong Kikuyu nationalist

sentiments. Moreover, the land issue was never fully addressed. British settler interests were safeguarded, while no effort was made to deal with the competing claims of those pastoral ethnic groups who originally were ousted from the Rift Valley area by the British and the squatter laborers who subsequently settled on the land. Consequently, large tracts of some of the best farmland in Kenya remain owned by British settlers. For those settlers who wanted to sell their land, land settlement schemes were set up with the newly independent government to assist the former squatter labor to buy land either individually or through collective schemes.

Among the Kikuyu, unlike communal pastoral groups, such as the Maasai and Kalenjin, farming was an established practice. Accordingly, many Kikuyus were eager to take advantage of the opportunity to purchase land. Encouraged and assisted by President Kenyatta, a Kikuyu, large number of Kikuyus bought land in the Rift Valley in the 1960s and 1970s and moved from the overcrowded Central Province. These farms were at the center of the 'ethnic' violence of the 1990s. The instigators drew on the competing land claims in order to inflame violence among certain ethnic groups." (HRW June 1997, pp. 37-38)

"No ethnic group in Kenya, except a few of the smallest ones, is culturally and linguistically homogeneous. The Kikuyu are found in the Central Province and the capital city Nairobi. During British colonial rule, the Kikuyu, an agricultural people, lost their land to white settlers and took work as laborers on European farms. In order to relieve their land shortage and demographic stress, they moved into the Rift Valley Province during the colonial period and after independence. During the rule of Kikuyu President Kenyatta (1963-1978), they enjoyed political and economic advantages. They are still advantaged economically. The Kikuyu are strongly in opposition to Moi, but their loyalty is split between the FORD-Asili (Forum for the Restoration of Democracy), FORD-Kenya and Democratic Parties (DP). FORD was founded in 1991, but split in 1992. FORD-Asili draws its support mainly from the Kikuyu and Luhya, FORD-Kenya from the Luo and the DP from the Kikuyu. During President Moi's rule, the Kikuyu have been the primary targets of ethnic violence.

The Luo inhabit the southwestern Nyanza Province. While Oginga Odinga, a Luo and leader of KANU at independence, held the office of Vice President, the Luo were politically advantaged. But the Luo lost their political advantage when Odinga defected from KANU and formed the Kenya People's Union (KPU) in 1966. He has continued to be a leading opposition figure and the Luo were targeted for violence between 1991-94.

The term Luhya was first introduced during the colonial period. It is a large linguistic group which consists of sixteen smaller groups: Bukusu, Dakho, Kabras, Khayo, Kisa, Marachi, Maragoli, Marama, Nyala, Nyole, Samia, Tachoni, Tiriki, Tsotso, and Wang'a. Luhya are concentrated in the Western Province and adjacent areas of the Rift Valley Province. They were also targeted by the ethnic clashes that erupted in 1991.

The Kisii live primarily in the southwest corner of Kenya in Nyanza Province. In 1964, the Kisii and Maasai were involved in border disputes that Moi mediated successfully.

Between 1991-94, Kisii were also targeted by the Kalenjin and Maasai. Of the four groups, the Kikuyu and Luo are most united in opposition to the Moi regime, the Luhya are the least uniformly anti-KANU and anti-Moi, and the politics of the Kisii are the least known.

Upon Kenyan independence from Britain in 1963, President Kenyatta began to give preferential treatment to his own Kikuyu group. The Kikuyu obtained much of the fertile land in the process of the Africanization of the White Highlands. Since Daniel arap Moi (a Kalenjin) came to power in 1978, however, Kalenjin and Maasai politicians have demanded the introduction of Majimboism (a federal system based on ethnicity) which would mandate that only members of the original inhabitants (i.e., the Kalenjin and Maasai) would have political and economic rights in the Rift Valley areas.

President Moi has been repeatedly criticized for the harsh repression of opposition to his government and for other human rights abuses. Between the end of 1991 and 1994, the country was torn apart by ethnic violence which pitted Moi's Kalenjin group with the Maasai against the Kikuyu, Luo, Luhya and Kisii.

[...]

Since Moi came to power, Kalenjin and Maasai politicians in KANU have advocated the introduction of the Majimbo (federalism) system (which was proposed at independence but abandoned by then-President Kenyatta, a Kikuyu), claiming that the Rift Valley was originally the land of the Kalenjin and other pastoral groups, including the Maasai, Turkana, and Samburu. These Majimboism proponents have called for the expulsion of all other ethnic groups from the Rift Valley. If implemented, Majimboism would expel millions of people (predominantly members from the Kikuyu, Luhya, and Luo) who have settled there since the 1920s and who had legally bought land since independence. The Rift Valley area is not only the country's most fertile farmland but also accounts for the largest number of seats in Parliament. Not surprisingly, ethnic groups that Majimboism proponents proposed to expel from the Rift Valley are those perceived to support the political opposition." (CIDCM October 1999)

See also:

[Displacement during late 1990s increasingly caused by clashes within the same ethnic groups](#)

Displacement during late 1990s increasingly caused by clashes within the same ethnic groups

- Displacement related to intra-ethnic conflicts and cattle-rustling in the Pokot and Marakwet areas in the Northern Rift Valley (1997-1999)
- Conflicts involves different Kalenjin groups
- People fleeing attacks and seek shelter in caves and other temporary shelters
- Access to modern automatic firearms has made clashes more violent

"By 1994-1995, inter-ethnic clashes had receded in importance and intensity. Even in areas like Njoro, which saw intense conflicts after the elections in 1992 and 1997,

communities are currently concerned with issues of return and reconciliation. Thus, sporadic acts, partially linked to resource competition, have replaced the systematic patterns of attacks that characterised Kenya between 1991-1995 and part of 1997. These residual attacks are confined to border areas between pastoralists and farmers in search of pastures and other resources. Nonetheless, when they do occur, they can be violent. The Kenyan newspaper, *Daily Nation* reports a macabre murder of at least 40 members of a Kikuyu community in Laikipia District (10 February 2000).

As inter-ethnic clashes decrease, intra-ethnic conflicts, particularly between pastoral groups increase. The most intense of such conflicts are among the Kalenjin groups who live in the North Rift Valley. Here, the emerging pattern pits the Pokot on the one hand and the other Kalenjin sub-tribes, particularly the Marakwet who have suffered most from these conflicts, on the other. For instance, in one publicised incident, which caused a major outcry, in October 1999, between eight hundred and one thousand raiders, believed to be Pokot, attacked Tot Centre in Marakwet. Outbursts of staccato gunfire marked this daylight attack. They killed eleven people, including seven children and three mothers returning from a polio immunisation campaign at the Tot Health Centre. Locals interviewed said the attackers hailed from Kolowa, some 40 kilometres from Tot and Tangulbei areas (both Pokot areas). Some Pokots explained the attack as retaliation for 'persistent' attacks by the Marakwet (*Daily Nation* 29 December 1999). Following this attack, the Marakwet-Pokot border has remained pregnant with tension and awash with suspicion. In the words a feature article in the Kenyan *Daily Nation*, 'The Marakwet feel vengeful and vulnerable, [while] the Pokot feel stigmatised and defamed'(12 November 1999). Popular belief is that the Pokots entered alliances with the Sebeiis of Uganda to carry out attacks on other pastoral communities." (Kathina Juma May 2000, p.52)

"For the past eight months [following June 1997], the Pokot and Marakwet districts in Kenya's Rift Valley have been rocked by violence between the two resident ethnic groups. Inter-tribal cattle-rustling has long been a source of tension in the area, but the conflict has escalated in recent months. Thousands of people from both sides have had to flee their homes and are now living in caves and other temporary shelters with little or nothing to eat, having been forced to abandon their fields for fear of attacks. The displaced population has also suffered greatly from diseases such as Rift Valley fever, malaria and pneumonia." (ICRC 4 February 1998)

The same violence pattern continued during 1999:

"Attacks and revenge counterattacks, part of a longstanding pattern of cattle rustling, continued between Pokots and Marakwets/Keiyos in Trans Nzoia in the northwest, Boranas and Somalis in North Eastern province, Ormas and Somalis in Eastern Province, and Kuria and Luos in the west, resulting in scores of deaths [...]. At least 40 persons were killed in a March 4 cattle raid by Pokots on Turkana in the Turkwell Gorge area. At least 15 persons were killed in an October 24 cattle raid by Pokots on the Marakwet village of Tot; raiders killed 10 women and children waiting for polio vaccinations at a health clinic. Also in October in the Rift Valley members of the Njemps and Turkana ethnic groups fought each other and burned each others' houses after some inebriated

Turkana men reportedly killed an Njemps herdsman." (US DOS 25 February 2000, sect.5)

"Clashes between the Marakwet and Pokot communities quickly grew more violent when the fighters stopped using traditional weapons, such as spears and arrows, in favour of modern automatic firearms. Several people, including women and children, were killed and large numbers of people fled their villages. In some cases they took their cattle with them, but the animals proved unable to adapt to the new environment on the escarpment and many died." (ICRC 6 October 2000)

A pattern of attacks- and revenge attacks between ethnic groups has continued (2000-2002)

- An average of 75 to 100 deaths per month during 2000
- Concern expressed in January 2002 that Kenya was witnessing a rising incidence of violence across the country ahead of the presidential and parliamentary elections due later in 2002

" Attacks and revenge counterattacks continued between ethnic groups throughout the country, resulting in an average of 75 to 100 deaths per month[...]. Significant conflict occurred between ethnic Pokots and Marakwets, between Pokots and Turkanas, between Turkanas and Samburus, between Luos and Kisiis, between Boranas and Somalis, and among various Somali clans. Many factors contributed to these conflicts, including the proliferation of guns, the commercialization of traditional cattle rustling, the weakening of state authority, the emergence of local militia leaders, the development of a modern warrior/bandit culture (distinct from the traditional culture), irresponsible local political leadership, shrinking economic prospects for affected groups, a regional drought, and the inability or unwillingness of security forces to stem the violence. In April approximately 400 armed men attacked a Somali clan in Isiolo District; 20 to 40 persons reportedly were killed. In April an estimated 500 Pokot raiders attacked a Turkana village near Baragoi; 27 persons were killed during the fighting. In June Pokot gangsters raided a Marakwet village; 10 persons were killed and several others reportedly were missing following the fighting. During the week of June 27, five persons were killed when disputes resurfaced over the ownership of a plot of land along the common border between Gucha and Migori districts, Western Province. When a Luo man attempted to till the land, a group of Kisii men attacked and killed him. In response the Luo's kinsmen killed two of the suspects. A band of Kisii men then killed another Luo in his home in revenge. In July 30 persons were killed during fighting between two Somali clans in Wajir district. Violence also broke out during several periods between ethnic Somali and Boranas in the Isiolo area, resulting in numerous deaths." (US DOS February 2001, sect.5)

Summary of the various conflicts as of August 2001:

"The situation in Tana River remains tense although the killings have abated somewhat. This could change should the Orma/Wardies be forced to return from the Garsen area where they moved, back to the conflict area in search of water and pasture. The Pokomos are currently reliant of relief food due to the insecurity. The WFP office in Tana River

has been closed. For information on security and to arrange security escorts, contact the WFP office in Garissa.

Rising prices have been reported in Mandera following the closure of the border with Somalia. The local administration has re-closed the crossing point having earlier reopened it to pedestrians. Kenya Revenue Authority Officials, monitoring illegal crossings were shot at by a group they were intercepting. Caution should be exercised when traveling in the border area, along the main El Wak/Rhamu/Mandera road and in Mandera town due to the recent threat of vehicle hijack, discontent due to the closure of the border and disruption of the food relief to the Gedo region due to the border closure. A recent security assessment has resulted in the opening up to UN/NGO personnel the areas of Takaba, Ireteno and Qofole. This applies to escorted day visits (1000-1600hrs only). The threat of insecurity as a result of the scramble for depleted water and pasture has been contained, according to SC (UK) due to ongoing negotiations

Movement across the Kenyan and Ethiopian border in Moyale is currently limited and tensions appear to be growing.

Tensions between neighbouring clans in Wajir and Mandera are continuing as a result of competition for water and pasture, particularly in the North and West.

The border between West Pokot and Turkana at the Turkwell Dam area is still tense and there have also been 4 banditry attacks on the Lokichokio/Kakuma road. Two unescorted LWF lorries were ambushed, 12 August, 7km outside Lokichokio town. Armed cattle raiders from Sudan attacked a Turkana manyatta at Olopei, 12 August, killing animals and overpowering the homeguard. A cattle raid in Lokori division, 13 August resulted in the reported deaths of seven people. The raid, apparently perpetrated by Pokot from East Baringo, affected some 37 families. Ethiopian pastoralists, numbering approximately 1,000 crossed over the border into the Tondenyang area of Turkana together with some 20,000 head of livestock but have since returned to their grazing lands following interventions by local authorities.

Similarly tensions between the Turkana and Baringo Pokots are high in the Lokori area. The Kerio valley is the site of fighting between Marakwet clans. The issue is thought to revolve around issues related to land ownership, large scale logging and traditional irrigation.

The District Commissioners of West Pokot, Baringo and Marakwet ordered, 30 August, all police officers to arrest individuals carrying traditional weapons to market places and people in possession of illegal arms are to surrender them immediately." (OCHA 31 August 2001)

Raising violence across Kenya reported in January 2002

"Inter-ethnic clashes and civic unrest in Kenya continued to plague many communities across Kenya throughout 2001. From the capital, Nairobi, to Turkana in the far northwest of the country, rising tensions frequently exploded into violent clashes between

neighbouring communities, forcing families to flee their homes, exacerbating food shortages and increasing reliance on emergency relief aid.

Among the clashes to occur in Kenya in 2001, two stood out as examples of the violence prevalent in both rural and the urban areas of the country: conflict between pastoralists and farming communities over land and water resources in Tana River District, eastern Kenya; and the sudden outburst of civic unrest in Nairobi's sprawling Kibera slum.

Kenya was now witnessing a rising incidence of violence across the country, ahead of the presidential and parliamentary elections due this year, just as happened during the country's multi-party elections in 1992 and 1997, according to regional analysts.

In that respect, and especially because of the potential humanitarian consequences, this year's elections would be a key event on Kenya's social-political landscape, they added.

[...]

According to regional observers and analysts, we may now be seeing the emergence of conflict as a political tool in the run-up to this year's elections, due to be held by the end of the year." (IRIN 11 January 2001)

POPULATION PROFILE AND FIGURES

Total national figures

Report suggests that more than 200,000 could still be considered internally displaced by 2001

- 3400 persons newly displaced by clashes in Tana River District during second half of 2001

"The numbers of those still displaced can only be estimated because there are no proper records of those originally displaced or their present status. While a large number is dispersed, some are still returning, while others are becoming displaced by present or simmering conflicts. Over the years, increase in population means the 1992/3 estimates are not reliable. Figures from relief agencies are close, but also not accurate because not all displaced people moved into camps, or sought assistance from the agencies. The estimates in this report are therefore a function of figures derived from government sources (latest census), the church, relief agencies, and estimates from the leaders of the displaced. It includes displaced pastoralists from the Kerio Valley, and those displaced from Meru, Isiolo and Samburu due to boundary disputes and the effects of small arms proliferation.

