

# DROUGHT AND INTERNAL DISPLACEMENTS OF PASTORALISTS IN NORTHERN KENYA IN 2012: AN ASSESSMENT

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## INTRODUCTION

In March 2012, the county of Isiolo was crippled by inter-ethnic clashes among Borana, Turkana and Somali pastoralists that triggered displacement of approximately 5,000 Turkana pastoralists. Reasons behind the conflict were a complex mix of political and economic tensions in addition to competition over access to natural resources (grazing lands and water), accentuated by recent migration flows of pastoralists from drought-affected areas. To quell the violence, the provincial administration ordered the pastoralists from neighbouring county of Wajir and Mandera who had recently arrived in Isiolo to return to their areas of origin, where pasture had replenished (IRIN, 2012b).

This event encapsulates the complexity of drought-related pastoralist displacement in Northern Kenya. Droughts trigger urban migration flows of pastoralists, using displacement as a coping strategy. The arrival of new comers to existing communities can reignite long-standing disagreements and conflicts over use of natural resources with other communities. Furthermore, local politicians exploit latent and long-standing community hostilities to fuel conflicts to affect voting patterns and win office. These overlapping environmental, economic and political conditions lead to deaths and displacement of pastoralist communities.

The pastoralist lifestyle relies on livestock production in arid and semi-arid land through extensive mobility patterns and use of natural forage and water points. As such, it is intrinsically linked with mobility and migration and in the popular perception of pastoralism, speaking of pastoralists' displacement would be tautological. Contrary to this perception, a report of IDMC and ISS (Sheekh et al., 2012) concluded that as of the end of 2011 there were over 400,000

pastoralists that could be considered as internally displaced persons<sup>1</sup>. Factors underpinning pastoralists internal displacement were seen as very diverse and often multicausal, according to the report. The report mainly focused on issues of displacement related to conflict – the biggest issue in Kenya. Climatic triggers of displacement such as drought were not addressed in depth. Nevertheless, issues of drought and resource depletion in northern Kenya are of utter importance and are connected, to some extent, with flows of displacement—as the Isiolo conflict shows. Indeed, there are many connections between the conflicts in the Northern regions of Kenya and stress factors linked to droughts, including resource depletion of pasture and water, livestock loss.

The chapter assesses therefore drought-related internal displacements of pastoralists in northern Kenya as of 2012 and questions to what extent droughts may be direct and indirect major factor for displacement. It interrogates the responses at the national and international level and presents the challenges and gaps to be addressed. The object of study is complex as it focuses on different categories of pastoralist displacement, from flows of pastoralists displaced in 2012 to communities of pastoralists that can still be considered in a state of protracted displacement as of 2012.<sup>2</sup>

1. According to the UN Guidelines on Internally Displaced Persons, internally displaced persons are “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.” (UN, 1998)

2. Secondary sources of information along with grey literature (media reports, articles, humanitarian reports) have been used for this paper.

It describes firstly how drought in context in northern Kenya contributes, along with other factors, to the slow-onset erosion of pastoralist livelihood systems. It assesses secondly the situation of drought-related pastoralists' internal displacement in 2012, by proposing a qualitative typology and some elements of quantification. It will then analyse the attention and assistance given at the national and international level, focusing on the policies targeting IDPs, disaster-risk reduction, development of ASALs and security. Finally, it will conclude and propose recommendations for a better understanding of drought-related migration and displacement flows within existing policy frameworks.

## 1. DROUGHTS IN KENYA: BETWEEN SUDDEN DISASTER AND SLOW-ONSET EROSION OF PASTORALIST LIVELIHOOD SYSTEMS

### 1.1. Pastoralism in Arid and Semi-Arid Lands northern Kenya regions

As presented in the introduction, this article focuses on the northern arid and semi-arid lands districts of Kenya that are home to most of the pastoralists in Kenya, represented in the map below.

ASALs cover about 80 per cent of Kenya's land-mass and support about one-third of the country's human population and 70 per cent of the national livestock herd. The economy of the arid districts is marked by pastoralism, while the better-watered semi-arid district features more diversified sources of income, such as agro-pastoralism, mixed farming and rain-fed agriculture (Fitzgibbon, 2012).

Arid and semi-arid districts feature a very low level of development and a very high level of poverty. Poverty rates in arid provinces are approximately 51 per cent in 2009, whereas the national average is of 29.1 per cent (Fitzgibbon, 2012). In the northern districts of Marsabit, Turkana, Wajir and Mandera, between 74 per cent and 97 per cent of the population live below the absolute poverty line (Government of Kenya, 2009). Decades of political and economic marginalization have contributed to this low level of development. Infrastructure, facilities and basic services are weakly developed: access to water is problematic, the road network is poor, health facilities are unevenly distributed and only one district – Isiolo – is connected to the national electricity grid. Only 42.3 per cent of students in the north completed their primary school

cycle in 2007, compared with 81 per cent nationally (Fitzgibbon, 2012). The populations of the northern areas are also extremely vulnerable to food insecurity: as of 2012 all the northern areas were classified as stressed or in crisis in terms of food security (USAID, 2012).

