

HPG Policy Brief

Crisis in Kenya: land, displacement and the search for 'durable solutions'

Humanitarian Policy Group, ODI



Background: land, conflict and humanitarian action

- HPG research on land tenure in conflict and post-conflict situations
- Key findings:
 - Lack of understanding amongst the humanitarian community
 - Land is often a driving force in complex humanitarian emergencies
 - Policy favours the return of displaced populations and the restitution of their land and property
- Important lessons for the humanitarian response to Kenya's post-election displacement crisis

Kenya's post-election displacement crisis

- Main trends and the humanitarian response
- Crisis not an anomaly but part of a sequence of recurrent displacement
- Land and displacement in historical perspective
 - British colonial rule: dispossession and undermining customary mechanisms of land tenure
 - Post-colonial policies: ethnic politics, patronage and multiparty-elections

The search for ‘durable solutions’

- IASC framework: Return, Relocation and Local Integration as durable solutions
- Government recovery strategy: return people home as quickly as possible
- Concerns:
 - Timeframe
 - It is more than just about going home: protection and sustainability
 - Relocating IDPs to their ‘ancestral homelands’ is dangerous
 - An increase in urbanisation?

Recommendations (I)

- Humanitarian agencies
 - Must be better informed of the underlying causes of displacement including land issues
 - Ensure the protection needs of the displaced are met
 - The return to areas affected by land grievances should be promoted as a temporary measure
 - Relocating to ‘ancestral homelands’ can support ethnic cleansing and further divide Kenya’s communities

Recommendations (II)

- Prepare for a potential influx of IDPs in urban areas
- Include previous IDPs in their programming and ensure adequate data is collected
- Include civil society organisations
- Donors should ensure that support to the Kenyan government is contingent on adequate conditions for return, including progress on resolving the land issue