Current estimates of internally displaced persons in Kenya [March 2001]

Originally displaced from	number of families still displaced	IDP camp or settlement
Mt. Elgon	1,100	Endebbes, Liavo, Khalwenge, Sango, Kiminini, Matisi, Namanjala, 'Bosnia' 'Chechnya'
Nandi	600	Eldoret, Kisii, Kakamega, Turbo
Transmara	400	transmara
Kuria	254	
Migori	220	Tinderet
Gucha	40	
Kericho	1,200	Londiani, Kedowa, Kipkelion-Nyagachu
Nakuru	4,000	Bahati, Nairobi slums, Elburgon
Narok	4,000	Maela, Elementaita, moi-ndabi, Kisirir, Ringitia, Ogelegai
Transzoia	1200	Liavo, Khalwenge Bonia, Chechnya
Nyando	70	
Uasin Gishu	989	Eldoret town and market centres
Molo	2,020	Keringet, kuresoi, Molo South, Saosa Kamwaura
Njoro	2,000	Baruti, Kihingo, Mwariki, Rare, Deffo, Ronda
Burnt Forest	700	Kipkabus, Chepauni Ainapkoii,
Kerio Valley	7,500	Escarpment

Laikipia	800	dispersed among relatives/ in towns
Meru/	1,500	among relatives, in towns and market centres
TOTAL	28, 593(fn70)	

fn70: This figure does not include the displaced persons from the Coast province. It should also be noted that these are families, each of which has an average of eight persons, hence the number of persons is 228, 744." (JRS March 2001, pp.18-19)

"The recent clash in Tana River District occurred on the 18 th November [2001] at Tarasaa and Ngao claiming 14 lives and displacing 3,400 persons.
[...]

	FAMILIES	POPULATION
TARASAA	160	800
ODA	178	1276
LAILONI	104	569
CHAMWANAMUMA	150	702
TARA	10	58
Total Displaced	602	3405

" (OCHA 30 November 2001)

"The fate of some 3,000 people displaced during the November outbreak of violence was still unclear [by January 2002], [...]. Although many families previously sheltering in makeshift camps had dispersed, many homes had been burned down in the violence, and so people had been unable to return to their villages." (IRIN 11 January 2002)

Reported that an estimated 100,000 Kenyans remained internally displaced by end-2000

- Some IDPs not having returned or resettled remain displaced in urban areas
- New displacements during 1999 as fighting between Pokot and Marakwet people resurfaced

"Although no other major new population displacement or political violence occurred during 2000, perhaps as many as 100,000 Kenyans remained internally displaced at year's end. The precise number, however, was uncertain. Many families previously displaced have returned to their areas of origin or resettled in other regions of Kenya." (USCR June 2001)

"The majority of an estimated 400,000 persons displaced or forced to relocate during the early 1990's because of ethnic violence are believed to have returned to their homes or moved elsewhere; however, some still were waiting to return home at year's end. Many of the rural residents displaced by the violent ethnic clashes in Rift Valley in 1991-93 still

have not returned to their homes and remain displaced in urban areas. Some of the several thousand persons displaced by ethnic clashes in Rift Valley in 1998, and in the Pokot-Marakwet region throughout 1999, have not returned to their homes due to fear of renewed violence." (US DOS February 2001, Section 2d)

"The Pokot and Marakwet people from the villages of Kolowa and Tot (north-west of Nairobi) are slowly returning to their homes. The trek down from the Cherangani escarpment, where both clans had sought refuge since fighting erupted between them in October 1999, began about two months ago after meetings were held between community leaders and a Red Cross operation was launched to supply villagers with food and drinking water."(ICRC 6 October 2000)

Reported that 210,000 remained displaced by early 1998

- New displacements during 1997-98 especially related to the Pokot–Marakwet conflicts
- One source estimates that 15,000 newly displaced people during 1998 in Western Kenya
- Numbers of displacement in the nomadic North Eastern province difficult to estimate as people are on the move throughout the year
- More than 1,000 people displaced in the Tharaka-Nithi Nyabene belt
- Violence in coastal area may have displaced as many as 100,000 during 1997

"The most cited estimates of clash victims indicate 1,500 by early 1993. More than 350,000 people, largely but not exclusively from the Rift Valley and Western provinces, were displaced to camp-like situations, usually in church compounds, schools and market places [...]. These numbers exclude an estimated 100 dead and 100,000 persons displaced in the ethnic clashes that occurred in August 1997 in Mombasa. Of those displaced, 210,000 remained so by early 1998. Commenting on the prolonged displacement in the Rift Valley, on 9 November 1999, President Moi called for the displaced to '... return to their homes and continue with their normal lives.' Only a few have returned to their home areas.

[...]

Between 1997-98 the Pokot–Marakwet conflicts produced more than 4,000 victims. Since the beginning of 1999, this area has become the theatre of violence and displacement of populations. Between January and March 1998, clashes in Laikipia and Molo displaced and disrupted the lives of many. The numbers are less definite in the nomadic North Eastern province where entire populations are on the move throughout the year. In March 1999, an incident of inter-clan rivalry in Wajir left nearly 140 people dead and an unknown number wounded.

Other areas prone to clashes and displacement are away from the prying eye of the media and remain largely unreported. For example, since January 1998, more than 1,000 people have been displaced in the Tharaka-Nithi Nyabene belt. Tana River, parts of Migori and northern Mwingi are areas that have witnessed systematic depopulation as people flee attacks from bandits." (Kathina Juma May 2000, p. 15)

"About 8,000 Kenyans were refugees in Ethiopia. An estimated 200,000 Kenyans were internally displaced [by end-1998], although sources varied widely.

[...]

In the aftermath of national elections in December 1997, clashes in western Kenya killed at least 100 people and forced several thousand people from their homes in early 1998. The Kenyan Red Cross reported 15,000 newly displaced people. Mobs burned homes. Kenyan police failed to respond to the violence for several days, observers stated.

[...]

A third area of violence and displacement, Kenya's coast, avoided significant new upheaval in 1998. Politically instigated violence in coastal towns in 1997 pushed tens of thousands from their homes - as many as 100,000 people were uprooted, according to some estimates - and many families in the coastal region remained displaced and afraid to reclaim their property in 1998." (USCR 1999)

Estimated by Human Rights Watch that some 300,000 were displaced by 1993

- Incidents of displacement caused by ethnic violence in the Rift Valley became frequent during 1992 – especially in the Bungoma District between the Kalenjin and the Luhya groups
- More than 15 000 displaced by fighting between the Kalenjin and the Kikuyu in the Burnt Forest area near Eldoret during December 1992
- 30,000 uprooted during October 1993 as Maasai warriors attacked Kikuyu farmers in the Enosupukia area (Narok District)

"[By March 1992] Reports of ethnic violence become commonplace in the press. The Kalenjin Assistant Minister Kipkalia Kones declared Kericho District a KANU zone and stated that the Kalenjin youth in the area had declared war on the Luo community in retaliation for several Kalenjins killed in earlier violence.

In the Chemichimi (the Bungoma District), the Kalenjin attacked the Luhya community. The brutal attack against non-Kalenjin ethnic groups caused retaliatory attacks against Kalenjins in many areas. Clashes also erupted on the border of the West Pokot and Trans Nzoia Districts which were long known for cattle-rustling between the Kalenjin and the Luo, Luhya and Kisii. The government accused the opposition parties of fueling the violence through Libyan-trained recruits and opposition leaders accused the government of orchestrating ethnic violence in order to weaken moves towards multipartyism. Moi prohibited all political rallies, citing the threat of tribal violence.

1992 April: New clashes broke out between the Kisii and the Maasai while fighting continued to rage in the Bungoma District between the Kalenjin and the Luhya. In the Bungoma District alone, 2,000 people were displaced and 60 killed. Victims in the Molo Division report seeing 4 government helicopters bringing arrows to Kalenjin attackers and that out of uniform soldiers are fighting along side the Kalenjin.

1992 July: Fighting exploded in a Kalenjin village (where 70% are Kalenjin, 20% Luhya, and 10% Teso), the Bungoma District, when the area was attacked by the Luhya. Ten Kalenjins were killed.

[...]

1992 December 3: Fighting occurred between the Kalenjin and the Kikuyu in the Burnt Forest area near Eldoret and Uasin Gishu Districts. 15,000 Kikuyus and Luhya fled the area as hundreds of Kalenjin warriors killed, looted and burnt their homes. In retaliation, Kikuyu youth stoned Kalenjins' cars. Throughout December the violence continued in the Uasin Gishu District.

[...]

The violence continued unabated throughout 1993. The Uasin Gishu, Trans Nzoia, Bungoma, and Nakuru Districts were the most affected. The fighting in the Burnt Forest area in Uasin Gishu predominantly hit the Kikuyu community by the Kalenjin during 1993.

The Luhya living in the Trans Nzoia (Saboti) and Bungoma (Chwele) Districts were most affected by Kalenjin warriors. There has been strong Kalenjin (Saboat) nationalist sentiment in this area. The Saboat nationalists in the Mt. Elgon area has demanded the government redraw district boundaries to give the Saboat their own territory. About 2,000 Luhyas have lived in Kapkateny camp in the Bungoma District since they fled from the attack by the Kalenjin in April 1992.

The fighting in the Nakuru District in the southwest of Rift Valley Province occurred intermittently since the violence began in February 1992. Most of the Kikuyu (over 40,000) left this area and settled the Elburgon or Kamwaura camps which are areas the government has not assisted.

[...]

1993 August: About 300 Kalenjin warriors attacked the Molo area of the Nakuru District, displacing hundred of Kikuyus. The Kalenjin burnt more than 200 houses belong to Kikuyus, but the local police took no action.

[...]

1993 October: An estimated 500 Maasai warriors attacked an area, Enosupukia (Narok District), south of the security operation zones, burning houses of Kikuyu farmers and uprooting 30,000 Kikuyus. Throughout 1993, hundreds of Kalenjin warriors attacked and occupied farms belonged to Kikuyus, Luhyas, or Luos without being arrested or charged for their actions. On a smaller scale, Kalenjin were attacked in retaliation. In late October, Maasai and Kikuyu, in separate incidents, raided police stations for arms.

[...]

In early 1994, some 10,000 Kikuyu were reportedly driven from their farms near Naivasha in the Rift valley Province by Maasai, allegedly with the backing of armed off-duty Maasai rangers." (CIDCM October 1999)

"By 1993, Human Rights Watch/Africa estimated that 1,500 people had died in the clashes and that some 300,000 were displaced. The clashes pitted Moi's small Kalenjin tribe and the Maasai against the populous Kikuyu, Luhya, and Luo tribes. For a while,

Kenya, previously an example of relative stability in the region, teetered on the brink of a low-level civil war." (HRW June 1997, p. 36)

Displacement numbers uncertain during the 1990s because of absence of systematic registration

- Registration of IDPs difficult for logistical and political reasons
- Lack of trust toward authorities made those displaced in 1993 reluctant to register
- UNDP acknowledging that figures used during the early 1990s were estimates only

"The extent of the effects of conflict on Kenya's populations is uncertain and speculative. Registering displaced persons is difficult for both logistical and political reasons [...]. Many victims remain undocumented, leaving large numbers outside assistance networks. For instance, by 1993, most victims were reluctant to register with government institutions because they did not trust the state and its functionaries." (Kathina Juma May 2000)

"Since the beginning of the 'ethnic' violence in 1991, the absence of accurate information on the situation has provided an opportunity for the Kenyan government to evade its responsibility to those who remain displaced and made it close to impossible for the NGO community to help many of those who remain off their land. The consequences of the lack of accurate data, both qualitative and quantitative, have been tragic for those who remain displaced in Kenya today. Even if an international program for the displaced was to recommence, there is little or no way to identify or contact many of those who still desperately need help to rebuild their broken lives." (HRW June 1997, p.94)

"The numbers affected remain uncertain and somewhat speculative, as is invariably the case with internally displaced populations. Local government administrations have little or no substantive data on the numbers affected, past or present, or those currently in need of assistance. None have undertaken any systematic registration of displaced or otherwise affected persons. NGOs and church groups providing relief assistance to affected populations have made considerable effort to register their clients, but most concede that their numbers are only approximations. It is clear that there is some duplication in their registrations and that many non-affected persons succeed in getting themselves registered as beneficiaries. On the other hand, many displacees do not get registered at all because they have left affected regions to return to their ancestral lands to draw upon the assistance of relatives or friends. Others have simply 'disappeared' into urban areas. Elsewhere, displacees who have returned, or are in [the] process of returning to their farms have remained outside the NGO assistance network and thus remain unenumerated. (John Rogge, 'The Internally Displaced Population in Nyanza, Western and Rift Valley Province: A Needs Assessment and a Program Proposal for Rehabilitation,' UNDP, September 1993, quoted in HRW June 1997, p.96)

"[...], UNDP relied on an approximation of 250,000, which was the estimate given in the first Rogge report. [In its comments on the HRW report] UNDP has stated:

'The estimates throughout were just that-estimates. This was made abundantly clear in both Rogge reports and UNDP had always indicated that the 250,000 figure that was being used was little more than a crude estimate. The number was, however, based exclusively on data provided to Rogge by the NGOs and Churches; at no time were any Government estimates used.'

(HRW June 1997, pp. 97-98)

See also:

[Outsiders unable to monitor security situation as conflict areas in the Rift Valley became closed security zones during 1993-1995](#)

IDP categories

JRS report divides the IDPs into seven categories (2001)

- displaced land owners
- insecure displaced land owners
- displaced squatters
- dispersed displacees
- 'revenge' displacees
- orphans
- displaced pastoralists

"The displaced people received lots of local and international attention in the early '90s as human rights, humanitarian and development agencies condemned the violence and advocated for them. The violence, and media coverage, subsided after the elections, and it was assumed that calm had returned to affected areas and people gone back to their farms. A fair section of the displaced returned, but others did not. These include:

displaced land owners who lost the legal right of land ownership

These are people who had title deeds to their plots but returned to find that there had been transactions involving sale or transfer of their land without their knowledge. Some found their farms redistributed to people from certain ethnic groups, and their share certificates or title deeds were ignored as 'invalid.' They are now living as squatters. Another group of land owners are those whose title deeds are invalid because their land falls within areas recently gazetted as forest or water catchment areas and have not been resettled on alternative land. Some of these have been resettled on another forest, but cannot till the land because the trees in that forest have been sold to a private lumber company.

insecure displaced land owners

Such displaced have access to their land, but cannot reconstruct their homes or initiate long term development projects because of persistent tension and insecurity. They can be

found in parts of Mt. Elgon, Molo, Njoro, Nakuru and surrounding areas. Some are able to cultivate their farms, but do so from the safety of nearby shopping centres where they have rented shanties. Many witnessed the destruction of their property, sometimes by people they knew, and hence fear that those who attempted to evict them then may try again. They earn their living by small-scale farming or by providing casual labour to ADC farms or flower-growing companies. Others are hawkers, beggars, touts or hand-cart operators.

displaced squatters

These people were living as squatters on other people's land and were ordered to leave during the clashes. Their houses were demolished or burnt down, so they moved mainly into the streets and shopping centres. There are cases of those who were forcibly evicted together with their land owners because they belonged to the 'wrong' ethnic group. Squatters have no land to call their own, and although in Kenyan law squatters can claim title after a certain number of years, this provision has been ignored by the lands office in affected areas. The issue of 'return' for these displaced therefore amounts to hiring or buying new plots.

dispersed displacees

Among these are those from the demolished Maela camp who were put in trucks and forcibly returned to Kiriti, Ol Kalou and Ndaragwa in Central province. The majority were not able or willing to return to their original homes due to trauma. Some moved into shanties at Maela shopping centre, or found their way into the streets or slum areas, while others went to live with relatives. Others 'disappeared' (because no-one knows where they are or what happened to them). When the government resettled 200 families at Moi Ndabi in 1994, the rest were assumed to have returned. Some have been assisted to resettle by the Catholic church and NCKK, but the rest have become destitute in nearby market centres or drifted to other parts of the country.