This poor level of development relates to a highly insecure context. State security services lack any meaningful presence in the regions. Since the 1990s, firearms have proliferated in the region. Inter-communal conflicts are frequent in these districts, killing 412 people in 2012 (OCHA, 2012b). They are often based on long-standing, resource-based issues (grazing rights, access to water and land), ethnic and/or political hostilities. The practice of cattle raiding, traditionally used in a rather non-violent way to capture livestock,<sup>3</sup> has become more violent in the last decade because of the previously mentioned factors, as well as the increased possibility of commercialization of the stolen livestock (Sheekh et al., 2012; Kaimba et al. 2011).

The term "pastoralism" covers a wide variety of societies, cultures, livelihood strategies, mobility patterns and geographic repartition. Their common feature is to rely in majority, on livestock (cattle, sheep, goats and camels) for food and income, and on natural sources of forage.

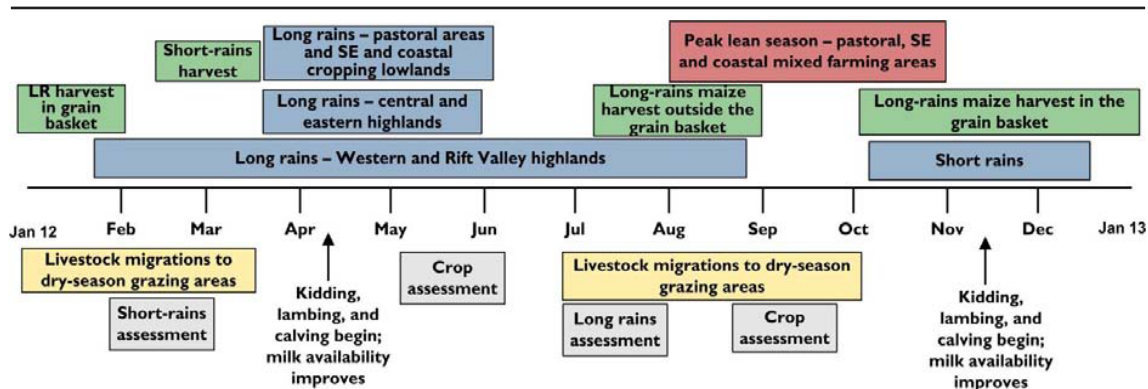
In Kenya, "census surveys of pastoralists are considered inaccurate and available data on pastoralism are largely inconsistent and unreliable, even though their regional presence is significant: it is believed pastoralists occupy 72 per cent of the national land mass in Kenya" (Sheekh et al., 2012). Pastoralism contributes to around 10 per cent and 12 per cent to the country's gross domestic product (GDP), with the livestock sector providing an estimated 90 per cent of all employment opportunities and more than 95 per cent of household incomes in ASALs (Schilling et al., 2012). Those statistics might not even reflect the total economic value of indirect benefits of pastoralism to the country (IIED, 2009).

The single term "pastoralist" is misleading: pastoralists are not a single homogeneous group. Their mobility patterns differ, from wholly mobile to semi-nomadic with seasonal migration (transhumant) or nearly sedentary with short-term and closed migrations. Far from being unchanging, pastoralist lifestyles are also evolving at a rapid pace through increasing diversification and education. Many pastoralists rely on other economic activities such as crop cultivation (agro-pastoralism, predominantly in semi-arid districts in Kenya)

3. In order to restock, assert domination on a territory, acquire honour, pay the dowry for a marriage, or other cultural reasons.



Figure 1. Seasonal calendar and critical events timeline



Source: FEWSNET, 2012

or petty trade (Fitzgibbon, 2012). Also, because of education many children are attending sedentary schools while other parts of the family, mostly men, are migrating seasonally with the herds. The role of women, previously in charge of the domestic chores and of childcare, is also changing towards more involvement in diversification labour through urban migration (IRIN, 2012a). Pastoralists populations are also characterized by important inequality of wealth and assets.<sup>4</sup>

## 1.2 Droughts and vulnerability of pastoralists: repeated shocks and erosion of livelihood systems

### Importance and impact of drought in northern Kenya

ASALs areas in Kenya are characterized by low and irregular rainfall (200mm to 500mm annually) as well as periodic droughts. The pastoralist lifestyle is supposed to be adapted to drought by relying on extensive mobility to access pastureland and water sources. However, for the past decades, droughts have had increasing impacts on population. Indeed, in 1975 approximately 16,000 persons were reported as affected by drought and requiring food aid. Two decades years later in 1999-2001 this figure reached 4.4 million, and an estimated 3.5 million during 2004-2006 (OHCHR, 2012). The 2011 drought was one of the most severe in 60 years to impact the Horn of Africa. The impacts were multi-faceted. Because of reduced availability of water source and of pasture land, livestock deaths and/or diseases were widespread. Crop failure, resource depletion, rising food prices, decreasing livestock prices and health and patchy livestock buy-back programmes (IRIN, 2011b) led to a loss of livestock, a loss of purchasing power and hence

to food insecurity vulnerability of approximately 3.75 million people (OHCHR, 2012; IRIN, 2011b).

