EFFECTS OF INTERNALLY DISPLACED PEOPLES (IDPS) CASE IN KENYA AFTER THE PRESIDENTIAL ELECTION ON 2007

Internally displaced people or IDP is one of the international issues that needs to be attended by the world community. As the number of the victims grows rapidly, this issue may also affect the internal security of a country.

IDP cases mostly occur in Africa[1] which is a continent with the highest number of people who have been internally displaced due to various conflicts. Many factors have put the African countries into conflicts, those which have resulted in the forced displacement of millions of civilians that the majority has never yet crossed an international border.

The forced displacement has been triggered by several causes. Some important causes of it are the breakdown of the State structures, the increase in poverty, population pressure, competition for land access and natural resources depletion.

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[1] "IDP estimated by region:Global Overview" in http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/9251510E3E5B6FC3C12572BF0029C267/$file/Global Overview 2006.pdf Retrieved 3 April 2011

Kenya as one of African countries also cannot expel the people that have been internally displaced due to unstable national situation. The latest IDP issue that occurred in Kenya was related to a political issue, that is the Presidential Election on December 27, 2007. This political event raised a national conflict.

There was a great conflict between two big parties that were on the top place of the election. They were:

1. PNU (Party of National Unity) whose leader was Mwai Kibaki;

2. ODM (Orange Democratic Movement) whose leader was Raila Odinga.

Mwai Kibaki from PNU then won the presidential election and became the President of Kenya. Table I.1 shows the final result of the Kenyan Presidential election, declared by the Electoral Commission and published by the Office of Government Spokesperson:

Table I.1

Three Top Result of the Election of

President of Kenya

STATUS	CANDIDATE	VOTE	VOTE %
✔	🔥 **Kibaki**	4,584,721	**47%**
	🟠 **Raila**	4,352,993	**44%**
	🍊 **Kalonzo**	879,903.	**9%**

Source : Kenya Election in
http://www.communication.go.ke/elections/default.asp
accessed on April 03 2011

The Electoral Commission declared Kibaki as the winner on December 30 2007, placing him ahead of Odinga by about 232,000 votes.

A conflict occurred when the supporters of Kibaki's opponent, that is Raila Odinga from the ODM, alleged that the result was manipulated. He urged that there should be re-election. However, the supporter of Kibaki could not accept the protest of Odinga's supporters. Ethnical violence soon happened and forced

people to save their lives. This was the starting point of the IDP case in Kenya.

Political parties in Kenya typically fall under tribal lines, valuing ethnicity above political ideology and policy. This is due to the common perception in Kenya that the party offers the best hope for one within the tribe to assume power and then share the state resources with the tribal members.

Politics in Kenya has promoted differences along ethnic lines. Ethnic loyalty and coherence has been a central feature to the Kenyan politics since their independence.

When the Kenyan politics fell under the ethnical line, these two leaders of PNU and ODM, which came from different tribes, brought different tribal interests in politics. Mwai Kibaki came from *Kikuyu* tribe which dominated the Kenyan political environment. The opponent, Raila Odinga as the leader of the ODM party came from Luo tribe (actually the ODM largely comprises of a tribal alliance between the Kalenjin, Luhyas and Luos). Because of this situation, there was ethnical friction in the political challenge.

Kenya's political landscape is marked by some party zones as each party's support and affiliation tends to be concentrated in particular geographical areas. Such support, especially among oppositional parties, is ethnically specific, except in urban areas and other multi-ethnic societies. Tolerance for other parties in these zones is minimal, and is sometimes met with aggressive behavior[2].