'revenge' displacees

As noted above, the 1992 clashes affected mainly those originating from outside the Rift Valley but who had bought or otherwise acquired land there. The common view is that Kalenjin and Maasai were the aggressors, and that they had no casualties. However, many were affected, but unlike other tribes, they sought refuge among their relatives, not in camps. Recent developments indicate that simmering ethnic tensions have led to revenge or retaliatory violence. Multi-ethnic South Rift is most affected as incidents at Baraget and Rare indicate. In these two cases, skirmishes involving Kalenjin and Kikuyu in 1997-9 led to the displacement of Kalenjin families. In 2000, retaliatory attacks at the Kaptagat Saw Mill resulted in the demolition or burning of houses belonging mainly to Kikuyu. Such 'new' cases of revenge and population displacement receive little if any national and international attention because they are small-scale and not related to obvious political incitement.

Orphans

There are over one hundred orphaned children, some of whom lost both parents during the 1992 violence. A large number were also born during and after displacement, and

have no knowledge of their homes or origin. They do not understand (or remember) the circumstances that caused their parents to move. They may have lost or been separated from relatives, and have no one and no place to go back to. It is also said that most men abandoned their wives and children during the clashes, and these children remain in orphan-like situations once their mother dies, as the other parent cannot be traced. Those who were children in 1992 have grown up and have their own families now due to early marriages. A few families, also displaced, have been approached by NCKK to take on some of the children as foster children (in exchange for material and monetary assistance). Most of the orphans are on the streets or offering manual labour on nearby farms.

displaced pastoralists

Due to the nomadic nature of pastoralists and their system of communal land ownership, displacement among them refers to relocation to another part of the land rather than moving into camps. Displacement is marked by the absence of people in an area, abandoned farms (near watering points), homes and schools. Since they move with their animals, some people may not see them as displacees *per se* because they do not need to be resettled on another piece of land to restore their means of livelihood. However, they are indeed IDPs because when they lose their cattle to rustling, and insecurity compels them to leave watering points, they move to a more hostile environment with fewer survival alternatives. Restocking of herds is difficult due to drought and excessive pressure on the land in safer areas, hence impoverishment. They also move away from schools and other necessary social amenities. Displacement among pastoralists is a post-1992 phenomenon that has been caused by the introduction, use and abuse of small arms, and commercialization of cattle rustling." (JRS March 2001, pp. 16-18)

PATTERNS OF DISPLACEMENT

General

Instead of being resettled – IDPs seek refugee in urban areas (1997-2000)

"Typically, victims have disappeared and gravitated towards urban centres. Population growth is noticeably up in towns near conflict areas. The dramatic increase in the numbers of street children and homeless families is an indication of this migration phenomenon." (Kathina Juma May 2000)

"Many of those who are still displaced come from areas such as Olenguruone, Enosupukia, and Mt. Elgon where the remaining Kalenjin and Maasai residents have sworn not to allow other ethnic groups to return to their land, and the government has shown no signs of taking any action to put an end to this ethnic expulsion. Most of these displaced have drifted to other areas of the country to become agricultural day laborers or to urban areas in search of work. Others have become part of the unemployed poor, adding to the alarming levels of crime in Kenya largely caused by poverty and government mismanagement of resources. In 1995, UNDP had estimated that there were about 50,000 people living in 'very temporary refuges' or 'surviving in peri-urban slum areas,' who have been 'overlooked' because of the difficulty of finding satisfactory and quick solutions." (HRW June 1997, pp.127)

PHYSICAL SECURITY & FREEDOM OF MOVEMENT

Protection concerns during displacement

Reported that IDPs who had sought shelter in the Kyeni Forest since 1993 were further displaced after intimidation and beating (August 2001)

"A group of 867 internally displaced persons (IDPs), forced out of Kyeni Forest in Thika District in early June and who have been living in a roadside camp in Huruma, Thika, since, have complained that they were harassed, intimidated and beaten by forestry officials into leaving their forest homes of eight years. Huruma camp committee chairman Gad Wainaina told IRIN that forest rangers had beaten the IDPs and burned their houses to the ground, forcing them to leave the forest where they had lived since 1993, with the consent of the government. Earlier this week, the process of moving the Huruma IDPs to a new plot back inside the forest began, 'to remove them from the dangers at the roadside', according to an official from the Thika District Forest Office. However, it was not known how long the IDPs would be allowed to stay on the new land, as it was only intended to be a temporary measure, he said." (IRIN 31 August 2001)

"Some among the IDPs fear that the relocation plan is a ruse to move them from the roadside and hide them from public view, and that violent attacks from forest officials could start again once they are less visible." (IRIN 31 August 2001b)

Children displaced during the early 1990s end up as street children in Nairobi (1997)

"Nairobi's street children are being beaten and often killed by police. Some are imprisoned in terrible conditions. Many of the children, more than 10,000, are Kikuyu who became homeless in the aftermath of the 1991-94 ethnic fighting." (CIDCM October 1999)

Violence against IDPs in camps reported in 1996

"[By]January 1996: There were several reported incidents of ethnic violence. Violence was reported January 6 in Thessalia, a camp for displaced persons and January 11 in Longonot where 10 people were killed. In addition, displaced persons from Maela camp who were forcibly dispersed by the government in December 1994 were again forcibly moved by the district administrator. Those remaining in the camp were subjected to nightly attacks by administrative police." (CIDCM October 1999)

Outsiders unable to monitor security situation as conflict areas in the Rift Valley became closed security zones during 1993-1995

- Carrying of weapons banned in the worst-affected areas
- Security measures did not prevent a large outbreak of "ethnic" violence in the Burnt Forest area in March 1994
- Security zones also restricting flow of information

"In September 1993, after two years of inaction in providing additional security, and soon after the highly publicized visits of representatives of two foreign human rights organizations to the clash areas, the government declared three 'security operation zones' giving the police emergency-type powers, excluding 'outsiders,' preventing the publication of any information concerning the area when deemed necessary, and banning the carrying of weapons in the worst-affected areas of the Rift Valley Province. For most of the duration of the UNDP program, the restrictions were in force. They were lifted in March 1995. However, even when they were in place, the extra security precautions in these zones did not prevent a large outbreak of 'ethnic' violence in the Burnt Forest area in March 1994, which left at least eighteen dead and perhaps 25,000 displaced.

Burnt Forest was an area that was particularly hard hit and, for some, this was the second or even third time they had been displaced. Communities in Burnt Forest were first attacked in December 1992 and then in January, February, April and August 1993 and January 1994. The attacks in Burnt Forest in March 1994, which continued for a week, left the disturbing impression that the government was unable or unwilling to take effective measures to stop the clashes." (HRW June 1997, pp. 54-55)

IDPs not provided adequate protection or the means necessary for reintegration after authorities have dispersed their temporary settlements (1993-1996)

- Local officials and policy forcibly dispersing IDP camps without providing adequate assistance or security to facilitate return
- Periodic government harassment of the 10 000 predominantly Kikuyu IDPs at Maela camp (1993-1994)
- Maela camp destroyed by government officials on 24 December 2000, and 2000 residents evicted to Central Province
- UNDP and MSF denied access to assist remaining residents of Maela
- 700 of the people moved from Maela Camp were in January 1995 further forced to leave holding centres in Central Province
- 118 families at the National Council of Churches of Kenya (NCCCK) community centre in Eldoret ordered by authorities to leave by end 1994

"To ensure that large gatherings of clash victims were not easily visible to visiting diplomats, the media or human rights groups, local government officials dispersed camps of the internally displaced without any consideration of where these victims could go. One method that was frequently used was to announce to the victims, despite evidence to

the contrary, that it was safe to return to their land. In other cases, where the displaced would not leave voluntarily, local government officials, with the assistance of the police, would forcibly disperse camps of displaced people without providing adequate assistance or security to permit them to return to their land. The result of the dispersals, which continued even in 1996, has made it virtually impossible to identify those who were displaced from their land by the 'ethnic' violence today.

[...]

[...] The crowning incident of government disregard for the internally displaced, UNDP and the international community took place in December 1994 at a camp called Maela when the government forcibly expelled the residents. This lent credence to the charges that the government was clearing the Rift Valley Province of certain ethnic groups.

The predominantly Kikuyu displaced population at Maela camp had sought refuge there after being attacked on its land at Enosupukia, Narok district, by a group of Maasai in October 1993. Since that time, they had been living at Maela camp in squalid conditions under plastic sheeting on church grounds. The overcrowding had led to shortages of food, water, and medical supplies. Incidents of government harassment of the displaced at this camp periodically occurred as did statements by Maasai leaders that the displaced at Maela would never be permitted to return to their land.

In the early hours of the morning of December 24, 1994, administration police and KANU youth wingers raided the camp of Maela which housed approximately 10,000 predominantly Kikuyu people who had sought refuge after being attacked at Enosupukia in October 1993. Without notice, the government officials razed the camp and transported some 2,000 residents to Central Province (the area regarded as the 'traditional' home of the Kikuyus), and proceeded to question them about their ethnicity and ancestral background. Families were separated as they were herded into about twenty trucks which had been fueled from a UNDP petrol account (which was later closed after UNDP discovered this fact). Each truck was crammed with approximately one hundred people. Initially, the displaced were not provided with food or shelter. The relocation was done late at night without notification or the participation of UNDP.

The remaining residents of Maela were left without shelter, and UNDP and the international NGO Medecins sans Frontieres (Spain) were denied access to Maela, despite the fact that the UNDP officer had a letter from the office of the president allowing entry into Maela. UNDP was informed that this resettlement was in keeping with the President's promise to resettle the genuine victims of Maela before Christmas. Some 200 'genuine' victims, as defined by the government, were relocated to a government-owned farm near Maela called MoiNdabi and each given two acres. The land at MoiNdabi, which used to be part of a larger farm administered by the government Agricultural Development Cooperation (ADC), is less productive than the land the displaced were forced from in Enosupukia, and water, shelter and sanitation facilities were non-existent when they arrived.

The other Maela camp residents, considered 'non-genuine' displacees [sic!] by the government, were dumped at three different locations in Central Province in the middle of the night and left to fend for themselves. At Ndaragwa, the displaced were left by the

side of the road with no shelter and practically no belongings. At Ol Kalou, they were left between the railway line and the main road. At Kiambu, they were dropped at Kirigiti Stadium. Several days later, the makeshift camp at Kirigiti was destroyed in a police raid at 3:00 am, leaving the twice displaced once again without shelter. The displaced were ordered to line up and were loaded on trucks without being informed of where they were to be taken. Those who resisted were beaten and forcibly thrown into the trucks. The government denied any harassment or beatings. None of those forcibly displaced to Central Province were returned by the government or UNDP to the area they came from in the Rift Valley Province. Furthermore, the government officials responsible for the brutality against the displaced have never been disciplined." (HRW June 1997, pp.77-79)

"[L]ocal authorities in other areas were beginning to insist on displaced people dispersing. For example, on 28 December [1994] the District Officer of Uasin Gishu ordered 118 families at the National Council of Churches of Kenya (NCCCK) community centre in Eldoret to disperse by 4 January.

On 4 January [1995] police dispersed 700 of the people moved from Maela Camp out of the three holding centres in Central Province: Ol Kalou, Ndaragwa and Kirigiti. At Kirigiti Stadium the camp was razed. The UNDP, the government's supposed partner in the programme to resettle displaced people, had apparently not been informed of the government action.

The significance of the Maela removals was twofold. First, there has been a constant call from senior officials for the expulsion of members of certain ethnic groups from the Rift Valley. This appeared to be a first step in that direction. Secondly, it made it publicly apparent that the joint government-UNDP resettlement programme was in serious trouble." (Carver August 1995)

Claimed in several reports that security forces have lacked impartiality (1992-1997)

- Parliamentary committee concluded in 1992 that government officials were involved in the Rift Valley violence
- Claims that perpetrators had received support from security forces

"In September 1992 a parliamentary select committee, chaired by Kennedy Kiliku, reported on the violence. (At this time the National Assembly was still a single-party, KANU body.) The committee concluded that 800 people had been killed and that many government officials, security officers, provincial administrators and others had 'abetted, perpetrated or instigated' the violence. The Kiliku report singled out Vice-President Saitoti and minister Nicholas Biwott for responsibility, along with a number of other senior officials. Parliament rejected the report.

Reports by Kenyan church groups have also criticized government complicity in the violence. In March 1992 the country's Roman Catholic bishops issued a pastoral letter in which they alleged that the conflict was 'all part of a wider political strategy' involving

'well-trained arsonists and bandits' who were 'transported to the scenes of crime from outside the area'. The letter concluded:

There has been no impartiality on the part of the security forces. On the contrary, their attitude seems to imply that orders from above were given in order to inflict injuries only on particular ethnic groups.

In June 1992 the National Council of Churches of Kenya published a report on the violence. It claimed:

There is evidence that there was cordial interaction between the warriors, security and administration officers

Evidence has been received that homes and farms of senior government officials, political leaders and administrative officers have and are being used as hideouts for warriors, depots for weaponry, sanctuaries ... where warriors return in the event of facing resistance ...

On the strength of interviews with members of the security forces the NCCCK researchers concluded that non-Kalenjin personnel in the police and paramilitary General Service Unit were not allowed to carry arms when dealing with the ethnic clashes. Non-Kalenjin police officers on patrol — who were unarmed — were always accompanied by armed Kalenjins." (Article 19 October 1997, sect. 2.3)

SUBSISTENCE NEEDS (HEALTH NUTRITION AND SHELTER)

General

Summary of humanitarian needs of the conflict affected population in Tana River area (November 2001)

"The recent clash in Tana River District occurred on the 18 th November at Tarasaa and Ngao claiming 14 lives and displacing 3,400 persons.

The Pokomo and Orma, farmers and pastoralists respectively, inhabit the Tana River district area. Since December 2000, the two communities have been at conflict over pasture, water and land resources sometimes resulting in clashes during which property was destroyed, people displaced and lives lost. And due to these communities insistence on the use of heavy fire arms, education systems and social development have been disrupted consequently restricting movement and causing food insecurity at the household level as people are unable to access their farms.