Adverse extreme environmental events affected different parts of northern Kenya in 2012. Certain areas of Kenya were affected by an early drought prompted by erratic and short rainfalls.

In July 2012, parts of the north-eastern Kenya, especially Wajir, were reported to suffer early drought because the March-April-May (long-rain season) rainfalls were delayed and "at a depressed volume, erratic, and unevenly distributed across the northern, northeastern and southeastern pastoral areas" (FEWSNET, 2012). Water reservoirs only received up to 10 per cent of expected levels, and pasture resources were depleted. The drought especially affected northern and north-eastern districts Turkana, Wajir, Marsabit, Mandera, Moyale, Tana River, where 2.4 million people were considered as food insecure, either in "Stressed" or in "Crisis" situations (FEWSNET, 2012). This early droughts triggered concerned of humanitarian actors that populations strongly affected by drought of 2011 were likely to fall again into a food-security emergency. Indeed, most of the food insecure population in 2012 consisted of pastoralists that were already strongly affected by the droughts of 2011 – if not before — and who had not fully recovered (KRCS, 2012). Hence, drought, it is very acute form, can be classified as a sudden-onset event, although it should not shadow the gradual erosion of livelihood systems of pastoralists.

### Droughts as an external livelihood shock and the erosion of traditional coping strategies

Over the last decade, droughts have been perceived as hotter and drier than before and it has been attributed to climate change, even though there are uncertainties on the causality (IRIN, 2011d). But drought in itself is not the main problem because for centuries pastoralists have developed coping

4. Interview with Justin Ginetti, IDMC, 4 April 2013



strategies to survive in naturally arid environments. Drought becomes a problem when coupled to the vicious circle of vulnerability and poverty of pastoralists in northern Kenya, demographic pressure, the erosion of traditional livelihoods, the absence of service provision, political marginalization, and the already significant food and human insecurity (Overseas Development Institute, 2009). Indeed, the drought starts a chain of events that can result in changing mobility patterns, overgrazing, resource depletion, livestock disease and death and destitution of communities. This mix of factors may contribute to forced or obliged migration flows of pastoralists, or internal displacement, especially if coping strategies are unsuccessful.

Droughts increasingly challenge pastoralists' coping strategies for livelihood shocks. One of the most common strategies is changing the mobility patterns of livestock to access farther pastures or water sources (Opiyo et al., 2012). Other strategies involve diversification of livestock species and economic diversification towards non-pastoralist activities such as crop farming, petty trade, rural-rural or rural-urban migration or charcoal burning.<sup>5</sup> However land fragmentation and the increase of insecurity and resource-related conflicts affect changing mobility patterns. Land fragmentation is the result of a trend of privatization and enclosure of land for diverse purpose such as farming, ranching, conservancies, and touristic reserves. As a consequence, traditional resources and migration routes are not available any more, which leads pastoralists to extend their mobility patterns farther to access natural resources in territories whose use is not previously agreed upon through shared resource agreements. Hence, the extension of mobility increases the risk of border conflicts with other pastoralist communities competing for the same resource (Opiyo et al., 2012). Land fragmentation, combined with conflict and perceptions of insecurity (Opiyo et al. 2012) can also led to concentration of herding in certain areas, which leads to overgrazing and further depletes natural resources. Because of the erosion of traditional coping strategies, the impacts of droughts are more significant than before as are livestock deaths and conflicts.

### The complex link between drought and conflicts

Besides the impacts on natural resources, livestock and food security, questions were raised on the links between droughts and conflicts, be they

cattle-raiding or resource-based ones (Sheekh et al., 2012 ; Opiyo et al., 2012). The discussion over this link is of particular importance in the assessment of drought-related displacement, often categorized as conflict-induced displacement (OHCHR, 2012:16).

The advocates of the positive drought-conflict link generally state that because of drought-induced resource scarcity, pastoralists' coping strategies involve extending of mobility patterns, which increases the risk of competition for the same resources and border conflicts on territory. Advocates refer to numbers to assert that there is a correlation between deaths led to clashes over resource and the presence of above-normal dry conditions. For example, 370 conflict-related deaths were reported in northeastern Kenya in 2011, mostly concerning pastoralists fighting over resource, whereas only 179 deaths were reported in 2010 (IRIN, 2012d). This approach of a positive drought-conflict link is also framed by many media reports (IRIN, 2009a ; 2009b ; 2011c).