This can be seen in the map below which shows the result of the Kenyan presidential election in 2007 in each province:

[2] "The Current Situation of Internally Displaced People in Kenya " in http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/9251510E3E5B 6FC3C12572BF0029C267/$file/Global Overview 2006.pdf accessed on April 03 2011

Picture I.1

Result of Kenya Presidential Election 2007 in Each
Province
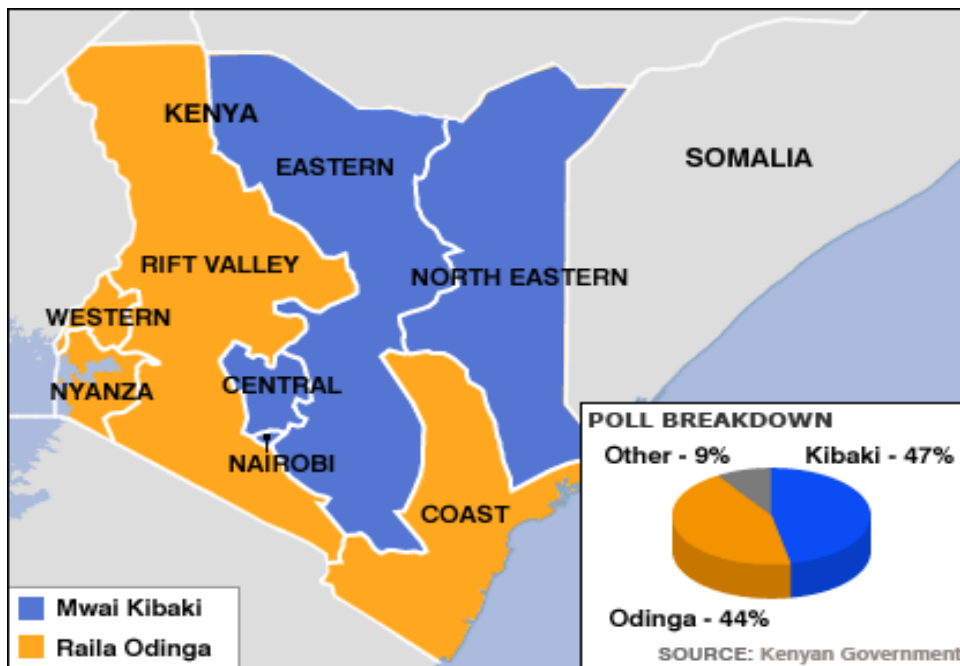
This situation can be compared with the spread of
the ethnic groups in each province. Every province is
marked by a party zone, and each party zone is
dominated by one specific ethnic line. The picture

below shows the spread of the ethnic groups that divided them into specific constituents for the candidates of the presidents.

Picture 1.2

Spread Out of Ethnic in Kenya (Each Province)
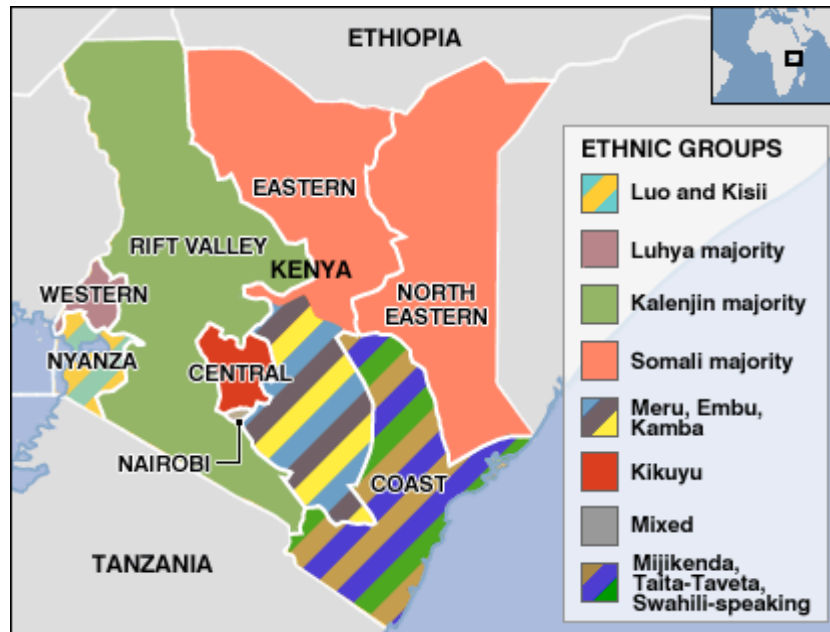
As seen in the picture above, the central province that was dominated by Kikuyu became Kibaki's supporters. Luo that dominated Nyanza province supported Odinga; and Kalenjin also supported for Odinga.

