



Summary Report of Breakfast Meeting on Pastoralist Displacement in Northern Kenya: Findings of a Scoping Study

Organized by the African Conflict Prevention Programme (ACPP), ISS Nairobi Office; the Internal Displacement Monitoring Centre (IDMC) of the Norwegian Refugee Council (NRC)

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Introduction

A complex cocktail of factors have over the decades led to the displacement of thousands of pastoralists from their homes in northern Kenya. Notwithstanding the dire humanitarian consequences of this situation, it remains grossly under-reported, under-studied and response is, at best, non-existent. Consequently, whereas internally displaced persons in other parts of the country have received enormous attention, the same cannot be said of northern Kenya. Against this backdrop, the ISS and the IDMC conducted a scoping study on pastoralist displacement in northern Kenya with the primary aim of drawing attention to the plight and its consequences in the region. For the purposes of sharing the findings, the two institutions jointly convened a breakfast meeting to deliberate on the key findings of the study.

The meeting brought together key members of the Parliamentary Select Committee on Internal Displacement, Representatives of selected Government Institutions, the diplomatic community, academia, researchers and members of civil society, to deliberate on the key findings of the study and the phenomenon of pastoralist displacement in Kenya.

Opening and Closing Remarks

In his opening remarks, Roba Sharamo, the Acting office Director and Head of the African Conflict Prevention Programme of ISS Nairobi Office, drew the attention of participants to the gravity of pastoralist displacement in the country and the abysmal lack of attention on the issue by the academic community, policymakers and the media. He therefore lauded the timing and focus of the study and enjoined all stakeholders to be particularly interested in the issues highlighted by the study because of their wider implications for the country in the run-up to the 2012 elections and the devolution of governance in the country.

Whilst agreeing with the remarks made by Roba Sharamo, Nina M Birkeland, Deputy Head of IDMC also stressed the need for attention to be drawn to the issues of internal displacement so as to bring the focus of the policy and research community to the critical challenges associated with the phenomenon. She argued that focusing on it is critical to putting the issue on the national as well as global agenda. She

described how several African states were the first to develop national laws or policies to better protect internally displaced people, after the UN endorsed the Guiding Principles on internal displacement in 1998. She recognized that despite hosting the largest population of internally displaced people (IDPs) in the world, there is still a lot to be done in the area of policy response in Africa. The adoption of the Convention for the Protection and Assistance of Internally Displaced Persons in Africa has been described as an historic accomplishment. However, to enter into force and become legally binding, the Convention has to be ratified by 15 countries.

She thus urged the need for the formulation of national laws and policies to be given greater priority so as to address the issue on the continent. In her view, responses in this area will have to cover various minority and vulnerable groups such as children and older people, as well as pastoralists. She shared the involvement of IDMC and NRC in working on issues of IDPs and refugees in Kenya and their close collaboration with civil society organisations and governments in that regard.

The keynote speaker of the meeting, Commissioner Fatuma Ibrahim of the Kenya National Commission on Human Rights (KNCHR), expressed her gratitude to the ISS and IDMC for the study and their engagement on issues of pastoralists. In her view, the issue of internal displacement is not new in the history of the country. This is because, over the years, people have always been displaced as a result of drought, floods, or conflicts among others. Even though the issue is not new, in her view, the real challenge has had to do with the associated complexities of the phenomenon such as the loss of livelihoods, loss of lives, and loss of property, which were clearly the case in the post-election violence which hit Kenya in 2007.

She argued that despite Kenya's experiences with internal displacement, however, the country did not openly admit and/or appreciate the challenge of internal displacement in its territories till after the post-election violence. The unfortunate thing is that in many contexts, some policy makers do not usually see natural displacements through drought and famine as displacements, or that generally pastoralists have very complex lifestyles which, when combined with displacement, become compounded. It becomes even more severe when combined with conflict. She added that the increasing numbers of IDPs reflects the weaknesses of the state. Against the foregoing, she concluded by adding her voice to the preceding speakers who had all enjoined policy makers and other stakeholders to focus attention on dealing with the phenomenon of pastoralist displacement as highlighted by the report.

On his part, the Deputy Speaker of Parliament, Honourable Farah Maalim, welcomed the initiative of IDMC and ISS in conducting the study and noted that despite the fact that pastoralists have lost land since independence, they are ironically about the best managers of the land and are noted for judiciously taking care of the environment. Notwithstanding this quality, however, they generally receive very little attention from governments in recent times. During the era of colonisation, this was not the case as pastoralists received considerable attention. He argued that the greatest use of pastoralists is that they usually occupy the least beneficial or fertile lands and yet are able to make excellent use of very little on those lands to produce bountifully. Whilst doing this, pastoralists typically move across lands with due regard to existing sovereigns. The creation of states and the resultant emergence of boundaries and territoriality never took into consideration the requirement of pastoralists. This has created huge challenges for pastoralist mobility thus leading to challenges. Worse of all, some of the emerging states lack stability and are basically failed entities within which the operations of pastoralists are compounded and hampered by insecurity. He emphatically cited the case of pastoralists in northern Kenya and Somalia as cases in point in driving home this point.

He also noted that despite being the same people, the creation of boundaries basically split the Pokots, Turkanas and the Masai into different territories and instituted hurdles in their bid to move freely in the practice of pastoralism. He argued that some of these issues partly underlie the numerous emerging territorial issues surrounding pastoralist movements and territorial issues, which were least of a challenge in the early days.