Several agencies responded positively to the crises, however, there is need for more assistance in the areas of:-

1. Household needs in the form of clothes, cooking utensils and reconstruction materials for those whose homes were burnt. Mosquito nets and sanitary pads for girls and women as well as Jerricans for water storage.
2. Education where there is a serious deficiency of Books. Writing materials and desks for the affected schools.
3. The areas of Health, nutrition, Water and sanitation are in urgent need of help especially in the camps where there is not enough water for all and therefore little or no effort to ensure its cleanliness. The absence of toilet facilities in these camps also poses a great risk especially with the onset of the rainy season, as they are prone to cholera outbreak.
4. Agriculture and Livestock too need assistance in the form of drugs for the animals especially for trypanosomosis and ticks and seeds for the farmers to start planting before the rains stop. To boost the wavering morale, a programme to restock those whose animals were killed during the clashes is necessary.
5. Security. A police post needs to be established at Shirikisho and the security personnel should take swift action by immediately arresting perpetrators from both communities and ridding the area of guns. Peace and conflict management should be enhanced and the land adjudication process more participatory.
6. Food distribution. At least three months food rationing for the indirectly affected populations of Chara, Ngao and Wachi/ Oda, Ozi and kilelengwani locations is urgently needed." (OCHA 30 November 2001)

IDPs seeking shelter in towns live in slum conditions (1997-2001)

- IDPs unable to return have drifted to other areas of the country to become agricultural day labourers, searching for work in urban areas or becoming part of the unemployed poor
- Estimated by UNDP that there were about 50,000 people living in 'very temporary refuges' or 'surviving in peri-urban slum areas' by 1995

"Many of those who are still displaced come from areas such as Olenguruone, Enosupukia, and Mt. Elgon where the remaining Kalenjin and Maasai residents have sworn not to allow other ethnic groups to return to their land, and the government has shown no signs of taking any action to put an end to this ethnic expulsion. Most of these displaced have drifted to other areas of the country to become agricultural day laborers or to urban areas in search of work. Others have become part of the unemployed poor, adding to the alarming levels of crime in Kenya largely caused by poverty and government mismanagement of resources. In 1995, UNDP had estimated that there were about 50,000 people living in 'very temporary refuges' or 'surviving in peri-urban slum areas,' who have been 'overlooked' because of the difficulty of finding satisfactory and quick solutions. It is likely that this number is even higher now. It is unrealistic to believe that specific programs can be introduced for the urban displaced living in the slums of Nairobi or even in Nakuru or Kisumu. In these larger urban areas, the best that can realistically be undertaken is to ensure that such displacees are included within existing programs for urban slum populations. However, UNDP should ensure that any such programs do not further the government's policy of reintegration of the displaced outside of the Rift Valley Province." (HRW June 1997, pp. 127-128)

"In 1994, the Maela camp near Naivasha was burnt to the ground; it had more than 10,000 IDPs from the Narok area. Public outcry and extensive media coverage and criticism led to the resettlement of 200 of these in an arid government-owned land near Maela, not to their former fertile lands. The others, considered 'outsiders', were put in government trucks and dumped at Ndaragwa, Kiriti stadium and Ol Kalau in central province, the 'ancestral' homeland of the Kikuyu. They were left stranded; not helped to settle in central province. Consequently, family members were separated, while a large number of these landless, disenfranchised people found their way into shopping centers, the streets of Nairobi and slum areas. Others live precariously somewhere within the borders of Kenya in difficult circumstances.

[...]

Violence leads to loss of life and property as crops and livestock are looted or destroyed. This, and abandonment of economic activities amounts to the loss of livelihood for the affected population, hence impoverishment and destitution as families deplete savings and sell household assets below their market value. Movement of displaced people into market centres has put pressure on social amenities like housing, hospitals and schools. Those who have found their way into big towns like Nairobi live in slum areas doing odd jobs because having been farmers, they have no practical skills to start new careers. A large number of 'street families' are beggars, thieves, hawkers, prostitutes or drug peddlers. " (JRS March 2001, pp.8-9, 15)

IRIN's report on 13 December 2001 from the Kibera slum in Nairobi provides some detail about the conditions facing people resettled in such areas

Difficult living conditions for IDPs remaining in Maela camp (1996-2000)

- Reported in 1996 that assistance from international organisations to IDPs remaining in Maela camps had ceased
- Claimed that 1,500 families who fled from the politically-instigated violence in Enosupukia still remained in Maela by 2000
- Most children out of school

"Human Rights Watch/Africa visited Maela [in 1996] and interviewed some of the displaced who remain there or who had been relocated to Central Province when Maela was cleared by the government in December 1994. Virtually abandoned and still destitute, the remaining displaced reported that no international agency had visited Maela for over a year. The fact that UNDP was so involved in providing services at Maela in 1994 had raised expectations that the large international agency would ensure the safety and eventual reintegration of the displaced there. The displaced were even more crushed that UNDP did little or nothing for them following the dispersal. One displaced man said, 'after the government did all that to us, all UNDP did was to come back here in January 1995 and take all their office equipment and leave.'" (HRW June 1997, pp. 125-126)

In October 2000 a newspaper report drew a dismal picture of the situation facing the IDPs who have remained in the Maela area:

"Looking at their faces, one could hardly tell that the emaciated lot were once proud land owners who used to deliver huge amounts of milk to the Kenya Co-operative Creameries every day.

They looked unkempt and sullen, a false testimony that they had been bed mates with penury for many years. Eight years of disillusionment had undoubtedly gnawed at their dignity and few could resist the temptation to beg for a slice of bread. They had been reduced to destitutes.

'Some of us have not eaten for days and our children are dying. We have buried our kinsmen and no one is coming to our rescue. We don't get relief food and no one visits us since Father Antony Kaiser died. The Government, Press and NGOs have all forsaken us. We don't have land or anything to turn to,' a balding man tacitly summed up their predicament.

This is the rot that thousands of people who were evicted from Enosupukia have degenerated to.

They languish in abject poverty at Maela trading centre, some 50 kilometres from Naivasha town.

Maela has the sully look of a mourning village, a testimony to the cruelty of tribal clashes of 1993. It is home to over 1,500 families who fled from the politically-instigated violence in Enosupukia following Cabinet Minister William ole Ntimama's order that squatters leave the water catchment area.

[...]

They camped at the St John's Catholic Church at Maela and built what became the Maela Camp. Here, men and women with their families lived in shacks, miniature houses built with polythene papers and depended on the church and NGOs for subsistence for over 16 months.

[...]

Over 1,500 families were left desolate at Maela with no food or collective identification to solicit donor support.

'Our hope died with the disbanding of the camp. When relief agencies heard that we would be moved, they closed shop and moved elsewhere. They never came back. In fact, it was better when we lived in camps. There we were sure of daily rations of food,' says Martha Kamau.

Those who failed to secure land now live in squalor in Maela. It is ironical that the people are starving in the middle of very fertile land.

Without jobs and money to start afresh, they sublet small pieces of land from their hosts for between Sh200 to Sh500 a season.

[...]

Indeed, these people are not only fighting for survival but also for their future. Despite the aura of development as you drive through Ngondi township and hills, Maela looks like a miniature refugee camp. Residents lead a lifestyle devoid of all basic amenities. Most children are out of school and some have joined their parents in scavenging for survival." (East African Standard, 29 October 2000)

See also:

[Government restricted access to Maela camp after many IDPs were moved from the camp in 1994](#)

Health

Children and women displaced during the early 1990s particularly vulnerable

- Women suffering from sexual assault during the clashes
- Women exposed to security risks when returning temporary to farm on their land

"Children, who constituted an estimated 75 percent of the displaced, were deeply affected. Many children had witnessed the death of close family members, and in some cases, had suffered injuries themselves. As a result, reports of children displaying aggressive behavior or suffering nightmares were common. The education of children was disrupted, in many cases permanently. Where parents and volunteers attempted to create makeshift schools at camps, local government authorities were known to close down the schools, depriving the children of any formal educational opportunity whatsoever.

A study of the situation of displaced women in one camp in Kenya found that women had suffered rape and other forms of sexual assault during the clashes. After becoming displaced, the study found that gender inequalities were exacerbated. Displaced women were victims of "rape; wife-beating by their husbands; sexually-transmitted diseases; poverty; manipulation; hunger, fear, anger, anxiety; trauma, despondency, dehumanization; heavy workload and physical fatigue.' The report also noted that the women shouldered a bigger burden: they often risked returning to farm on their land because the men feared death if they returned; they frequently ate less in order to feed their husbands and children first; and they often suffered miscarriages or complications in childbirth due to the lack of an adequate diet and the harsh living conditions. " (HRW June 1997, p. 43)

Shelter

IDPs forced to leave Kyeni Forest living in makeshift shelters (August 2001)

"Over 800 people reduced to living in makeshift shelters by the side of the Thika-Naivasha road have complained that they were harassed by forestry officials into leaving Kyeni Forest, 95 km from the Kenyan capital, Nairobi, in recent months after living there peaceably and with the government's agreement for eight years.

The group of 867 internally displaced persons (IDPs), forced out of Kyeni by forest station officers, were stranded in a roadside camp in Huruma, Thika District, since 5 June, with poor access to food, water and sanitation.

Huruma camp committee chairman Gad Wainaina told IRIN that forest rangers had beaten the IDPs and burned their houses to the ground, forcing them to leave the forest where they had lived since 1993. 'All our identity documents were confiscated and destroyed, forcing us to live like refugees,' he said.

Earlier this week, the process of moving the Huruma IDPs to a new plot back inside the forest began, 'to remove them from the dangers at the roadside', according to an official from the Thika District Forest Office. However, it was not known how long the IDPs would be allowed to stay on the new land, as it was only intended to be a temporary measure, he said."

(IRIN 31 August 2001b)

Poor shelter conditions for IDPs during the 1990s

- Overcrowded and unsanitary shelters
- Open makeshift structures of cardboard and plastic sheeting

"Those whose lives were shattered by the killing and destruction fled to relatives, church compounds, nearby abandoned buildings, makeshift camps, and market centers. Often, the shelters where the displaced have congregated for years at a time have been overcrowded, unsanitary, and inadequate. Many were forced to create open makeshift structures of cardboard and plastic sheeting and to sleep outdoors. Food was often cooked under filthy conditions and many of the displaced routinely suffered health problems, such as malaria, diarrhoea and pneumonia. These conditions worsened during the rainy season. Frequently, local government officials would downplay the magnitude of insecurity in their area and disperse victims without providing adequate assistance or security to permit them to return to their land, putting them at risk." (HRW June 1997, p. 42)

"Displaced families, joining families uprooted in previous years, sought shelter in church compounds, schools, and market areas. Local church leaders and human rights investigators charged that officials in Kenya's ruling political party instigated the violence to punish local populations that had opposed the ruling party during elections." (USCR 1999)

"This week the Red Cross completed relief distributions to over 5,000 displaced persons [in the Nakuru and Laikipia districts] in Kenya's Rift Valley, most of them women and children.

[...]

Living conditions in these camps have been deteriorating and inadequate sanitation and overcrowding pose a constant threat of infectious diseases. 'The Red Cross has already built a number of pit latrines and is handing out soap and disinfectant as well as plastic sheeting and sleeping mats for the camp population', said Emmanuel Campbell, ICRC delegate in charge of cooperation with the National Society. In Laikipia, construction materials will be provided for the homeless." (ICRC 9 July 1998)

ACCESS TO EDUCATION

General

Children's education disrupted by displacement (1993-2001)

- 35 primary schools have been closed in North Rift after people have been displaced
- Parents unable to pay school fees

"Forced displacement and insecurity disrupts children's education as they leads to the closure of schools, or migration to zones without schools. In North Rift, 35 primary schools have been closed as people have moved to the escarpment, hence robbing a whole generation of much-needed education. In South Rift, existing schools have been reluctant to accommodate the children of displacees, while others have no teachers, classrooms or learning resources. Most of the displaced people have lost their source of employment (hence the breach of their right to work), so they are unable to pay school levies. Some children are also too traumatized to go to school, also raising the issue of their right to health. For most displaced families, education is not a priority issue. Over seventy per cent of interviewed parents said they work to feed and pay medical bills for their families, not to raise school fees." (JRS March 2001, p.24)

ISSUES OF SELF-RELIANCE AND PUBLIC PARTICIPATION

General

People moved from their rural livelihoods ill prepared to cope with the displacement situation (1993-1977)

- Some have joined the urban poor being unemployed or work as day labourers
- Farmers without formal education or training in skills of the salaried sector

"To ensure that large gatherings of clash victims were not easily visible to visiting diplomats, the media or human rights groups, local government officials dispersed camps of the internally displaced without any consideration of where these victims could go.

[...]

The violence and the ensuing government harassment has condemned a formerly self-sufficient and productive sector of the economy to permanent dispossession and poverty. Many are renting homes or living on hired land. Others have become part of the urban poor, either unemployed or working as day laborers who receive barely enough to survive. Many of the displaced are farmers by occupation who did not receive much formal education or training in skills of the salaried sector. As a result, some of the displaced have been reduced to begging or crime in order to survive. In recent years, there has been an alarming rise in the number of street children in Kenya. Among them are many children who were displaced and dispossessed by the clashes." (HRW June 1997, p.77)

Attempts to form self-help groups considered politically-motivated by authorities (1994)

"During the UNDP program, leaders of displaced communities, local and international NGO representatives, and church officials, were continually obstructed in their activities by local government officials. Displaced persons who attempted to form self-help groups to organize schools or assist their communities were singled out and politically-motivated charges, such as participating in illegal meetings, were brought against them. Access to areas, even those not in security operation zones, was periodically denied at the whim of local government officials to those attempting to assist the displaced or to journalists who tried to report on the situation." (HRW June 1997, p.65)

DOCUMENTATION NEEDS AND CITIZENSHIP

General

People displaced in the Coast area could not vote in 1997 elections because of loss, destruction or denial of identification documents

"Intimidation and displacement of coastal up-country people and opposition sympathizers in other parts of the country changed the electoral demography by distorting the voter distribution pattern. Many of the displaced could not register as voters due to loss, destruction or denial of identification documents. This played a key role in predetermining the outcome of the elections." (JRS March 2001, p.9)

ISSUES OF FAMILY UNITY, IDENTITY AND CULTURE

General

Breakdown of social support systems (2000)

- Former trust between families, neighbours, communities and regions undermined by conflict

"Perhaps the greatest casualty of the clashes was the trust that existed between families, neighbours, communities and regions. Distrust, resentment, suspicion and hatred replaced harmonious existence and long term interaction. While the impact of these conflicts has not been systematically assessed, evidence suggests massive losses and intense trauma. Areas affected have experienced declining standards of living manifested in deteriorating health status, diminishing income levels, elevated school dropout rates, large-scale trauma, and a general sense of hopelessness [...]. The fracture experienced by communities led to a breakdown in social support systems and normative structures that regulate interaction and behaviour. This in turn, increased both social and physical insecurity. In the words of the Nigerian novelist, Chinua Achebe, the things that held people together were no more, and communities had fallen apart." (Kathina Juma May 2000, p.16)

PROPERTY ISSUES

General

IDPs seeking legal claim to their farms have little success (2001)

- Arbitrary allocation of displaced persons' farms
- Lack of political will at the top level to resolve land disputes

"The causes of displacement and obstacles to resettlement have not been adequately addressed. There is a lack of political will at the top level to resolve land disputes, as evidenced by the policy of resettlement schemes rather than helping displaced people to go return to their own farms. The presence of two or three title deeds for one piece of land and arbitrary allocation of displaced persons' farms indicate a complex web of collusion in various government departments to keep displaced people out of their farms. Most displacees have not been resettled or compensated. Some have also been declared squatters by the government in spite of having formal proof of having bought their farms. Those seeking legal claim to their farms are making little headway because of the feeling among lawyers, politicians and the general public that talking of clashes and reparations now can only open old wounds and lead to fresh bitterness and conflict. Displaced people are also not able to afford lawyers to represent them in court. There are also many loopholes in the Kenyan judicial system due to corruption and political interference. Key government officials have often talked of their hands being 'tied' whenever the IDP problem is raised. This has created a culture of silence on this very sensitive issue. The situation of IDPs in Kenya is particularly desperate because of official blindness to their needs (the government maintains there are no IDPs in the country), and because Kenya has escaped keen international attention because of more serious refugee-generating conflicts in neighbouring Horn of Africa countries and the Great Lakes region." (JRS March 2001, p.23)

The ethnic conflicts and the displacement have caused a lasting alteration of land occupancy and ownership patterns (1997-2000)

- Government has continued to pursue its policies of removing certain ethnic groups from the ethnic clash areas
- Some land completely occupied, while boundaries have been illegally moved to expand the farms of particular ethnic groups in others
- Many of the displaced landholders are poor and unaware of their legal rights
- Reported that title deeds of Kikuyu landowners in the Nakuru district have been transferred without their knowledge into the possession of Kalenjin owners
- Claimed that IDPs in 1992 had their identification documents and papers relating to land ownership destroyed

- Some efforts by the Government in 1997 to regularize land ownership for some of the displaced persons in the Molo region

"Some uprooted families have permanently lost their land, according to local analysts. Many displaced landowners have surrendered their land title documents under duress, and the government has subsequently nationalized some land left vacated after the violence." (USCR 2000)

"The [1992] NCKK report claimed that most of those displaced — whom it estimated at 50,000 at the time — had had their identification documents and papers relating to land ownership destroyed, so that they were unable to register to vote or to reclaim their land. It concluded: 'Many potential voters are disenfranchised thereby affecting the electoral process in those areas substantially.' According to the Commonwealth Observer Group which monitored the elections, the ruling party won 16 Rift Valley parliamentary seats unopposed as a result of violent intimidation.