Partly due to the ethnic and geographic disperse reaction of the opposition supporters to the

announcement of Kibaki's swearing, they staged protest. A violent rampaged in several parts of the country. This also happened in *Nyanza Province* which is Odinga's homeland.

This case spread a number of violence in Kenya. It increased during the protest following the announcement of the election result, which forced the Kenyans to be displaced from their hometown. It was to prevent the civilians from being killed by the arm forces of the two blocks.

Approximately, 650,000 Kenyans were displaced and some other 1,300 lost their lives during a two-month period of intense communal violence after the announcement of the presidential and parliamentary election results. Rioting and looting broke out in cities and towns, particularly in the west of the country as well as in and around Nairobi, the capital.

Focusing on explanations about Internally Displaced People in Kenya post 2007 Presidential elections, this bachelor thesis is going to explore the **effects of IDPs case in Kenya after the presidential election on 2007.**

To study this case, the writer applies the Internally Displaced People theory. Internally

displaced persons are "persons or groups of persons who have been forced to flee their places of habitual residence, to avoid the effects of generalized violence and did not crossed an internationally recognized State border." [3]

According to the UN Guiding Principles on Internal Displacement, IDP is defined as: *"Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border"*[4]

According to Erin Mooney, the Deputy Director of Brookings Institution-University of Bern Project on Internal Displacement and Senior Adviser to the Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons) in his article entitled "The Concept of Internal

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[3] **OCHA Publication, United Nations Office For the Coordination of Humanitarian Affairs,** *Foreword to the Guiding Principles by Under-Secretary-General for Humanitarian Affairs*, **New York, page 3**

[4] **"OCHA** *UN Guiding Principles on Internal Displacement*, **UN; New York 1998" in** http://www.unhcr.org/47e912ae2.pdf **accessed on April 4 2011**

Displacement and the Case for Internally Displaced
Persons as a Category of Concern":

"*IDPs suddenly find themselves stripped of
their means of survival. At the same time, it
breaks up families and community support networks.
As one recent study underscored, displacement
leads to 'massive loss not only of commodities
such as home, income, land or other forms of
property, but also of less tangible symbolic
goods, such as cultural heritage, friendship and a
sense of belonging to a particular place.' Its
'pernicious effects on individuals, families and
communities' are wide-ranging and include
'impoverishment, social isolation, exclusion from
health, welfare and education provision, the
breakdown of social relationships and support
structures, and the undermining of authority
structures and social roles".*

This idea can be combined with the idea of
Jacqueline M. Klopp in her journal "Kenya's Internally
Displaced: Managing Civil Conflict in Democratic
Transitions" who said that:

"*Internally Displaced People (IDPs) in the country continue to live in breakable social life structure also poverty and distress. Further, the government has taken only halting steps to address the problem of IDP, even though a failure in this regards lays the ground for further conflict*" [5].

This related to the fact that after the presidential election in Kenya, In addition, the IDP mostly affected social life. In a social perspective, we can also see that the IDP case affected the social structure in Kenya. The greatest impact of the clashes was the trust that existed between families, neighbors, 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.

The majority of the IDPs could not go back to their original places as they were still fearful for the politically motivated ethnic violence and

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[5] **Dorina A Bekoe (ed)** *Compilation of Journals in book East Africa and the Horn Confronting Challenges to Good Governance*, **International Peace Academy, Boulder, London : 2006**

harassment. Therefore, they still felt insecure[6]. The fracture experienced by the communities led to a breakdown in the social support systems and normative structures that regulated interaction and behavior. This in turn, increased both social and physical insecurity. Being the IDPs brought traumatic feeling and made them difficult to respect other tribal lines.