Others advocate on the contrary for a negative link between droughts and conflict by showing that cattle-raiding is more developed during the wet seasons and the short-rains period (Opiyo et al., 2012). This theory bases itself on cultural reasons, this season being the time where pastoralists restock their herds, implement rituals of passage (that give importance to cattle raiding). Opportunities to sell livestock in good condition and at a good price are also more important during this period. For Opiyo et al. (2012), this "suggests that the two contesting resources-based theories apply not as discrete scenarios but in a 'resource abundance-resource scarcity' continuum, thereby creating non-deterministic relationship between resource availability and pastoral conflicts." Moreover, this argument for a non-deterministic relationship is strengthened by the importance of external factors and stakeholders in conflict motives and incentives. In some cases, political incitements are key triggers of conflict in pastoralist communities (see figure 1) (IRIN, 2009c ; 2011g ; 2013a).

Empirical evidence from a survey amongst the conflicting Turkana and Pokot communities at the Turkana-West Pokot border, highlight how the motives for cattle-raiding differ between communities: "on the Turkana side, drought-related hunger, poverty and lack of pasture are the central conflict stimuli, while on the Pokot side the accumulation of wealth, payment of dowry and the expansion of territory are the main motives behind raiding" (Opiyo et al., 2012).

These mixed analyses on the links between droughts and conflicts make necessary to analyse conflicts and associated displacements on a

5. The latter diversification being considered as negative because increasing resource depletion of scrubs and trees.

case-by-case basis without drawing early and simplistic conclusions. At the same time, politically-constructed conflicts would not happen if the issues at stake, such as access to natural resources and their depletion, were not felt as very problematic by the communities involved. It follows that displacement flows in 2012 in northern Kenya should be analysed in the light of this complex nexus of drought, erosion of livelihood systems and conflicts.

## 2. A TYPOLOGY OF DROUGHT-RELATED PASTORALIST DISPLACEMENT IN 2012

### 2.1. Qualitative and quantitative methodological challenges

A first set of challenges come from the displacement itself and the type of legal categorization it leads to. By definition, an IDP is a person that was “forced” to move. Yet, the pastoralist lifestyle is based on mobility, adapting to rainfalls and resource availability, which are sometimes scarce or far away, leaving them “no alternative” but extending their patterns to access the resource. As a consequence it is not easy to differentiate their regular forms of movements and forced displacements, and monitoring flows is problematic (Sheekh et al., 2012). The same difficulty applies for pastoralists moving to urban centres or refugee camps during droughts after having lost all or large part of their livestock, or before drought in anticipation. Secondly, it is difficult to distinguish whether displacement are temporary or not, because of the lack of access to information on the situation of IDPs once they are displaced. The few assessments realized by OCHA and the IDMC provide for aggregated numbers but generally do not precise the situation of IDPs, the assistance given to them, their patterns of return. Finally, some pastoralist found in Northern Kenya may be of bordering States, especially Somalia. They cannot therefore be considered as IDPs, although belonging to cross-border pastoralist communities. The legal category of IDPs therefore finds its limits in the light of the human realities on the ground. Additionally, when displaced, pastoralists generally do not identify and consider themselves as IDPs but rather as pastoralists without livestock – which is extremely grave in pastoralists’ culture<sup>6</sup>.

A second row of challenges concerns the triggers of drought-related displacement. Pastoralists

themselves identify drought as a major cause of their displacements.<sup>7</sup> But drought is generally not responsible alone, as our first section widely emphasised. It is sometimes difficult to identify the first factor that contributed to displacement and/or loss of livestock because conflict or cattle-raiding can precede or follow drought-related cattle deaths. Even in discussion with pastoralist communities, it appears to be difficult to identify the first factor that led to displacement.<sup>8</sup> On the whole, cattle-raiding, resource-based conflict and loss of livestock (triggered by drought, conflicts, or both) appear to be the main factors contributing to drought-related displacement.

Thirdly, due to lack of data on pastoralists communities, it is very difficult to identify precisely which communities are most likely to be displaced. However, nomadic communities that are extremely reliant on livestock and less diversified are more likely to be strongly impacted by drought and the loss of livestock and be subsequently displaced.<sup>9</sup> Finally, pastoralist communities’ reaction to environmental drivers and drought may vary greatly hence complicated the possibilities of systemizing their responses. Indeed, they will be different according to their internal social organization, their integration and access to state and non-governmental organization (NGO) services as well as the economic resources and asset base they can tap into<sup>10</sup>.

### 2.2. A typology of pastoralists forced migration

Providing with a clear typology of drought-related displacement is hence a main challenge. Yet, this article try here to assess the variations amongst incentives for migrations and migrants’ profile. The first main aspect of distinction is the direct or indirect impact of drought on the decision to migration.