[...]

Apart from the ill-fated government/UNDP partnership, official attempts to resettle the displaced victims of clashes have been equivocal and ambivalent at best. Nor has the government committed itself to resettling them on their original land which would have sent a clear signal that it would safeguard the constitutional right of all Kenyans to live and own property anywhere in the country. Instead it has offered alternative settlements on land whose ownership is itself contested." (Article 19 October 1997, sect. 2.3)

"A long-term effect of the violence is the lasting alteration of land occupancy and ownership patterns in the areas where the 'ethnic' clashes took place, and a significant reduction of the number of non-Kalenjin landholders, particularly in the Rift Valley Province. The government has continued to pursue its policies of removing certain ethnic groups from the ethnic clash areas by allowing and cooperating in the illegal expropriation of land owned primarily by Kikuyus, Luhyas, and Luos. The increased possession of land by Kalenjins and Maasai in the Rift Valley benefits the Moi government by allowing it to cater to the sentiments of ethnic nationalism among its supporters: it expects their political support by claiming to have got 'their' land back and for increasing their economic wealth. In the meantime, thousands of people with title deeds or mortgage notes have been rendered virtually destitute because of their ethnicity.

In some cases, the land has been completely occupied. In others, the boundaries have been illegally moved to expand the farms of neighboring Kalenjins onto parts of the land of the displaced. In other cases, those kept from their land are being offered sums significantly below market value for their farms. Those who refuse to sell are given warnings by their Kalenjin neighbors that a time will come when they will not only have to sell, but will have to accept the price given to them by Kalenjins. Other non-Kalenjins have exchanged land with people who are willing to take their plot in return for land in another province. In some areas, local Kalenjin authorities have explicitly instructed clash victims to exchange their land with Kalenjins from outside the Rift Valley. For example, in Tapsagoi, a local Kalenjin chief threatened renewed violence unless the non-Kalenjins,

who had fled their land after an attack by Kalenjins, exchanged it with Kalenjins, which is in violation of the Land Control Board rules.

Government officials have also not hesitated to misuse their legal authority to expropriate land under the guise of exercising 'eminent domain,' which allows the government to take over land for the public interest under limited circumstances. In September 1993, the minister for local government, William ole Ntimama, a Maasai who has led the majimbo calls, declared an area in his district a trust land for the Narok County Council. His action was then reinforced by Minister for Environment and Natural Resources John Sambu, who told residents of the forty-four kilometer area that they had to move, because the land would soon be gazetted as a protected area. Not coincidentally, the area's 15,600 inhabitants were Kikuyu. Most had purchased land from Maasai leaders in the 1960s. They believed that they were being harassed for not having supported KANU in the election.

Those displaced who attempt to report the illegal occupation or transfer of their land to the government are sent futilely from one office to the next until they finally are forced to give up. The government is well aware that many of the displaced landholders are poor and unaware of their legal rights, making it unlikely that these transactions will ever be challenged. The government has taken no steps to address the irregularities in land ownership and sales resulting from the violence, portraying the problems as mere contract disputes that need to be dealt with among the affected individuals.

In Olenguruone, Nakuru district, in the Rift Valley Province, Kikuyu landowners are discovering that their title deeds have been transferred without their knowledge into the possession of Kalenjin owners by the Commissioner of Lands in Nakuru. The government has also taken no steps to discipline those civil servants in the land offices who are illegally altering land title deeds to transfer land into the hands of Kalenjins. In 1939, the colonial government settled some 4,000 Kikuyu squatters on the land, which had originally been part of Maasai land. Olenguruone was one of the most affected areas during the clashes, and most of those driven off their land in 1992 and 1993 still remain displaced. One Kenyan characterized Olenguruone as 'Kenya's West Bank,' referring to the contested Israeli/Palestinian area. Few, if any, Kikuyus from the area are returning to their land because of security fears. Increasingly, the likelihood of their return is being further diminished because of illegal land transfers that are revoking their titles. Human Rights Watch/Africa interviewed several displaced Kikuyu who inadvertently discovered that their title deeds have been illegally altered by the Commission of Lands. According to lawyer Mirugi Kariuki, 'the Land Control Board has become an instrument of control for the government to further its discriminatory policies. The government cannot claim that it is not aware of this because such a process cannot take place without the knowledge of the D.O. in the area.' (HRW June 1997, pp. 71-72)

"Many of the rural residents displaced by the violent ethnic clashes in Rift Valley in 1991-93 still have not returned to their homes and remain displaced in urban areas. In 1997 the Government made some efforts to regularize land ownership for some of the displaced persons in the Molo region. Some of the several thousand persons displaced by

ethnic clashes on the coast in August 1997, in Rift Valley in January, and in the Pokot-Marakwet region throughout the year, likewise have not returned to their homes due to fear of renewed violence." (US DOS 26 February 1999, sect. 2d)

Resettlement difficult because of destroyed homes and property (1992)

"The extreme partiality of the authorities towards the Rift Valley violence has also been shown in their attitude towards those displaced from their homes. The NCKK found in mid-1992 that 'Resettlement of the victims is hampered by the lack of trust in the government which has been a result of the involvement of government officers' in the attacks. The NCKK report noted:

Further no proper security has been provided to the displaced people in the event of return to their homes particularly in the Mt Elgon region. Many of the victims have no resources to enable them reassemble [*sic*] homes as all their property has been destroyed. Families have lost parents leaving orphans who will be unable to re-establish new homes. Others are aged and therefore incapable of re-establishing homes."

(Article 19 October 1997, sect. 2.3)

PATTERNS OF RETURN AND RESETTLEMENT

General

3,000 IDPs who had temporarily resettled in Kyeni Forest in Thika District forced to further move in 2001

- New relocation plan supposed to allow the IDPs to cultivate a different part of the forest

"On 13 February, after eight years in Kyeni, 3,000 farmers were told by the forest ranger that they had seven days to vacate their homes or be forcibly evicted, Wainaina said.

The group had been living and farming in the forest with the consent of the Kenyan government since 1993, having fled political violence in surrounding districts that was associated with Kenya's first multi-party parliamentary elections in 1992.

An agreement between the Kyeni IDPs and forest officials had allowed the farmers to stay and build homes in the forest, in return for an annual rent of Ksh 350 per hectare and four days' free labour per month in the forest's tree nursery.

[...]

Over two-thirds of the population had fled Kyeni after being threatened with eviction, according to Wainaina. Others had been unable to leave and were forced to hide in the forest for several months, foraging for food and evading further attacks. Eventually, they had come to stay on the roadside where they were visible to passing vehicles and their safety was improved, Wainaina said. " (IRIN 31 August 2001b)

"A group of 867 internally displaced persons (IDPs), forced out of Kyeni Forest in Thika District in early June [2001] and who have been living in a roadside camp in Huruma, Thika, since, have complained that they were harassed, intimidated and beaten by forestry officials into leaving their forest homes of eight years. Huruma camp committee chairman Gad Wainaina told IRIN that forest rangers had beaten the IDPs and burned their houses to the ground, forcing them to leave the forest where they had lived since 1993, with the consent of the government. Earlier this week, the process of moving the Huruma IDPs to a new plot back inside the forest began, "to remove them from the dangers at the roadside", according to an official from the Thika District Forest Office. However, it was not known how long the IDPs would be allowed to stay on the new land, as it was only intended to be a temporary measure, he said.

[...]

Under a new relocation plan agreed by the government following pressure by local MP Patrick Kariuki, the Kyeni IDPs may be able to cultivate a different part of the forest than they were in, pay an increased but still nominal annual rent per hectare, and work a number of days a month (unpaid) for the Ministry of Environment and Natural Resources, planting trees. Some among the IDPs fear that the relocation plan is a ruse to

move them from the roadside, and that violent attacks from forest officials could start again once they are out of public view, but that they have no option but to take up the government's offer. "Our alternative is to die," said one of their number. [for more details, see separate IRIN story of 31 August headlined: "KENYA: Kyeni displaced protest treatment, conditions"]" (IRIN 31 August 2001)

"The 800 people who were expelled, 5 June, from the Kyeni forest (Kiambu district, 95kms from Nairobi) where they had been living since 1993 and who set up camp beside the roadside have now moved to the new site within the forest. Currently living under plastic sheeting, the IDPs, who were originally displaced in the 1993 land clashes, have received assistance from the Kenya Red Cross as well as church groups. Water access needs to be improved. An inter-agency mission, 20 August, comprised MDM Spain, Kenya Red Cross, UNICEF, OCHA and IRIN ascertained that following interventions from the local MP and Provincial Commissioner, the situation of the IDPs was improving, were being reassigned a new site and would soon be able to resume their farming activities in the forest. The Kenya Red Cross is monitoring the situation." (OCHA 31 August 2001)

People displaced in the Coast region returned after calm was restored (1997-1998)

"In the 1992 clashes, the affected are estimated to be about 300,000 people. At the coast, displacement was temporary, as the targeted population moved from residential areas to Nairobi and up-country, but returned to their jobs and businesses once calm was restored. During the height of the violence, the church, especially the Catholic Church, helped to evacuate people from trouble spots to safer grounds. These also returned to their homes later, through the help offered by the Christian and Muslim groups. In the Rift Valley, the end of the elections was not followed by the return of the displaced to their former land. Rather, those who had camped at market, church and school compounds were violently dispersed." (JRS March 2001, p.8)

Reluctance expressed by politicians and senior government officials to allow IDPs returning to their former homes (1994-2000)

- Minister for Local Government stated in 1994 that some 11,000 people displaced from Enosopukia in Narok District in October 1993 would not be returned to their homes
- Ruling party (KANU) MPs voted in November 2000 against a proposal to support resettlement of victims from the ethnic clashes

"Another apparent sign of the government's commitment to resolve the situation in the Rift Valley was its collaboration with the United Nations Development Programme (UNDP) in a US\$ 20 million programme to resettle those displaced by the violence. However, at the same time some senior officials were sending a clear message that they did not favour resettlement. The Minister for Local Government, William ole Ntimama, who is a prominent representative of the Maasai community, made it plain [in 1994] that some 11,000 people displaced from Enosopukia in Narok District in October 1993

would not be returned to their homes. The displaced were encamped at Maela in Nakuru District. In early 1994 it was reported that Maasai were taking over the farms of the Enosopukia displaced." (Carver August 1995)

"Kanu has [in November 2000] voted down calls for the Government to resettle the victims of tribal clashes.

In a heated and bitter debate, the Government won when the matter was twice put to the vote; firstly through acclamation and then through a physical count 58 -23, with one abstention.

Kanu MPs, particularly from Nandi District, expressed their discomfort with the plan when it was proposed by West Mugirango MP Henry Obwocha.

He listed areas of resettlement for those displaced in the clashes that rocked Rift Valley Province and other parts of the country in 1991 to 1992.

They included Meteitei, Kitochi, Kamalelo, and Simotwo, all in Nandi.

The debate saw MPs attempt to explain what caused the clashes and it saw Cabinet Minister William ole Ntimama defend the Maasai against those tribes that, he said, had invaded their land.

'The Maasai have been subjects of victimisation during colonial days and the two successive post-independence regimes. We were accommodative, but only became enemies with other communities simply because we asked them to quit the water catchment areas in Enosupukia,' Mr Ntimama said.

He claimed the Kenyatta administration had presided over the invasion of Maasai land in Rift Valley Province, and warned MPs that times had changed." (Daily Nation 23 November 2000)

IDPs not returning to their homes due to fear of renewed violence or because they have lost their land (1999)

- Many attempting to resume their lives at other locations
- Call by President Moi in November 1999 for the displaced to return questioned by NGOs because major obstacles for return were not addressed

"Although most families displaced by the earlier violence had not regained their land by the end of 1999, a large proportion were no longer counted as displaced. Many were attempting to resume their lives at other locations. Some received food aid and grants for school fees from local donors." (USCR 2000)

"Kenyan President Daniel arap Moi this week [November 1999] called on thousands of displaced people in the country's Rift Valley province to return to their homes and continue with their normal lives, a move that has been met with scepticism some quarters. [...]

KHRC's Programmes Officer Njuguna Mutahi asked where the displaced people were supposed to return to. 'Their lands were occupied by their assailants who forced them out,' he pointed out. 'These are people who saw their neighbours hack their loved ones, raze their houses and farms...their lives were shattered.' He added that the chances of violence erupting again were 'quite high'.

'This call is a political gimmick because considering the extent of the damage and destruction of property of the victims, rehabilitating them cannot be done by one institution,' Mutahi said. 'It needs an amalgamated approach which includes all stakeholders like the religious groups and the NGOs.'

An official of the Catholic Justice, Peace and Reconciliation Commission pointed out that the land in one of the affected areas, Enosupukia, was nationalised in 1993 and that some of the displaced in another affected area Olenguruoni - who were given land elsewhere - were told by the government to surrender the title deeds of their original land. 'How are they going to go back without their title deeds?' she asked. 'We want the government to shed some light on how this resettlement is going to be done.'

She acknowledged that people wanted to return to their land. 'The communities have realised, through the peace and reconciliation process, that they need each other since one is an agriculture-based community and the other is pastoral,' she explained. 'They still fear that incitement could recur and that since the same administrative officers are still in charge, there are no security guarantees.' Four days after the president's directive, there was no sign of anything happening, she told IRIN on Thursday." (IRIN 11 November 1999)

" Insecurity

Over ninety per cent of those interviewed cited this as the main cause of non-return. Fear, uncertainty and anxiety result from firstly, severe tension between communities, accompanied by little (if any) interaction. Those who left the area cannot contemplate going back because hostility is intense. Some who have attempted going back have been killed or harassed and warned never to set foot there again. Displaced people from Mt. Elgon who have resettled on tiny plots at Khalwenge have been receiving tracts and leaflets reminding them not to go back, or telling them to leave Khalwenge as well. Other affected areas include West Pokot, Transmara, Migori, Transzoia and parts of Nakuru. Secondly, lingering memories of hurts inflicted and mutual mistrust in parts of Uasin Gishu, Nandi, Nyando, Mt. Elgon and Transzoia has perpetuated sour relations and bred fear. While the displaced fear going back in case they are attacked again. Those who remained are also afraid that the displaced are bound to exact revenge should they come back. There is a consensus that returning people to their original land is likely to spark off fresh clashes due to this, or due to the refusal by new occupants to vacate the displaced

people's land. Thirdly, proliferation of arms in the Kerio Valley has increased insecurity in the region, and led to other problems as well, including lack of food and water.

poverty

There are families who wish to go back, but have no means of rebuilding their homes or starting new income-generating activities. These are mainly those whose houses and property were burnt or otherwise destroyed. Some do not have any identification documents and cannot obtain or replace them at their present place of residence because they need signatures from administrators from their former home areas. Some of these administrators have died, been transferred, or cannot recognize the displacedes because they ran away when they were children. Lack of identification documents and valid title deeds or other collateral means they cannot access loans to start new businesses. They need material assistance to resettle on their farms.

land disputes

About 1500 families are displaced because there is a dispute of some kind regarding the ownership of their land. There are places where two or more title deeds exist for the same piece of land. Examples include Buru farm in Nyando, Miteitei in Nandi, and Mengo and Pole farms in Transnzoia. Those who have no proof of ownership are considered squatters by the government, although this has become very controversial especially at Miteitei because some have formal proof (e.g. receipts and share certificates) of having paid for their farms. Some people also found that their land had been nationalised, transferred, exchanged or illegally occupied by 'politically correct' individuals." (JRS March 2001, pp.18-19)

See also:

[The ethnic conflicts and the displacement have caused a lasting alteration of land occupancy and ownership patterns \(1997-2000\)](#)

People displaced from clashes in the Pokot and Marakwet areas in 1999 starting to return (October 2000)

- Return preceded by meetings between community leaders and a Red Cross operation supplying villagers with food and drinking water
- ICRC project implemented by the American Red Cross aims to bring about the conditions necessary for these displaced people to return to their villages
- Work carried out to repair and upgrade schools

"The Pokot and Marakwet people from the villages of Kolowa and Tot (north-west of Nairobi) are slowly returning to their homes. The trek down from the Cherangani escarpment, where both clans had sought refuge since fighting erupted between them in October 1999, began about two months ago after meetings were held between community

leaders and a Red Cross operation was launched to supply villagers with food and drinking water.