Another problem faced by the IDP people in camps was sexual harassment towards women and young girls. Another common threat in many IDP camps was the sexual coercion and exploitation of girls and women by people having responsible positions or power.

Approximately, 300 women were raped when they lived in camps; many of those were young women and girls[7]. It happened due to the lack of respect to the human right.

The IDPs also brought harder friction among ethnic lines. The citizens of Kenya were mostly dominated with hard tribalism feeling. This feeling arouse

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[6] **Maryan Bhoke, " Massive Internal Displacement in Kenya Due to Politically Instigated Ethnic Clashes", Kenya Human Right Comission Vol 1-2008, page 18**

[7] **"Kenya: Sexual Violence Continues in IDP Camps" in http://www.plusnews.org/report.aspx?ReportID=77102 accessed April 9 2011**

ethnocentrism within the people from different ethnic groups.

Ethnocentrism is social phenomena that describe someone's ethnic as the best one and should be regarded as an absolute cultural value. This happened in Kenya of which the culture is tribal. It made a strong effect when the IDPs who came from different ethnic lines had to live in one camp. As Erin Mooney said, "*IDPs person loss their friendship sense of belonging to a particular place".*

From the explanation about the Internally Displaced People in Kenya post the 2007 Presidential Election context, my tentative argument is: **IDPs lead to several changes in the social life in Kenya.** The main goal of this thesis is to further explore about the Internally Displaced People theory to arrive at better understanding about the international conflict concepts that can be discussed further in an international relations scope.

Furthermore, this thesis aims to explore the effects of the Internally Displaced People and ways to resolve it. In this perspective, we will get more information to figure out the best solution to prevent or manage a similar case if it happens in Indonesia.

Indeed, Kenya and Indonesia share some similarities, e.g. both countries consist of many tribal lines, and the ethnicity among the society might bring new conflicts if social security and harmonious life cannot be attained.

A.SOCIAL EFFECTS OF INTERNALLY DISPLACED PEOPLE (IDP) CASE IN KENYA AFTER THE PRESIDENTIAL ELECTION OF 2007:TRAUMATIC FEELING

Over 1,300 people were killed in the riot following the result of the 2007 disputed presidential election in Kenya, and over 500,000 were estimated to be displaced. According to Kenya Red Cross Society and United Nations Office for the Coordination of Humanitarian Affairs in Kenya, approximately 301,000 civilians moved into 296 camps and the rest was accommodated in the community's friends' and family's houses[8]. In other words, civilians were forced to flee from their place of origin to live in the IDP camps provided by the government in cooperation with international organizations, or to go to their families' houses in other provinces.

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[8]"OCHA Kenya, Humanitarian Update Vol. 6, 2008" in http://www.depha.org/Unhcr/Maps/KEN IDP Situationmap accessed June 14 2011

About 78,000 houses were burnt down countrywide, and 1,300 people were reported lost their lives (ODI, April 2008; IDMC, 23 December 2008; OCHA, February 2010)[9]. Thus, the data showed the huge rioting situation through all parts of the region in Kenya. IDPs brought impacts on many aspects of life including social, economic, and cultural sectors.

In this thesis, the writer focuses on the social impacts which are divided into two main parts. First, the IDP case caused traumatic feeling among the IDP people. Second, the IDP case worsened the ethical friction in Kenya.

Living in the IDP camps had some risks for women and girls, that is the risks of being sexually assaulted and sexually exploited. According to the Inter-agency Standing Committee Guidelines for Gender-based Violence Interventions in Humanitarian Settings in Geneva[10], sexual assaults include rapes/attempted rapes, sexual abuses, and sexual exploitations. Sexual assaults take many forms, including rapes, sexual slavery and/or trafficking, forced pregnancies, sexual

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[9]"Kenya Overview", in http://www.internal-displacement.org accessed on April 09 2011

[10] "Gender-based Violence from The GBV Initiative" in http://www.rhrc.org/resources/gbv/index.html accessed June 26 2011

harassments, sexual exploitations and or/abuse and forced abortions. Sexual harassment is any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic a person's sexuality, using coercion, threats of harm or physical force, by any person regardless of relationship to the victim, in any setting, not limited to home and work place.