*1) Direct drought-related displacement:* Interestingly, the drought as a push factor as been little addressed in our context.<sup>11</sup> This type of displacement is reported to be rare: out of 30 communities surveyed for a research purpose, only one declared to have been displaced only by drought, following total loss of livestock.<sup>12</sup>

7. Interview with Martina Caterina,, IDMC, 8th April 2013.

8. Idem.

9. Idem.

10. Interview with Malika Peyraut, 14th March 2013.

11. Date of redaction of the article.

12. Interview with Martina Caterina, 8th April 2013. Further information can be accessed in the report of IDMC on

6. Interview with Justin Ginetti, 5th April 2013 ;

Yet, the drought of 2011 has probably led many Kenyan Somali pastoralists of north-eastern Kenya to flee to refugee camps of Dadaab, claiming to be Somali refugees, and register as *prima facie* refugees (with reduced individual procedures to determine the refugee status, usually applied in situations of mass movements). This phenomenon is thought to happen by many researchers, with high uncertainty on its extent because of absence of any monitoring.<sup>13</sup> This phenomenon has grave consequence in terms of human rights because once registered as refugees, pastoralists lose their rights as Kenyan citizens.<sup>14</sup> Another practice of certain Kenyan pastoralists would be to go into the refugee camps temporarily in order to access services (food, shelter, health, education) and then leave.<sup>15</sup> This is further corroborated by members of pastoralists communities themselves stating that “some families are disguising themselves as Somali refugees to get food and medical assistance, not because they are corrupt but because they are desperate” (IRIN, 2010c). These migration flows to refugee camps in seek of service provision can be seen at the same time as a voluntary migration as a coping strategy, or as an obligation for survival, technically classified as internal displacement.

Indeed, the same applies for migration in urban settlements. According to OHCHR (2012:16), “increasingly severe and more frequent droughts {...} have forced many to search for new forms of livelihoods, including in urban areas. However, there has been a tendency in Kenya to consider that these groups are not displaced, since they are by definition mobile”. The drought of 2011 has likely driven many pastoralists into urban and peri-urban areas. There, the situations might have differed significantly between individuals and communities. Either the whole family could have migrated in urban areas, or some members of the family. Moreover, some could have used this urban migration to access new economic resources and come back to their former lifestyle few months after or support it, while others could have stayed indefinitely in urban areas and permanently abandoned the pastoralist way of life.<sup>16</sup> It practically means that pastoralists that moved to urban areas in 2011 might still be there in 2012, with little recognition

and visibility on the issue (as the Isiolo conflict illustrates (IRIN, 2012b)).

The latter category of urban migrant pastoralists that do not come back to their traditional lifestyle is generally referred as “pastoralist drop-outs”<sup>17</sup> (IOM, 2010). Even though the term is well known, there is still little research on the issue. A baseline study by IOM (2010) in Garissa showed that a common feature of all the dropouts was the complete loss of livestock. Most of them were strongly vulnerable in terms of food security, shelter and access to water and generally lived off of wages from day-to-day informal odds job. IOM considers that the situation of pastoralist drop-outs is comparable to internally displaced persons (IOM, 2010). However, dropouts are not a homogeneous group because “they range from destitute persons to those who have adapted other livelihoods and may be thriving within them” (HPG, 2010). While destitute dropouts could be considered as IDPs for the purpose of assistance, how “thriving” dropouts should be categorized, is another issue. Another issue concerns the categorization of these dropouts for the purpose of aid and whether they should be entitled to “pastoralists policies” and assistance, including food aid, or considered only as urban population (HPG, 2010).

These complex urban migration flows are blurring the distinction between coping adaptative strategies and internal, rather forced, displacement. It is likely that they happen chronically, including in 2012, but there is no information on the scale of it, which precludes further understanding of means of prevention, assistance, and durable solutions for these specific displaced persons.

2) *Indirect drought-related conflict displacement:* in 2012, five main areas of conflict provoked flows of IDPs – or were hosts to enduring internally displaced persons. UNOCHA (2012b) reported 112,000 displaced and 412 killed in 2012.

The following table reviews the most important to assess the extent to which conflict can be linked to drought-related factors, such as issues concerning livestock, resource access and resource depletion. The core of the conflict dynamics is linked to cattle-raiding/livestock issues, or grazing land/water issues, and therefore has environmental dimensions. It cannot be concluded that drought-related stress factors on the environment are the primary factors for conflict and subsequent death and displacement. On the other hand it cannot be contested that the resource depletion associated

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displaced pastoralists published at the end of 2013.

13. Interview with Justin Ginetti, 5th April 2013 ; Interview with Malika Peyraut, 14th March 2013 ; Interview with Nuur Sheekh, 30th April 2013.