'This is a conflict over access to resources', says Alfred Petters, an engineer for the American Red Cross. 'It is exacerbated by the drought presently affecting large parts of Kenya, a country that hasn't received adequate rains for the last two years'. The drought has had a particularly severe effect on pastoral communities such as the Pokot and the Marakwet, who desperately need to find grazing pastures for their cattle to replace the barren land they are sharing.

Clashes between the Marakwet and Pokot communities quickly grew more violent when the fighters stopped using traditional weapons, such as spears and arrows, in favour of modern automatic firearms. Several people, including women and children, were killed and large numbers of people fled their villages. In some cases they took their cattle with them, but the animals proved unable to adapt to the new environment on the escarpment and many died.

The ICRC project to help the victims, which is financed and implemented by the American Red Cross, aims to bring about the conditions necessary for these displaced people to return to their villages. The first step was to distribute maize seed to those living on the escarpment. The maize, which has now been harvested, is being consumed while a sorghum crop grows in the abandoned villages in the valley. In order for the sorghum to grow and for the population to have access to drinking water during the drought, several water projects (hand-dug wells, desilting of dams, etc.) have been carried out in the villagers' absence.

School grounds were used during the fighting as secure places for the cattle to graze. However, this resulted in damage to the schools. Work has now been carried out to repair and upgrade the facilities, including installation of functional latrines and fences to keep the cattle out. Several schools have also been equipped with rainwater catchment systems and pupils are being served a meal a day. Of the 780 children in the village of Tot, 300 have returned to school so far. And in Kolowa, the market is gradually returning to its colourful, busy routine.

Restoring access to food and water has served to attenuate the causes of conflict and enabled both communities to seek lasting solutions. They have agreed to improve control over their youths and, in the event of new tensions, meet before these have a chance to escalate." (ICRC 6 October 2000)

Church organisations assist more than 1,000 families resettle and 800 families to relocate (1999)

- 800 families relocated to Elburgon after they failed to return to their farms in Olenguruone in Molo
- Church plan to settle more families that were displaced from attacks in Nakuru district
- Returnees allocated land and given rehabilitation materials to build houses

- Most tribal clash victims in the Mt Elgon district not able to return to their farms in Chebwek, Kipsis and Chepkube

"The Catholic church has in the last three years helped resettle more than 1,000 families displaced by the 1992/93 tribal clashes that hit various parts of the country.

Three hundred families have been settled in a one-and-a-half-acre pieces of land each near Elmentaita. These are among the families that lost their land in Narok and parts of Molo.

According the latest issue of Update, a newsletter of the National Council of Churches of Kenya, another 800 families were relocated to Elburgon jointly by the church and the government after they failed to return to their farms in Olenguruone in Molo.

The newsletter quotes the Nakuru diocese executive secretary of peace and justice, Mr Ernest Murimi, as saying that the church planned to settle more families that were displaced during the heinous attacks in Nakuru district.

Mr Murimi, however, said the settlement programme only benefited only those who were unable to return to their farms.

He said the Catholic church was opposed to people selling off or exchanging their farms because doing so will only justify the reasons why they were thrown out of their farms.

He said this year, 102 families were settled near Elburgon. He said most of those targeted for settlement were drawn from Nairobi, Subukia, Molo, Wanyororo, Bahati and Naivasha. Others came from Longonot, Njoro, Gilgil, Elburgon, Nyahururu and Burnt Forest in Uasin Gishu.

The peace and justice official said apart from being allocated land, the families were given rehabilitation materials to enable them build houses on the plots.

On the situation at those places where the clashes occurred, the NCKK newsletter indicated that most of the areas remained peaceful except for cases of livestock thefts.

On the Bungoma-Mt Elgon border, the report says there were reported cases of thuggery and cattle thefts in isolated areas of Mt Elgon district. It said most of the tribal clashes victims had not been able to return to their farms in Chebwek, Kipsis and Chepkube.

In Uasin Gishu, the situation remained peaceful and peace seminars were held mostly in those areas that experienced the clashes.

In the cattle rustling prone area between West Pokot and Trans Nzoia, the reports say the area remained tense with 14 attacks being reported during the month of July alone. Kesogon area on the border between the two district had the majority attacks.

The report says one police officer was killed at Kiringeti in Trans Nzoia during a shoot out between security forces and rustlers in July.

The government, the report says, had moved swiftly to arrest youths who had been terrorizing motorists at Kamatira on the Kitale-Lodwar road. Many people had lost their valuables after being robbed by the armed thugs.

Many raids were reported on the border between Pokot and Marakwet. The report however indicates that most people displaced during past clashes in these areas were returning to their farms and NCKK provided building materials to some." (Daily Nations 28 August 1999)

See also:

National Council of Churches of Kenya (NCKK) and Action Aid have assisted resettlement and peace building in the Rift Valley (1997-1999)

Reported that improved security facilitated return of "thousands of families" during 1996

"Violence occurred less frequently in 1996. Thousands of families were able to return to their homes despite lingering tensions. Some 16 persons reportedly died in an incident in December. Clashes in October caused two reported deaths.

Thousands of families, however, remained displaced because government officials had reallocated their land, or because the families themselves feared additional violence prior to general elections scheduled for 1997. An estimated 100,000 were still displaced at the end of 1996, some of them with no clear prospect of resolving their situation." (USCR 1997)

Claims that UNDP programme had resettled 180,000 by 1995 questioned by local observers

"The number of people permanently resettled by UNDP's 'Displaced Persons Program' remained a matter of controversy. UNDP officials estimated that their program resettled 180,000 people in the west. Kenyan NGOs and church groups alleged that far fewer people benefited from the resettlement program because of Kenyan government manipulation. Advocacy groups estimated that thousands of families remained uprooted and apparently permanently dispossessed in western areas in 1997." (USCR 1998)

"In late 1995, when UNDP ended its displaced persons program, it announced that some 180,000 persons had been resettled as a result of the program. While Human Rights Watch/Africa is not in the position to verify the exact number of displaced remaining at this time, it does appear from interviews with local and international relief workers who were, and still are, assisting the displaced that the UNDP estimate is greatly inflated. David Round-Turner, former policy advisor with the UNDP program, is also of the

opinion that the figures are high. He said, 'UNDP was counting as returned even those who were staying at market centers, but who were returning to cultivate their land during the day. If you do that, you get a much larger figure of returnees.'

Ernest Murimi of the Catholic Justice and Peace Commission flatly refuted UNDP's estimate that its program has reintegrated some 180,000:

'That figure surprised us. People in the field were not consulted about that figure. Where did it come from? The government? We asked UNDP to give us the names of the people who have been resettled here, we were told to ask the D.C. [District Commissioner]. UNDP should have-as its first priority-created a reliable registration system. Now it is too late. UNDP failed miserably. Where did they resettle people? Where is their evaluation? These numbers they put out-ask them where they got them from. Where is the list of names? Which regions are they from? We [the Justice and Peace Commission] can show you our list of people. Where they came from, where they are, if they are back on their land. UNDP has not been transparent." (HRW June 1997, p. 102)

UNDP optimistic in 1994 about opportunities for return

- Estimated by UNDP that about one-third of the affected population had returned by 1994
- Reported that violence had decreased but also mention of areas where threats and harassment continued
- In some areas people commuted to their land in the day and slept at market centers at night
- Reported that some reintegration happened during 1994 in the Nyanza and Western Provinces, and that a greater proportion of displaced Kalenjins apparently had returned
- Land tenure and the issue of obtaining title to land reported to be a main issue to facilitate return

"The [1994 UNDP] report's assessment of the situation was upbeat about prospects for return and the government's commitment to the process. The 1994 report concluded that major incidents of violence had decreased and security had continued to improve. On the whole, the report found that cultivation had revived in the clash areas. This improvement was credited to a turnaround within the government.

[...]

The report also acknowledged that in some places the situation was still variable and that threats and harassment continued. The report listed some eight areas where people were still not able to return to their homes, including in Uasin Gishu District (the Kipkaren valley and parts of Turbo and Burnt Forest); parts of South Nandi district; Trans Nzoia district (the eastern slopes of Mt. Elgon); Nakuru district (Olenguruone division and Maela camp); and Kericho district (Thessalia mission).

Although the second Rogge report refrained from publishing many statistics, the report estimated that about one-third of the affected population had returned, and that in western Kenya a much larger proportion (close to half) were in a critical stage of transition. In some areas, the return was complete, and in others, people still commuted to their land in the day and slept at market centers at night. The report noted that a greater proportion of displaced Kalenjins appeared to have returned. The main reasons cited for not returning

were insecurity or fear of violence, lack of materials to rebuild destroyed homes, and dependency on relief distributions. The report estimated that of the displaced, some 20 percent would probably never be able to return to their land to their land without 'circumspect and realistic political intervention.

The major recommendation of the 1994 Rogge report in no uncertain terms was that UNDP needed to move away from short-term relief assistance and 'quip' projects, and move toward meeting the medium and long-term needs of the displaced. Noting that UNDP had been concentrating on food distributions and agricultural inputs, the report identified the need for sustainable projects such as credit schemes for small businesses and agricultural extension services, and employment and job training programs. For long-term reintegration and reconciliation prospects, the Rogge report stressed that UNDP had to tackle the problems associated with land tenure." (HRW June 1997, pp. 49-50)

According to the report:

"A completely unresolved question, and which is clearly one [of] the major contributing factors to the clashes, is that of land tenure and the issue of obtaining title to land. Delays in surveying, failure to provide land titles, irregularities in the district land titles offices, misappropriation of funds and misallocation of plots by administrations of cooperative land holding societies, and an array of other ambiguities caused by sub-divisions of plots, non-formal (traditional) sales and/or exchanges of land, have together produced widespread uncertainty and contradiction over land ownership and rights to use land. This situation has been flagrantly exploited by the forces which incited the clashes. While the problems of land tenure irregularities and land titles acquisition are clearly a responsibility of the GOK [Government of Kenya], unless the specific problems and ambiguities in clash-areas are adequately addressed, the risk of renewed conflict remains. The DPP's [Displaced Persons Program] role in this regard must be to monitor ongoing problems and ambiguities and attempt to bring together the respective protagonists with local administrations." (John Rogge, "From Relief to Rehabilitation, Reconstruction and Reconciliation: Developments and Prospects for Internally Displaced Populations in Western and Rift Valley Provinces," UNDP, September 1994, para 21, quoted in HRW June 1996, pp. 50-51)

"Some reintegration did occur in 1994, particularly in Nyanza and Western Provinces, and there was a gradual return to normalcy. Violence had reduced greatly over what existed a year earlier and many people were in varying stages of return. In relation to the preceding two years, these were significant improvements relative to the highly-charged and volatile situation that had existed. While there was good reason to be heartened by these improvements, however, serious obstacles to full reintegration remained.

[...]

Throughout the reintegration process, continuing incidents, threats and fears of renewed violence prevented many of the displaced from returning to their land. Little was done by the government to conduct confidence-building measures that would have sent a clear message to the nation that the government was not prepared to countenance the ongoing security threats to reintegration." (HRW June 1997, pp. 52, 54)

"In most cases where Kalenjins were driven off their land in retaliatory attacks, they were generally able to return to their land once they were provided with material assistance to rebuild their destroyed homes. However, in many of the hardest hit areas, particularly around Eldoret and Nakuru in the Rift Valley Province and on the slopes of Mt. Elgon in Western Province, where these factors are absent, the government's inaction is evidenced by the thousands of predominantly Kikuyu, Luhya, and Luo displaced who remain off their land to date. In interviews with Human Rights Watch/Africa in August 1996, the most frequently cited reason for not returning to their land was the fear of renewed violence and a lack of confidence that government authorities would provide any protection to the displaced if it did break out.

[...]

A much smaller number cited the lack of building materials for rebuilding their destroyed homes as the reason for their continued displacement, particularly in Western Province. Some have decided that they do not dare to chance returning to their land until after the next national election to be held by March 1998, because of the possibility of renewed violence and a complete lack of confidence in the government." (HRW June 1997, pp. 57, 60)

HUMANITARIAN ACCESS

Opportunities for outsiders to monitor and assist the IDPs

Limited access for outsiders to monitor the displacement situation (1997)

- Attacks on people trying to monitor and report on the displacement situation
- Media denied access to three of the worst-hit areas during 1994-95

"Another dimension of the violence has been attacks on those who try to monitor and report on it. A number of the attacks on the independent press have resulted from their coverage of the violence. For example, Reverend Jamlick Miano, editor of the Presbyterian church magazine *Jitegemea*, was arrested in May 1993 after an issue of the magazine had criticized President Moi's allegedly divisive policies. It referred to the 1990 demolition of Nairobi's Muoroto slum in which several people were alleged to have been killed, as well as the clashes in western Kenya and the demolition of vendors' kiosks in Nakuru." (Article 19 October 1997, sect. 2.3)

"One of the government's tactics was to restrict the flow of information. Reporting on events pertaining to the conflict was made particularly difficult for journalists. There were numerous charges of government harassment of the press for reporting on the clashes including arrests without charge, the bringing of patently political charges such as subversion, police interrogation, and the illegal impounding of issues of publications and newspapers that carried articles on the clashes. During the year and a half in which the Security Operation regulations were in effect, the media were denied access to three of the worst-hit areas. According to the former Rift Valley P.C., Ishmael Chelanga, the primary reason for the creation of the security zone was to keep away 'those who did not wish us well and those who were spreading rumors, lies, and propaganda.' By contrast, there has been a general failure to investigate reports of involvement or collusion of government officials, at all levels of responsibility. At no time has President Moi taken steps to censure or discipline those officials who were responsible for this harassment." (HRW June 1997, p.65)

Government restricted access to Maela camp after many IDPs were moved from the camp in 1994

- UNDP and MSF officials denied access to Maela camp in December 1994
- Outsiders threatened with deportation if attempting to enter the camp

"In late December 1994, UNDP and the international NGO Medecins sans Frontieres (Spain) officials were denied access to Maela camp after forced government dispersals of

some 2,000 displaced, despite the fact that the UNDP officer had a letter from the Office of the President allowing entry into Maela. The displaced were transported out of the Rift Valley Province, without notification to UNDP, and left in Central Province in the middle of the night on Christmas eve. An American priest, Fr. John Kaiser, who had been working for the Catholic diocese in Maela, was put under house arrest when he protested the action. He was then taken to nearby Naivasha and warned that he would be deported if he attempted to enter the camp again[...].

[...]