Sexual assaults may happen in a displaced community. The vulnerability of those displaced is worsen by the overcrowded place and the breakdown of family life. It is because camps for refugees and displaced people are often constructed in a short time period, without considering all security aspects and with little consideration for women's physical security.

Girls and women are subjected to sexual assaults with alarming frequency. In most conflict settings, sexual assaults have been considered a "by product" of war. Girls and women are sexually assaulted by soldiers, militia, police, security officials, local leaders, fellow refugees or displaced people, members of the host community and even family members as there is impunity for sexual assaults. The assaults can be a

by-product of the collapse in social and moral order that accompanies a war.

Girls and women as the "targetted" of sexual assault effected vulnerable physical condition for the continuation of their live itself. Even in a camps, they should to feel worried about the safety. They should pay full attention in protecting their self from other man that could attacked them any moment for sexual harassment. In picture below can be seen situation of woman in IDPs camp who live in worried;

By reviewing this case, readers can notice that it is true that the IDP case has caused traumatic feeling to the victims who have experienced it. Responding to sexual assaults in particular requires significant sensitivity. Whilst there is a need for information on the scale and scope of sexual assaults for advocacy and program planning purposes, there are significant ethical and programmatic constraints to the way in which incident-related data is collected and disseminated. Furthermore, the women's reasons for not taking up certain services post the incident must be understood and respected by all actors. Furthermore, all responses and interventions must be implemented in

a manner that fully respects the confidentiality, rights, wishes, choices and dignity of the survivors.

Fear and stigma were acknowledged as issues that kept the women from reporting the assaults and seeking assistance. The women stated that they were not ready to report the rapes or even to talk about the issue among themselves because of their shame and also because they were afraid of the perpetrators that might target their daughters.

According to UNICEF's Chief of Child Protection in Kenya, Lund-Henriksen, many children in camp were being raped. She mentioned that children as young as two and also women as old as 70 were raped as well as sexually harassed.

B.OTHER SOCIAL EFFECTS OF IDPs IN KENYA AFTER PRESIDENTIAL ELECTION 2007: IDP CASE AGGRAVATING ETHNICAL FRICTION IN KENYA

The IDP case not only caused traumatic feelings among women and girls who were sexually assaulted, but also brought other impacts on anyone who experienced it. One of the impacts was that the case aggravated ethnical friction in Kenya. Throughout the history of the Kenyan nation, tribalism became an essential part

in the life of the society. The Kenyans are very proud of their ethnicity groups and they live with strong tribalism.

Frictions among ethnic line in Kenya, especially for them who live in IDP camp exist because of many reasons, one of them is an unfair treatment from government for specific ethnic in IDP camp. There was specific ethnic, which is Kikuyu, got more attentions from government in provided their needs in camp. This situation affected jealousy to the other ethnics.

Other reason is related the camp management, which many ethnic lines placed in one shelter or one area of the camp. This situation later worsen the relation among them because they asked to placed in different camp and separated according their every ethnic line. Last reason because lack of respect among different ethnic lines. This happened because the high tribalism in Kenya and made them consider their own ethnic as the best one.

A. Unfair treatment from government for specific ethnic in IDP camp.

As the impact of violence, citizen forced to flee from their original place and indicate them as Internally Displace people. They will live in camps

provided by government and international organization. On that time, government had important role for continuation life of the people in camps. Provided food, health care, sanitation, and all IDPs needs. Problem occurred when there was unfair treatment by government for one specific ethnic, which is Kikuyu, got preferential treatment from the government since most of the government employees came from the Kikuyu tribe. Unfair treatment can be seen from several points below:

A.1 Economic Side

(i) Warehousing

In Camp Management Procedure, there are several policies that regulated important points in providing worthy living place for the IDP people by the Government and IDP Camp Management. Here are some points of the warehousing policy for IDP camp setting[11]:

•All shelters must provide protection from changing weather conditions and provide a space to live, to store belongings, maintain privacy and promote a sense

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[11] "**Camp Setup Care and Maintenance of Camps**" in **http://www.aidworkers.net** accessed July 13 2011

of security. Camp residents should be provided with sufficient materials to construct shelters

•Housing and roofing must be suitable for the different seasons

•Wind protection: Rain, winds and drafts can easily affect people's health, in particular in colder climates. Wind protection of roofs, walls, doors and windows must be considered

•Private latrines (toilet) should be divides per each household, or at least in one cluster there should be more than five latrines

•Safety aspects of camp facilities: The camp management team must ensure that the location of washing facilities and latrines guarantee safe and easy access and sufficient privacy for women and girls. It is important to make sure that there is sufficient light, in particular at night. Similar safety aspects must be considered when allocating school and distribution sites and playgrounds.

Many aspects regulated in these points policy in providing warehousing for IDP people, but in facts, there was many IDP people who did not meet with their need about living place. This is because the government did not go with the rule and do some unfairness for

people in IDP camps. For instance, the most important point about appropriate camp condition. There was non synchronize facts about application of government acts in providing worthy living place for IDPs people in some regions. Means that there was still un-effective policy that made by government in addition to provide what IDPs people need for continuation of their live in camps. Actually there was supporting also from several International Organization such UNHCR and OCHA, they have a part in taking care of the IDPs people in camp. They try to served good management for whom need prefential action in accomplished people needs in the camp, but they can not have fully part in running the program because the main decision maker is the government. They will go with the policy decided by government and always try to give best served for people in IDP camp. The un-effective policy of the government can be seen from the comparison between standard living place that made by UNHCR with the form of the living place in facts that was still far away from the standard.

(ii) Distribution of Foods and Medicines

Ensuring access of camp residents to food and proper nutrition is one of the first priorities in any

camp setting, particularly in emergency settings. Not only do displaced people have very little time and limited possibilities to take adequate amounts of food with them, they have often, prior to their departure, been living in situations where they have been unable to meet their basic needs for food. Many displaced families therefore arrive in camps already suffering from malnutrition.

In distributing food and medicine, there is also some policy as rules that should be accommodate by Government and Camp Management. Here are some points of food and medicine distribution policy for people in IDP camp[12]:

• Share and disseminate information on existing food discrepancies, so there should be equal access in distribution of food for all IDP people in camp.

• The camp management team should organize a way to listen to complaints about food and food quality expressed by camp residents, and coordinate with the food committee on this issue. These complaints should be documented and reported to the food distribution partner, the food supplier and/or UNHCR

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[12] "Camp Setup Care and Maintenance of Camps" in http://www.aidworkers.net accessed July 13 2011

• The most vulnerable could be disproportionately affected as a result of altered sharing methods and family distribution

• It is essential to ensure proper reporting mechanisms to inform the medicine distribution to avoid the possible discrepancies that exist between the distribution and the actual sharing of medicine.

Several points clearly written in this part of policy, in first point explain that distribution food should be equal for all people in IDP camp. In facts, there still unequal portion in distributing foods. This is happened in *Keroka* IDP camp. In this area, there was minimal support on food items for IDPs, Red Cross had done one distribution last 3rd February 2008, only the local churches and the police station were currently providing breakfast and an extra one meal.[13]

Other points about distribution medicine, it could be priority distributed to the most vulnerable one. In facts, there was many IDPs people who really need medicine but did not get the prefential. Ethnic issue dominated this case. Like what happened in IDP camp in

[13]"**Identifies   New   IDP   Camps   "   in http://www.kisii.com/commentaries/116-world-vision-kenya-identifies-new-idp-camps accessed August 19 2011**

Molo district. There are three ethnics who live in this camp area (Kikuyu, Luo, and Kisii). The government had stopped distributing medicine aid to Luo and Kisii group which they just received three month after they live in this camp and after that government stopped it but it still continue for Kikuyu shelter[14]. This is because government made limitation stock of medicines and made minimum ration for medicine that will distributed. This case to prevent rareness of medicine stock in emergency time, but government did not work it fairly, which medicine distributed only for Kikuyu people where many people from other ethnic notably need the medicine also.