14. Interview with Malika Peyraut, 14th March 2013.

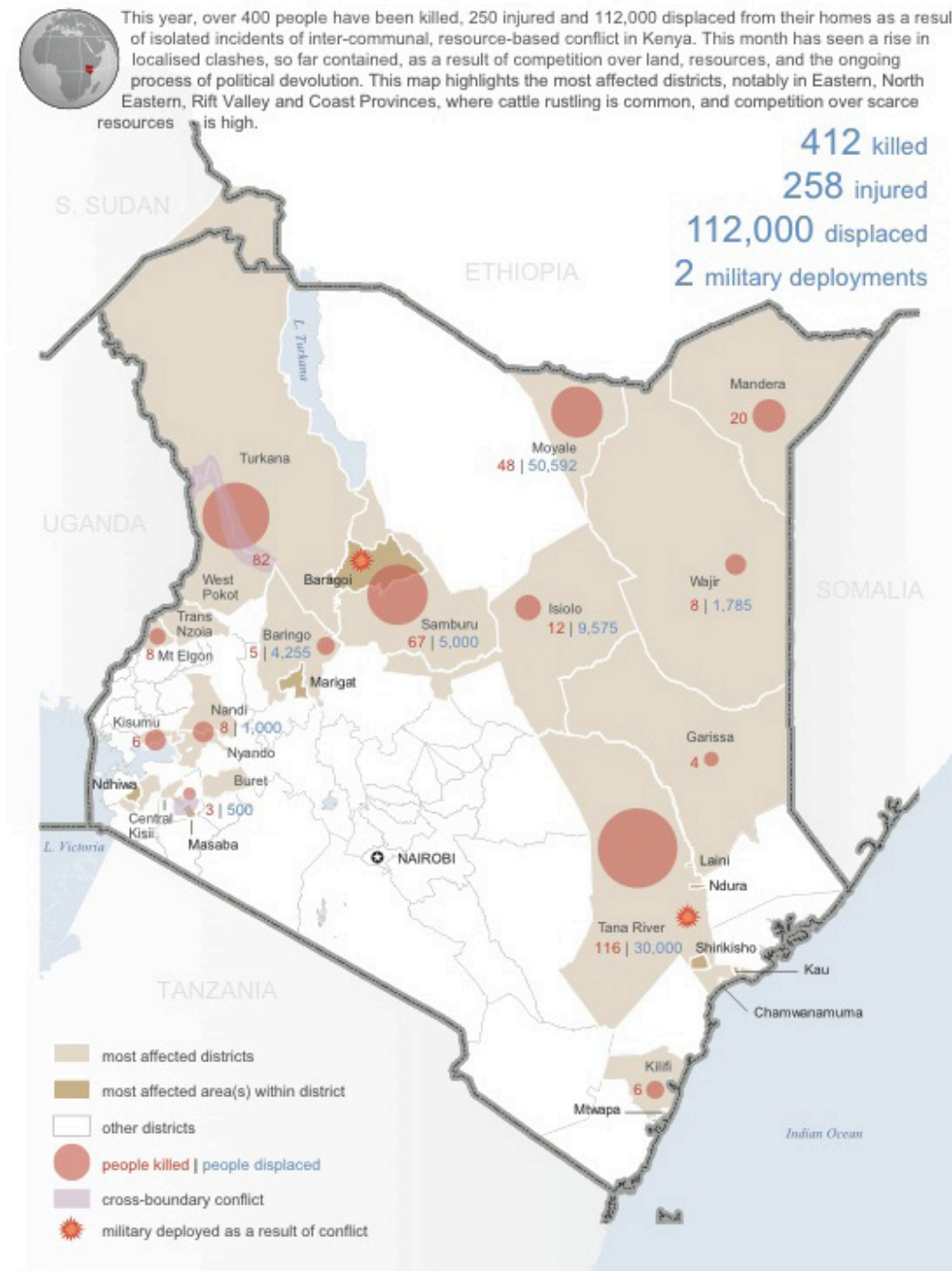
15. Interview with Justin Ginetti, 5th April 2013.

16. The assessment of factors behind this choice of temporary or permanent urban migration is beyond the scope of this study.

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17. The term encapsulates all the pastoralists that have definitely left the pastoralism lifestyle – not necessarily urban migrant.