These, and other incidents, indicate that ongoing harassment and intimidation was taking place in the clash areas on a regular basis. UNDP should have seen it as part of its responsibilities to call for government restraint toward the displaced and those working with or reporting on the displaced, and should have worked towards greater access and transparency in the clash areas. Yet UNDP frequently remained silent about government harassment, and in some cases, made excuses for the Kenyan government by dismissing an incident as a misunderstanding or a temporary setback. Its failure to make public pronouncements critical of government actions was matched by a failure to serve even as a back channel advocate by supporting the agencies by providing factual reporting to donor governments which might have been less constrained to make representations to the Kenyan authorities. A worker with the international NGO Medecins sans Frontieres (Spain) noted that several times during the course of the UNDP program, local government officials destroyed their equipment, arrested their staff, or denied them access to areas where the UNDP program was being administered and where they had permission to enter. They felt that they could not rely on UNDP, either at the field or national level, to speak up on their behalf." (HRW June 1997, pp. 66, 68)

The above mentioned priest, John Kaiser, continued during the 1990s to assist the displaced in the Maela camp. He died on 23 August 2000 by a gun wound. A [web site](#) has been set up to inform about Kaiser's work and his death.

NATIONAL AND INTERNATIONAL RESPONSES

Government Response

Police reservist disarmed as an effort to improve security in Tana River District (December 2001)

- Kenyan police and security forces began in October 2001 an operation to recover illegal firearms in the district
- Kenyan church official claiming that that police had released a large number of illegal firearms just days before the outbreak of violence
- 638 police reservists disarmed in December to consolidate an uneasy calm
- President Daniel arap Moi ordered the police on 4 January 2002 to immediately return all confiscated weapons to the home guards.

"Kenyan police and security forces in October began an operation to recover illegal firearms in the district, and the government announced last week that it would repossess all firearms that had earlier been given to homeguards in the Pokomo and Orma communities. "We have a total of 500 homeguards in the whole district and we want to repossess all their weapons to improve security," Tana River District Commissioner James Waweru said on Monday.

A Kenyan church official claimed on 22 November, however, that police had released a large number of illegal firearms just days before the outbreak of violence. "We have information that a lorry full of sophisticated illegal weaponry was recently apprehended [by police] and knowingly released into the community by local Tana River District personnel," Bishop Julius Kalu of the Anglican Church of Kenya was quoted as saying by AFP." (IRIN 4 December 2001)

"The Kenyan government has disarmed 638 police reservists in Tana River District, eastern Kenya, to consolidate an uneasy calm that has returned to the area after violent clashes between the two communities in November and December, the East African Standard newspaper reported on Monday, 24 December.

Moving out the reservists has helped security, though tensions in the district are still high, according to humanitarian sources on the ground. The government has also transferred some policemen belonging to the two communities and serving in the area who were believed to have taken sides in the skirmishes.

The local district commissioner, James Waweru, said 80 illegal guns suspected to have been used during the clashes had also been recovered, the Standard reported. Among the illegal guns recovered were 60 home-made ones and an assortment of 20 assault rifles, and more than 14 people have been arrested on suspicion that they had played a role in

the tribal feuds, he said. One hundred and eight people had been killed in the clashes since March this year, Waweru added." (IRIN 26 December 2001)

"Kenyan President Daniel arap Moi blamed local leaders for failing to prevent and bring a swift end to the fighting. During a public rally in Garsen town on 4 January 2002, Moi acknowledged the admission by local MPs Muhammad Galgalo (Bura), Tola Kofa (Galole) and Molu Shambaro (Garsen) that they had had done little to prevent the violence from escalating.

'From today, I am ordering them to go out there and preach peace to stop this fighting,' the Daily Nation newspaper quoted the president as saying.

Some local leaders have been accused of inciting the violence, rather than just failing to prevent it, according to Alex Nyago, spokesman for the Peace and Development Network (PEACE-NET), an umbrella body for nongovernmental organisations working to resolve local conflicts in Kenya." (IRIN 11 January 2001)

"Following accusations that guns held by Tana River police reservists had been used in the year-long clashes, 638 reservists were disarmed in late December. During a visit to the district on 4 January, however, Kenyan President Daniel arap Moi ordered Police Commissioner Philemon Abong'o to immediately return all confiscated weapons to the home guards.

[...]

Fears remain that some of the weapons taken from police reservists, if returned, could become available to one or other community for attacks on the other." (IRIN 14 January 2002)

Government officially encouraging return but new refugee bill does not address the problem of IDPs (1999-2001)

- President call in November 1999 for remaining IDPs in Rift Valley "to return to their homes and continue with their normal lives"
- Human rights activists and religious organisations uncertain about the commitment behind the statement
- The responsibility for assistance to IDPs under the Relief department at the Office of the President, but nobody specifically charged with addressing the problem of those displaced during or around election time

"Kenyan President Daniel arap Moi this week called on thousands of displaced people in the country's Rift Valley province to return to their homes and continue with their normal lives, a move that has been met with scepticism some quarters.

[...]

Moi, who was addressing a gathering in the Rift Valley town of Nakuru on Monday, reassured the displaced that 'maximum security' would be ensured so that the problems did not recur, Kenyan media reports said. He directed provincial and district

commissioners in the affected areas to 'ensure that this programme of resettlement in the families' original farms is effected within a week'.

Moi further told politicians to ensure that 'their utterances were not inflammatory', saying that conflicts in the region had been ignited by 'careless leaders who issued emotive statements without assessing their destructive potential'.

However, human rights activists and religious organisations in the area are skeptical, and have adopted a 'wait and see' stance. The Kenya Human Rights Commission's (KHRC) Management Coordinator, James Nduko, described the president's comments as 'non-committal'. 'Without a firm commitment, it remains just his usual one-touch statements or ideas which are never followed up,' he told IRIN.

[...]

Meanwhile, the Office of the President said some 'official activity' was underway on the ground. 'Of course there could be logistical problems in getting these people to return from wherever they sought refuge, but it is a presidential directive that has to be implemented,' an official told IRIN. He however agreed that the situation in the region was 'fluid'.

The land issue is very sensitive, the official said, and until the process was undertaken 'one cannot know what to expect'. 'But you can be sure trespassers who are occupying land illegally will have to go,' he added." (IRIN 11 November 1999)

"In Kenya, the problem of refugees and forced displacement falls under the Ministry of Home Affairs, Immigration and Police departments. The draft refugee bill does not address the problem of IDPs at all, nor does the refugee desk at the Ministry of Home Affairs. Instead, the IDP problem has been shifted to the Relief department at the Office of the President. An interview at OP revealed that no-one is specifically charged with addressing the problem of those displaced during or around election time. Relief, including food, medicine and other basic necessities, is provided for victims of cattle rustling and natural disasters only." (JRS March 2001, p.24)

Presidential Commission on Ethnic Clashes formed in 1998 but report not released

"In August 1999, a presidential Commission on Ethnic Clashes, a government-appointed panel of three judges formed in 1998, submitted to President Moi its report on the cause of ethnic clashes that occurred in the Rift Valley in 1992 and 1997, the Coast province in 1997, and the areas of Molo and Laikipia in 1998. Many of the hearings were public, and witnesses often directly accused local politicians of abetting the combatants, although they rarely provided other than hearsay evidence. However, key churches and NGO's claim that a number of witnesses were prevented from testifying, especially after, half way through the investigation, the Government changed the Commission's aggressive prosecutor John Nyagah Gacivih to the more progovernment Deputy Attorney General Bernard Chunga. The Government still had not released the report or announced that it

was taking any formal action on its findings by year's end." (US DOS February 2001, Section 5)

As of January 2002 the report had still not been released to the public.

For information about how the Government's Standing Committee on Human Rights has dealt with the political violence, see HRW's report ["Protectors or Pretenders? Government Human Rights Commissions in Africa"](#)

Government security initiative between 1993-1995 stabilised the ethnic violence in the Rift Valley

- Elburgon, Molo, Londiani and Burnt Forest declared security operation zones
- Security zones isolated areas and interfered with the work of NGOs
- Continued displacement of people from their homes during 1994 despite increased presence of police and civil servants

"After two years of continued conflicts and displacement of people, the government acted to stop the violence in mid 1993. The President toured areas affected by clashes, ordered that violence stop, and appealed for calm. In the most insecure areas he invoked the Preservation of Public Security Act and declared the hardest hit areas of Elburgon, Molo, Londiani and Burnt Forest security operation zones. This act banned outlawed the possession of firearms, instituted curfews, and prohibited movement into these areas. As one young man explained, 'When the President came to Mt. Elgon and told people the fighting should stop, it stopped.'

While the President's tour became a reference point for peace building activities, the declaration of security zones isolated these areas. The bans on entering or working in the zones interfered with the work of certain NGOs and prohibited certain individuals from visiting them. Among those obstructed were Aurelia Brazeal, the US Ambassador to Kenya and a team of MPs from the United Kingdom and Denmark.

More government administrators went to affected areas. Their first tasks were to increase security and oversee the return of displaced people. Molo, one of the hardest hit sites, received an additional 15 district and police officers. The presence of government officers, some of whom were eager to begin their assignments, stabilised populations and provided a basis for peace work.

These efforts did not go far enough in punishing the perpetrators of violence, leaving this as an unresolved issue in most of the areas affected by clashes. These government-driven efforts encouraged little participation from affected communities. For the most part, these communities remained suspicious of the government and reluctant to seek meaningful involvement." (Kathina Juma May 2000, p. 17)

"The decline in the number of violent incidents in 1994 was claimed by the government as a victory for its policy of imposing 'security zones', introduced in September 1994. This involved restricting movement to and from three of the worst affected areas: Molo, Londiani and Burnt Forest [...]. Human rights groups and journalists claimed that the main aim of the policy was to prevent a flow of accurate information about the violence[...]. In March 1995 the security zone restrictions were lifted[...]. In fact the security zone areas continued to be the epicentre of the violence, with some 25-30,000 people driven from their homes during 1994, despite the restrictions in force[...]." (Carver August 1995)

Withdrawal of international support by mid-1990s induced national actors to utilize local resources

- Initial response by international actors did not integrated food aid and assistance for return and rebuilding
- Local peace initiatives emerged out of a situation with scarce resources

"Local peace-building activities emerged out of despair and exasperation with conflict. Initial responses were based on the relief model and dominated largely by international actors. In this model, food relief comes first, followed by returning displaced populations, rehabilitation, and reconstruction. Peace and reconciliation are part of rehabilitation. However, persistent problems with displacement led to outside actors experiencing burnout. Furthermore, resources were diminishing because of donor fatigue, and frustration with the government was increasing. Therefore, most foreign actors left the scene in less than 24 months after the eruption of conflict in 1991-2.

Although the departure of foreign actors created a vacuum, it did leave local actors with the space to reassert their role and engage in a wide range of activities related to returning, rehabilitation and reconstruction. Peace building posed particular challenges for most local actors. It required specific skills and institutional support, both of which were scarce at the local and national levels. The withdrawal of foreign actors translated into reduced funds for local actors working with displaced populations. For example, the abrupt withdrawal of UNDP from Western Province in March 1995 curtailed the start-up of a range of quick impact projects, all of which had a peace and reconciliation component. A third set of challenges were generated at the ground level where most displaced persons began to show signs of weariness with assistance programmes and eagerness to return to their homes. This generated immense pressure for actors to look to issues beyond relief, a challenge that required big budgets and long term commitments.

Constrained by limited expertise, resources, and government support, local actors were forced to turn to local resources. They sought skills, capacities, and available opportunities among members of communities with which they worked. Through intense interaction and working together, peace actions were initiated and the process of transforming conflict began. In short, local peace builders learned while working for peace." (Kathina Juma May 2000, p. 19)

The report by Dr. Monica Kathina Juma contains several case studies of local peace initiatives in Kenya during the 1990s

International operational activities

Limited international attention given to the conflicts within Kenya (2000)

- Ethnic conflicts regarded as internal affairs
- Conflicts considered relatively insignificant in comparison to conflicts in nearby countries

"To date there have been no conflict resolution initiatives from international sponsors, largely because Kenyan conflicts tend to be regarded as internal affairs which are relatively insignificant in comparison to conflicts in nearby countries. The fact that the elections of 1992 and 1997, although criticised by political groups inside Kenya, were judged as relatively free and honest by international monitors has also contributed to this neglect. The regime is regarded as legitimate.

The government denies any involvement in the conflicts which makes it hard to identify the conflicting parties and to bring them to the negotiating table. There is no organised, armed resistance against the government. There is no acceptable alternative to President Moi.

Kenya's various conflicts have aroused little attention in the foreign media. The Rift Valley has been practically closed to foreign journalists in the belief that international intervention in domestic conflicts is directly linked to the amount of media coverage they receive. The North-Eastern Province is remote from the capital, and for unaccompanied UN-officials, other aid-workers and travelers it is a no-go area.

President Moi's consistent denial of any government involvement in the political violence, however, is becoming less and less credible. Kenya's foreign donors have supported international human rights organisations in their criticism of the Moi regime. What little public awareness exists of the conflicts in Kenya, has been generated largely by Amnesty International, Human Rights Watch and African Rights." (EPCPT November 2000)

UNDP's reconciliation and reintegration programme (1993-1995)

- HRW claims that the programme was obstructed by lack of government commitment to restore the displaced to their lost land and livelihood
- HRW report criticising UNDP programme for not giving attention to protection needs and the political causes of the displacement

- Forced expulsion of some 2,000 Kikuyu from Maela camp in December 1994 made UNDP more outspoken advocate of the displaced
- Programme terminated in November 1995

"In 1993, UNDP took commendable initiative to create a reconciliation and reintegration program for those displaced from the 'ethnic' clashes. The stated objective of the proposed U.S.\$20 million Programme for Displaced Persons was 'the reintegration of displaced populations into local communities, prevention of renewed tensions and promotion of the process of reconciliation.' The program was implemented jointly with the government. The program plan was based largely on two reports, known as the Rogge Reports, after the author.

[...]

The first Rogge report provided a sound and well-conceived proposal for action that included short-term relief assistance needs; medium-term needs for general development initiatives including the rehabilitation of destroyed institutions, reconciliation seminars, employment training, and regularization of the land tenure system; and long-term protection and security issues which, the report stressed, were paramount to the program's success.

By the time the UNDP program began, levels of violence had diminished significantly, and reintegration had begun to occur in some areas, particularly Nyanza and Western Province. However, at the same time, the government steadily undermined reintegration through active obstruction of reintegration efforts on some fronts and inaction on others. During the UNDP program, and since, there was no government commitment to reverse the damage that had been caused, and to restore the displaced to their lost land and livelihood without regard for ethnicity.

Even while progress was made in alleviating the emergency food and material assistance needs in the first year of the UNDP program and some reintegration occurred, a climate of mistrust and insecurity persisted in many parts of the Rift Valley. Numerous difficulties remained largely due to government resistance to full reintegration, and a lack of political will to restore security, to redress past and continuing injustices against the displaced, and to find lasting solutions particularly with regard to land reform. The Kenyan government continued to harass and intimidate the displaced after they were driven from their land. The government brought charges against critics of the government's policies towards the displaced, while at the same time it allowed the instigators and perpetrators of the violence to enjoy complete impunity. [...].

[...]

In the face of this largely predictable resistance from government quarters, UNDP appeared unprepared and unqualified to deal with the rights and protection implications that this raised. The manner in which the program was initially structured did not put into place safeguards to minimize government control or manipulation of the program. Instead of addressing the key impediments to lasting change, UNDP ignored the political, human rights, and development dimensions of the displacement. Building its approach on experience acquired previously through a drought alleviation program, UNDP proceeded as if all that was necessary was to provide relief supplies to enable people to return-while

doing nothing more than acknowledging the political causes of the displacement and the attendant human rights violations that needed to be addressed. Also, based on its usual working approach, UNDP partnered itself closely with the government. Many of the issues that the Rogge reports identified as fundamental were disregarded in the implementation of the program. Where UNDP encountered government resistance to addressing an issue, such as human rights violations or land law reform, the agency's approach was to retreat rather than to press for these fundamental changes to be made. The narrow perspective adopted by UNDP resulted in a program that ignored issues responsible for the humanitarian crisis in Kenya which were key to finding lasting solutions.