Another striking issue he highlighted was the fact that during the period of independence, the ratio of people who depended on pastoralist was far less than the ratio of people now depending on pastoralists in the country. Ironically however, the number of pastoralists has remained relatively the same; the land available to them for livestock production is on the decline whilst the number of people depending on them is increasing astronomically. He concluded by arguing that the pastoralists hold a great potential that can be exploited heavily to increase the fortunes of the country and therefore there has to be a deliberate affirmative action from the government to provide for their needs so as to enable them contribute to the development of the country.

Summary of Findings of the Study

Nuur Mohamud Sheekh, Horn of Africa Analyst of the IDMC and the lead researcher on the study, shared the findings of the study. Honourable Mohamed Hussein Ali chaired the session on behalf of the Chairman of the Parliamentary Select Committee (PSC) on IDPs, Honourable Ekwe Ethuro. The study found among other things that:

- Pastoralists in the Horn of Africa are believed to be the largest aggregation of traditional livestock producers in the world. Available estimates on the numbers of pastoralists are, however, considered inaccurate and available data on pastoralism is largely inconsistent and unreliable, but the regional presence is significant. It is generally believed pastoralists occupy 72% of the national landmass in Kenya, 75% in Somalia, 52% in Ethiopia, and 66% in Sudan and South Sudan.
- Pastoralism as a mode of production depends largely on livestock and natural forage. In arid and semi-arid regions this requires constant or periodic movement in search of pasture. The best insurance against the unreliability of rainfall is access to extensive territory, preferably containing a regular supply of water. Such grazing ecosystem requires considerable space; consequently pastoralist societies are highly segmented, have a very low man:land ratio and are highly mobile. The constant movement of pastoralists presents practical challenges in the assessment of displacement and in distinguishing between these movements and displacement.
- Negative displacement of pastoralists in northern Kenya must be considered in the context of many interlinked factors such as colonial legacy, violence and conflict, cattle raiding, natural and climatic disasters, human rights violations, border politics, proliferation of small arms, activities of militant groups including the Oromo Liberation Front (OLF), and the ongoing conflict in Somalia. These factors play out to forcibly displace pastoralists from their homes, lands and livelihoods. Yet, policy makers and others involved in finding solutions to them often address them poorly. It is widely recognised that violent conflict plays a major role in displacement in Africa (as well as often being an effect of displacement), yet along with other causal factors it is rarely adequately understood in pastoralist areas, where displacement is largely treated as a 'drought-driven' event.

- The key causes of displacement – including forms of violence, raiding and human rights violations – may be preventable if understood properly. In pastoralist areas, however, this rarely happens and indifference is common. Worse, outsiders including state security personnel are often accused not only of turning a blind eye but also of being among the perpetrators of factors driving displacement.
- Once displaced, widespread insecurity and limited access to justice, services, and sustainable livelihoods hampers the ability of many pastoralist IDPs to return to their homes and lands. Some of these IDPs have chosen to return, despite insecurity, to care for their livestock and attend to other livelihoods, but a significant number remain in urban and semi-urban areas and with host communities that have limited or no resources to support them.
- Responding adequately and appropriately to the displacement of pastoralists requires understanding, coordination and long term solutions devised in consultation with communities themselves. Before making recommendations this study looks at how, in reality, response is often uncoordinated and limited to short term assistance like distribution of food aid or herd restocking. Little else seems to be offered to address how violence and displacement undermines human security as well as development, creating situations of extreme vulnerability for pastoralists.
- While displacement in other parts of Kenya such as the Rift Valley has drawn international attention, displacement in northern Kenya has so far received little recognition and inadequate or no protection and assistance. Data on IDPs in this region is either non-existent or incomplete, and their situation is not widely known. National and international reports on displacement in Kenya rarely mention the displacement of pastoralist communities of northern Kenya despite their occupying a large part of the Kenyan territory. Their rights too are overlooked. Elsewhere in Kenya the recognition of and advocacy for IDP rights is slowly increasing, not only in government and humanitarian contexts but also among Kenyan citizens. But much progress needs yet to be made to raise awareness of the factors that displace pastoralists in northern Kenya, and the dire situation faced by them in terms of protection and livelihood.
- Important legal avenues exist for the protection of pastoralist IDPs in Kenya, including a Kenyan National IDP Policy, which has been drafted and submitted to the Cabinet. This, once adopted, will be an important step to protecting the rights of IDPs in pastoralist northern Kenya.

The study proposed among other things that the government of Kenya should endeavour to institute the requisite legal framework for addressing pastoralist displacement. These include the adoption and implementation of the draft National IDP Policy as well as the ratification of the African Union Convention for the Protection and Assistance to IDPs, so as to create the legal framework for action in the country. Most importantly, the government should ensure that any government response to displacement of pastoralists takes into account the particularities of their chosen way of life and occurs in close consultation with affected communities themselves whilst developing a strategy on how to respond to security threats in pastoralist areas without endangering local livelihoods and customary systems.

In responding to the findings, Abbas Gullet, the Secretary-General of the Kenya Red Cross welcomed the findings of the study and said that the Red Cross will work with both IDMC and ISS to take some of the recommendations forward.

Conclusion

The meeting ended with a vote of thanks and sharing on the way forward from Hon. Mohamed Hussein Gabbow, the Assistant Minister for Ministry of State for Special Programmes of the Office of the President; and Roba Sharamo of ISS. Hon. Gabbow concluded by saying that MPs from pastoralist areas will strive to work towards formulating better policies aimed at protecting and assisting displaced populations in northern Kenya.

On his part, Roba Sharamo, on behalf of the two institutions, assured participants that all their inputs will be reflected in a final report due to be released by the two institutions.

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