Map 2. Inter-communal conflicts by district (21 November 2012)



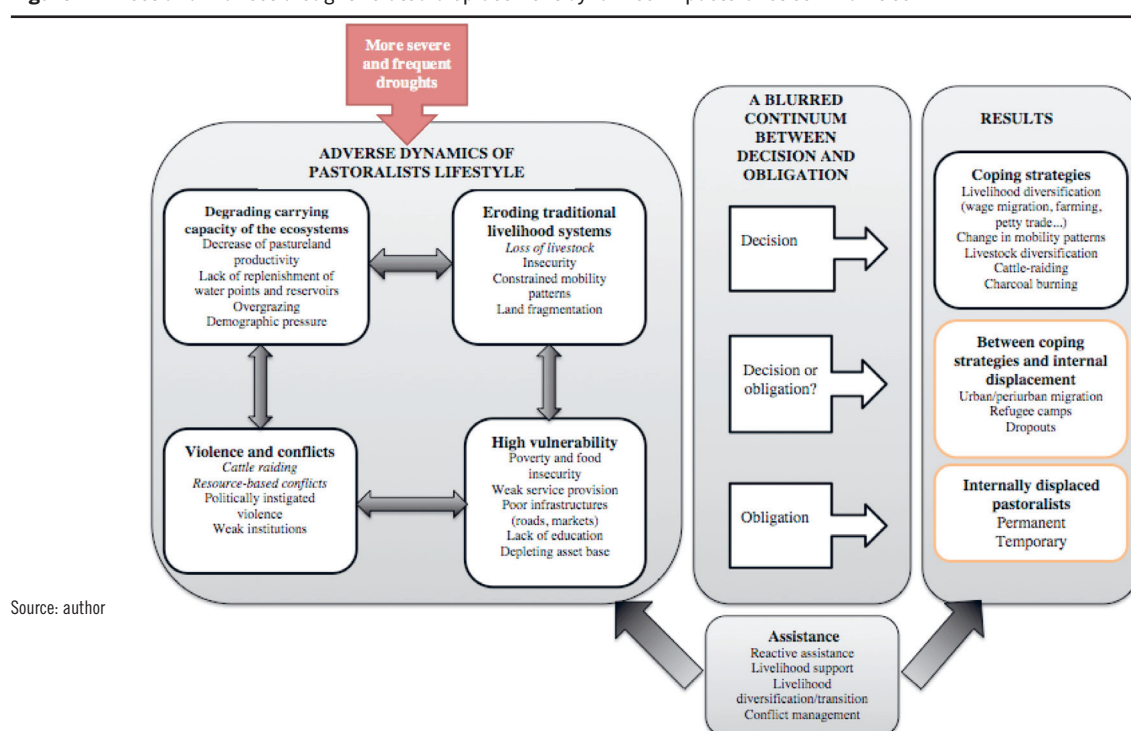
Source: OCHA, 2012.



**Table 1.** Conflict-induced displacements in 2012 and assessment of their linkage with drought-related issues

Area	Number of IDPs as of 2012	Qualitative assessment	Linkage with drought-related issues
Turkana	0 for OCHA (2012b), over 3000 persons for other sources (Business Today, 27 <sup>th</sup> March 2012)	<i>Cattle-raiding between Pokot and Turkana communities</i> Attacks by the Pokot were reported in March 2012 and explained by political dynamics for contest of border territories. It would have led to 3000 IDPs in neighbouring areas. Attacks of the same kind (also between Uganda border Dodoth or Toposa and Turkana) are regularly occurring every year and tend to increase during drought period. (IRIN, 2011e)	Conflicts perceived to be politically connected, but at the same time aggravated by drought impacts on resource depletion.
Samburu	Between 5000 (OCHA, 2012b) And 11000 (IDMC, 2012)	<i>Cattle-raiding based conflict between Samburu and Turkana communities</i> The Samburu massacre is closely linked to inter-community hostile dynamics between Turkana and Samburu since the 1990s linked with access to resource and cattle raiding. The displacement was triggered by a military deployment following the massacre of 42 police officers during an operation to take back stolen livestock in November.	It has been linked with climate change and increasing drought (ISS, 2012), with politics, as well as opposition to a disarmament programme.
Isiolo	9,575 (OCHA, 2012b)	<i>Conflict between Borana, Turkana, Somalis</i> Presented as cattle-rustling but thought to be politically-instigated in order to reach ethnically-based voting patterns before the 2013 election. Also linked to claims over grazing land/rights by different pastoralists communities.	A conflict "about political numbers, not resources because civilians, including women and children are being killed and nothing stolen" (IRIN, 2011g). On the other hand, the conflict was linked the presence in 2012 of Wajir/Mandera pastoralists that had previously migrated in the town during a drought period (IRIN, 2012b).
Moyale	50,592 (OCHA, 2012b)	<i>Conflicts between Borana and Gabra</i> Moyale clashes were a tribal civil unrest due to historical lands/territorial disputes, the upcoming general elections and historical disagreements/injustices (KCRS, 2012).	"A complex interplay between ecology, politics and ethnicity" (KCRS, 2012)
Tana River	30,000 (OCHA, YEAR)	Conflict between semi-nomadic Orma and farmers Pokomo Revenge conflicts, fuelled by a history of farmers-herders conflicts over grazing lands, pasture and water (IRIN, 2012c). Many displaced families seeking refuge in nearby forests, host communities and camps. Kenya Red Cross assisted with food and non-food items as well as medical care (IRIN, 2012e)	Said to be politically linked, but at the same time long-standing resource base. The 2011 drought has been described as a potential stress conflict factor in the area (IRIN, 2011a).