[...]

Ultimately, the manner in which the program was administered resulted in the greatest attention being placed on that part of the program that was relatively the easiest and least politically controversial to administer-the relief part-and a neglect of protection, human rights, and long-term needs, which would have required UNDP to adopt a more critical advocacy role in relation to the Kenyan government. In the end, UNDP was immobilized. UNDP was neither able to address the long-term developmental issues for reintegration which it had the expertise to do, nor was it able to channel sufficient pressure on the government where needed because it lacked the experience and political will.

The final blow to the flagging program was the forced expulsion of some 2,000 Kikuyu from Maela camp, who were trucked out of the camp after a police raid in the middle of the night on December 24, 1994, without the knowledge of UNDP, and dumped at three sites in their 'ancestral' home of Central Province. A few days later, many of the same people were subjected to a second round of police raids, as the government tried to disperse them as quickly as possible. For the first time, UNDP became an outspoken advocate of the displaced, calling on the government and the world to stop these abuses. By that time, however, UNDP's position was so compromised, it was in no position to mobilize donor and NGO support. Despite assurances from UNDP that it would protect those who had been displaced from Maela, UNDP never returned them to Maela, nor did the agency succeed in pressuring the government to punish the responsible officials. At one point, UNDP's resident representative to Kenya characterized the forced dispersal as a 'temporary hiccup' in the program, in a bid to urge donors and others not to allow this incident to detract from the positive contributions of the program. Moreover, because UNDP had such poor NGO relations and a record of praising the government, UNDP became a target of blame for the Maela camp incident, irreparably damaging its image and credibility in Kenya. The Maela incident brought the UNDP Displaced Persons Program in Kenya to a halt. It was formally ended in November 1995." (HRW June 1997, pp. 6, 7, 8, 10, 11)

"While UNDP cannot be held responsible for the Kenyan government's recalcitrance, it does bear some responsibility for the thousands who remain displaced today. There are a number of identifiable factors that could have strengthened UNDP's contribution. UNDP did not put into place a working agreement with the government setting out basic operating conditions for the program. UNDP misread the situation and did not put into place mechanisms to guard against government abuse. UNDP did not prioritize data

collection. In the context of forced dispersals by the government, the absence of a monitoring and reporting function meant that there was no sustained follow-up or means of identifying those displaced who were expelled from identifiable camp-like situations. UNDP also did not play a vigorous and outspoken advocacy and protection role to protect the displaced against human rights abuses. UNDP was silent on the need for accountability, and too ready to accept and to propound arguments that only a few officials were involved as an alternative to confronting the government's betrayal of the very premise of its program. Its program did not support and strengthen the local NGO community. As a result of these omissions and the government's obstruction, UNDP was forced to end the program prematurely without addressing the long-term solutions, including land reform, leaving thousands abandoned. An examination of these factors, if acted on by UNDP, may avoid the same errors from being repeated in programs elsewhere." (HRW June 1997, pp. 83-84)

The Global IDP Database has not succeeded in accessing the original UNDP documents related to this project. However, the hardcopy version of the HRW report includes an eight-page comment by UNDP on the content of the HRW report. Among other comments, UNDP indicates that its support for IDPs was not suspended in 1995 as the Government had agreed that it should "incorporate activities in favour of displaced persons in its social dimension of development programme" (HRW June 1997, p. 151)

Response by Non Governmental Organisations

NGO initiative to address the causes of the conflict in the Tana district (2001)

"Several national, and international agencies including Caritas Spain, CRS, KCS-Justice and Peace Commission, dealing with emergency or development activities in the [Tana] district realised that development cannot be achieved without peace. For this reason, they came together through the auspices of the local partner, Caritas Malindi, to analyse the root causes of the problem, in order to address them in the best way possible. Other stakeholders dealing with peace initiatives, like Tana River Peace and Development, (supported by OXFAM GB), TADECO, World Vision, YMCA, were invited by Caritas to work together, with the aim of mapping out the players, share experiences, and to get a better understanding about the situation. To this end a first coordination meeting took place in Garsen, 7 September comprising Caritas Malindi, Caritas Spain, CRS, KCS, UN-OCHA, TADECO, TRPD, and D.O. As a result of this meeting, the need was identified to create a new Peace Co-ordination Committee for Tana River District. The purpose being to address the conflict, to strengthen co-ordination and collaboration amongst stakeholders, and to collaborate on efforts. A follow up meeting, 17 September between Caritas Malindi, TRPD, TADECO, YWCA and World Vision undertook an institutional analysis, identifying all the key players working in Tana River District.

This Local Peace Co-ordination Committee is still in the start up process, and more meetings will be held in Garsen during the next month, to establish its TOR, and effective mechanisms for mutual co-ordination, and collaboration with the final purpose of achieving sustainable peace in the area." (OCHA 30 September 2001)

National Council of Churches of Kenya (NCCCK) and Action Aid have assisted resettlement and peace building in the Rift Valley (1997-1999)

- NCCCK providing displaced families with building materials to enable them to rebuild their homes
- Two hundred village level Peace Committees have been created during the 1996-1999 period

"As at February 1996, according to the local member of parliament, most of the 10,000 families evicted from Olenguerone in Nakuru District in the Rift Valley in 1993 had not returned to their land. But while the government was dragging its feet over the issue of resettlement, non-governmental organizations, notably the National Council of Churches of Kenya (NCCCK) and Action Aid, were embarking on resettling some of the displaced families. Action Aid's project, which was due to end in September 1997, aimed at resettling 1,800 families who had been displaced after clashes in Bungoma and Mount Elgon. NCCCK's ongoing work aims at providing displaced families with building materials to enable them to rebuild their homes.

But these NGO efforts, laudable as they are, are modest and cannot resettle all the affected families. The government has given little support and in some cases has failed even to guarantee security for returnees, making it impossible for the NGOs to proceed." (Article 19 October 1997, sect. 2.3)

"The influential *Protestant National Council of Churches of Kenya (NCCCK)* - staff, 300; membership, six million) - and its Peace and Rehabilitation Programme (initially called 'Land Clashes Project') also deserve special mention. The Programme was started in 1992 to help resolve several devastating conflicts in Kenya. These were initially political in nature but soon turned different ethnic communities against each other. The Programme allows the NCCCK to cooperate closely with other NGOs, including Muslim organisations, and with officials at district and local level. The *Nairobi Peace Initiative (NPI)* has been a frequent partner in the training and workshops for members of parliament and others.

[The Programme] has evolved through three phases. During phase I (1992-1993) emergency relief was central to its activities. In phase II (1993-1996) rehabilitation and reconciliation activities were added. During phase III (1996-1999) Good Neighbourliness Workshops have been held, two hundred village level Peace Committees have been created and Peace Facilitators have been identified and trained. For the communities bazaras (public gatherings) have been organised in consultation with the local administration. On many occasions local government officials have been made moderators of meetings encouraging them to listen to the debate. President Moi has frequently accused the NCCCK of fuelling tensions in the country and on one occasion he almost banned the NCCCK's Peace and Reconciliation Programme. In 1998, a slander

campaign against an NCKK official was started by a pro-government magazine. In the next phase, the NCKK will, in cooperation with its national and regional partners and its own country-wide network, publish a national agenda for peace. In the nine areas where the Programme has worked, only one has remained 'hot'." (EPCPT November 2000)

Red Cross response to recent displacements in the Rift Valley (1998-2000)

- Initial distribution of assistance reaching only four of a total of 12 camps because of bad road conditions in the area
- Distribution of non-food items like blankets, clothing, kitchen sets, jerricans, soap and plastic sheeting
- Assistance in 2000 to families who have returned to the Laikipia District of Kenya's Rift Valley Province after being displaced at the beginning of 2000

"Following the outbreak of violence in various districts of the Rift Valley, the Kenya Red Cross Society (KRCS), working with the support of the ICRC, began on 8 February to assist thousands of internally displaced persons.

The distribution of non-food aid is hampered by disastrous road conditions. In Laikipia district, the trucks eventually managed to get through to places such as Ol Moran, where 1,699 displaced people had found shelter in a church and were among the first to receive blankets, clothing, kitchen sets, jerricans, soap and plastic sheeting.

In Nakuru district, where further distributions are scheduled, 12 camps for displaced persons have been located. So far, supplies have been delivered to only four of the camps, mainly because of bad road conditions in the area. A total of 3,400 people have received aid from the joint KRCS/ICRC teams to date.

In all, 30 volunteers from the Nakuru and Nyahururu branches of the KRCS have taken part in distributions covering over 5,400 internally displaced people. The National Society and the ICRC have also conducted a survey in Nyanza province, where people have been injured and forced to leave their homes as a result of the violence in recent months." (ICRC 25 February 1998)

"This week the Red Cross completed relief distributions to over 5,000 displaced persons in Kenya's Rift Valley, most of them women and children.

It was the second round of distributions for thousands of uprooted Kenyans in the Nakuru and Laikipia districts. With support from the ICRC, the Kenya Red Cross Society had already given them emergency aid in February and March and begun to provide longer-term assistance in May.

[...]

Living conditions in these camps have been deteriorating and inadequate sanitation and overcrowding pose a constant threat of infectious diseases. 'The Red Cross has already built a number of pit latrines and is handing out soap and disinfectant as well as plastic

sheeting and sleeping mats for the camp population', said Emmanuel Campbell, ICRC delegate in charge of cooperation with the National Society. In Laikipia, construction materials will be provided for the homeless.

Those receiving assistance are victims of the violent clashes that broke out in the Rift Valley in mid-January, leaving thousands of people displaced. The June distribution provided a total of 3,980 people in Nakuru with maize, beans, edible oil and blankets, while in Laikipia 1,172 families were given hoes and 30 others blankets." (ICRC 9 July 1998)

"The ICRC, together with the Kenya Red Cross Society, is distributing construction materials this week to families who have returned to the Laikipia District of Kenya's Rift Valley Province. These families are among those who fled in January this year to escape ethnic violence that had erupted in parts of the province. They now have no homes to go back to.

This is the third phase in a programme that so far has involved the provision of food and non-food aid, and agricultural assistance in the form of seed and basic farming tools.

The materials being distributed include roofing sheets, ridges and nails for the 69 houses under construction. More families will receive support once the houses being built reach roof level. The programme is being carried out in cooperation with the National Council of Churches of Kenya, the local diocese of the Catholic church and members of the community itself.

'These people have been living in temporary shelters for almost a year', said ICRC delegate Emmanuel Campbell. 'The materials we provide will help them achieve the dream of having a permanent roof over their heads, and this will facilitate their resettlement.'

At the same time, the ICRC and the Kenya Red Cross will hand over seven wells to the community elders. The wells, dug with the help of the ICRC's water and sanitation unit, are already supplying desperately needed safe water to over 20,000 people." (ICRC 17 September 1998)

Red Cross assistance to the displaced in the Wajir district (1999)

"In a survey carried out in late December and early January, three months after cattle raiders descended on the Wajir district in Kenya's remote North-Eastern province, the Red Cross has found thousands of people, mainly women and children, still displaced and fending for themselves in desolate camps.

'We distributed food and other aid to the victims immediately after the attack', said Vincent Nicod, head of the ICRC's Nairobi delegation. 'But the fact is that these people have lost their only means of subsistence and continue to be in desperate need of help.

The stronger individuals have built makeshift shelters. Others, however, are sleeping in the open in the cold night air, which makes them vulnerable to chest infections. And in their weakened condition, that can be fatal.'

Working in close conjunction with the Kenya Red Cross Society, the ICRC has been distributing rice, beans, cooking oil, salt, blankets, tarpaulins, cooking pots and basic medicines to the neediest victims of the violence. The more than 800 families benefiting from the aid are survivors of attacks by unknown raiders on several villages in Wajir district on 24 October. The raids left nearly 150 people dead while 17,000 head of cattle – the mainstay of the region's nomadic society – were stolen.

The families, now living in three camps, have told the Red Cross that they are still too frightened to return to their homes. To ease their plight, plans have been made to dig four boreholes to provide clean water in the camps, which are located on barren, arid terrain." (ICRC 28 January 2000)

Peace building initiatives blocked as NGOs had to avoid activities with a "political character" (1991-1995)

- Catholic Church and the National Council of Churches of Kenya (NCCCK) major actors in the assistance to the displaced
- IDPs offered free medical services from hospitals and dispensaries during the first phase of the displacement situation
- More than twenty NGOs assisting the displaced populations in the Mt. Elgon area by mid-1993
- Humanitarian actors experienced harassment from government agents

"The people were unprepared for the eruption of violence because they failed to acknowledge the early warning signs. These included tension generated by the Katakwa issue and the manipulation of ongoing political changes. People fleeing destruction and persecution in their homes sought sanctuary in local churches and markets. The Catholic Church and the National Council of Churches of Kenya (NCCCK) were among the first to initiate assistance programmes through their established networks and institutions. Church buildings, schools, and some parishioners gave shelter to those fleeing the hostilities. Perceiving displacement as temporary, provisional and short-term assistance focussed primarily on relieving material needs. Relief providers hoped that violence would end so people could return to their homes within a short period. As conflict became more protracted, the capacity of local structures was overwhelmed. In the words of Tecla Wanjala, a pillar of peace in this monograph who was then the Development Co-ordinator with the Catholic Church;ng others, are presented in subsequent chapters.

'We all thought that the violence [would be] short-lived and that it would end after the 1992 [December] elections. To the frustration of most of us [relief workers], this assumption turned out wrong. This realisation posed the single most difficult challenge: how to reorient relief programme beyond [the current] relief assistance engaged in by all actors.'

In the aftermath of the December 1992 elections, clashes escalated and more people were displaced. Following a Presidential visit to Mt. Elgon in July 1993, access to the mountain was granted. Soon, more than twenty humanitarian agencies were engaged in working with displaced populations in both districts. This generated a set of challenges related to the organisation and disbursement of assistance. Among the most prevalent challenges was the marked competition for operational space and funding which resulted in increased duplication of the relief efforts and uneven distribution of peace building services. Humanitarian actors were struggling with the growing emergency in a crowded, competitive arena. They experienced continuous harassment from government agents as the main obstacle to their relief efforts. Tecla observes:

'At the time [1993], the government was harassing all of us [relief agencies], in some cases we were even denied access to the internally displaced populations (IDPs). At three different times, police officers stopped me from entering a camp where the IDPs were held.'

Negative attitudes among government functionaries made daily operations difficult and led to enormous energies being spent in negotiating access and trying to cultivate goodwill from officers on the ground. Further, lack of consistent goodwill by the government made NGOs delay the start-up of any activity that could be associated with peace building. Unsure of how far they could push the government agents, NGOs remained reluctant to engage in any activity that could trigger government suspicion beyond what it was. Subsequently, intervention efforts focussed on relief assistance and emphasised their non-political character to the exclusion of matters that could have political implications. Peace building was an essential victim in this situation. Everyone was trying to avoid addressing directly the return of IDPs and justice. These two controversial issues could have questioned the role of government agencies in the clashes. Until late 1994 and early 1995 when some people began to return to their homes, peace building remained an arena where no one was brave enough to venture. Delayed starts and the failure to address issues of justice and compensation threatened the viability of peace. These concerns are elaborated later." (Kathina Juma May 2000, pp. 36-37)

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