Other cases happened in Central province. This place have been hosting 500 IDPs from recent inter-ethnic clashes and received any official helps. The sense of unfairness has contributed when Kikuyus people get an easily access for medicinal and health care system than the other ethnic that also placed in Central province (kisii and Luhya) [15].

Actually the IDP camp management in this place was protested by other ethnic groups except the Kikuyus. It

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[14] *ibid*
[15] *ibid*

was because there was political IDP as the Kikuyus got preferential treatment from the government. The one that can be done by government is tried to minimize compound in same place with different ethnics to prevent the negative effect of it.

This situation worsen the friction among ethnic line in IDP camp, where government still can not work the policy in proper way and still make differentiate in serving the IDP people in camp.

A.2 Social Side (Relation among ethnic line)

(i) Lack of Respect Among Different Ethnic Lines.

Every ethnic line has different characteristic although when they have to live in same area with different tribal line they will try to persist their own identity. Kikuyu as the majority ethnic in Kenya try to persuade other ethnic have respect on them even though they live together in one area of IDP camp. This is because they feel that Kikuyu as the main and the largest ethnic in Kenya have power in controlling situation. Others ethnic confronted it, Luhya,kalenjin, Kisii, and especially Luo people (which Raila Odinga come from). They noticed that when people placed in camps, it means every one have the same right in receiving aid from government, NGO, also team of camp

management. The camps further reinforce the tribal divisions, means there will be possibility for unfair treatment that received by people who live in camps.

Facts about people of Kenya life with hard tribalism bring other obstacle to placed them in harmonious life and this situation made cross cutting culture did not work properly for ethnicity in Kenya (especially for people who live in IDP camp). When a country consist of many ethnic lines, there will be cross cutting culture that happened among them. People who come from other ethnic lines can dealing and involving each other. They also ridging the different among them and have a good respect. In Kenya showed conversely, when every ethnic line difficult to receive differentiation and placed them in various gap among ethnic line. This is because lack of respect among ethnic line and there was also specific ethnic dominated social life, which is Kikuyu.

The previous chapters have explained that the case of the Internally Displaced People in Kenya has brought some impacts, especially in the social aspect. The first impact is that it has caused traumatic feelings to the IDP people, and the second is that it has worsened the relations among the ethnical lines in

Kenya. Actually, IDP also has affected other sectors such as education, health, welfare, and cultural heritage. The writer, however, has found out that the two impacts above are in fact the major impacts among the IDP.

The traumatic feelings have been mostly experienced by the women and girls who have been sexually assaulted (raped) during the period of conflict. This situation has become worse when the government and police do not show concern about this problem. The women who have experienced sexual abuse prefer to keep silent. This is because when they report it to the police, their cases are not considered as a serious one. They are also worried about speaking the "rape case". This is because if the society notice it, they would just laugh and leave. In addition, the fear of being abandoned by their family members or of other forms of stigma has discouraged those women from telling anyone about the case.

There were several conflicts occurring in Kenya before 2007, but the impacts are not as huge as that of the 2007, for it has aggravated relations among the Kenyans.

From this study, the writer considers that there should be a good coordination among the government, the Kenyan police, the international organization, the NGOs, and all other parts who have been involved in this problem. And, there should be more protection for the victims. Building up a better service for the IDP people especially for those who live in camps needs to be considered. Furthermore, upgrading the infrastructures and processing procedures to ensure the privacy of personal safety seems to be important in order to guarantee that the women and girls who have experienced sexual abuse would feel safe. Providing supporting counseling for the victims is also necessary so that the victims will feel secure and comfortable when giving explanation about what has happened to them.