Source: author.

**Figure 2.** Direct and indirect drought-related displacement dynamics in pastoralist communities

Source: author

with repeated drought and the exhaustion of coping strategies are not important factors in conflict triggers, along with political, historical and economic factors,<sup>18</sup> and in the resulting migration patterns.

### 2.3. A simplified model of the relation between drought and displacement factors

The dynamics induced by the external shocks of drought in the livelihood systems of pastoralists are summarized in the figure below. Bidirectional arrows correspond to feedback interaction between factors. The words written in *italic* appear to be among the most important factors leading to pastoralist displacement, respectively cattle-raiding, resource-based conflicts and loss of livestock. The two boxes in orange symbolize the lack of conceptual understanding so far concerning the previously mentioned categories of pastoralist displacement.

## 3. POLICY RESPONSES AND CHALLENGES

The policy and legislative responses to the specific issue of drought-related pastoralist displacement is nearly absent in Kenya. The issue of pastoralist displacement in northern areas itself is not really acknowledged by policymakers, and suffer inconsistent or incomplete data (Sheekh et al., 2012). This section will assess the policy responses given through different bias, responding to specific aspect of displacement: IDP protection frameworks, development in ASAL areas, disaster-management policies and security policies.

### 3.1. National responses and frameworks

#### Assistance and protection of internal displaced

Kenya recognizes the UN Guidelines for Internally Displaced Persons, which explicitly recall state's responsibility in its Principle 9: "states are under a particular obligation to protect against the displacement of indigenous peoples, minorities, peasants, pastoralists and other groups with special dependency on and an attachment to their lands" (UN, 1998). Yet, until recently, Kenya lacked frameworks to address pastoralist displacement. Kenya has a long history of internal displacement

but started recently to formally recognize and address the problem during the post-election violence of 2007-2008 that displaced approximately 600,000 persons. This was one of the only cases where the Kenyan government implemented large-scale assistance for and monitoring of IDPs. On the whole, the monitoring, registration, assistance have remained ad hoc, weak and/or poorly coordinated, especially regarding pastoralist displacement. This subsection assesses the implementation of the IDP frameworks in Kenya in this very specific context, to allow for a comparative analysis and subsequent assessment of the situation of drought induced IDPs.

#### Monitoring and profiling of IDPs

The monitoring of internal displacement, through identification of IDPs, their locations, patterns of mobility, vulnerabilities and needs remains "extremely weak" (Metcalf, 2011). In 2008, the Kenyan Government, along with stakeholders in civil society and UN agencies, created the National Protection Working Group on Internal Displacement (PWGID), "with the objective of enhancing the capacity of the Government and its overall response to internal displacement in the country" (OHCHR, 2012). However, official presence in northern Kenya is limited and the Government has not undertaken any monitoring exercise for displaced pastoralists (Sheekh et al., 2012).

#### Registration

Registration of IDPs is lacking coherence: except during the post-election violence period in 2007 and 2008, no displaced have been profiled or registered on the national database (IDMC, 2012). Other non-registered IDPs include: post-election violence (PEV) displaced persons in host communities and urban settings labelled as "integrated IDPs" by government (amounting to around 314,000 persons), people displaced by natural disasters (flood, droughts), development or environmental project (IDMC, 2012), inter-communal conflict (resource-based, cattle raiding, for other motives), and pastoralists migrating in urban and peri-urban settings following drought (OHCHR, 2012).

#### Assistance

Registered PEV IDPs have been provided with protection and assistance, though inadequate because of the lack of sufficient or nutritious food; access to shelter, water and sanitation facilities; and other services such as education and health care (OHCHR, 2012). Also, most of the assistance has been provided to landowner IDPs (IDMC, 2012), and fraud has also been reported (Kenya National Assembly, 2012b). For other IDPs, the lack

<sup>18</sup> Especially issues related to land claims that sometimes date back to colonialism.

of registration entails a lack of visibility and recognition. Hence, assistance and protection, if any, are generally limited to food aid (OHCHR, 2012). According to IDMC, “many IDPs are displaced in areas of the country that are environmentally and economically vulnerable, and as such they enjoy fewer opportunities for integration and development. This in turn increases the likelihood of their living in situations of prolonged displacement” (IDMC, 2012: ) This also applies for drought-related pastoralist displacement.

### ***Return and durable solutions***

A report of the Parliamentary Committee on the resettlement of the IDPs in Kenya criticized the return policies for registered PEV IDPs as being badly managed and flawed (Kenya National Assembly, 2012b). Concerning displaced pastoralists, no such assistance seems to have taken place. According to Sheekh et al. (2012) “as the displacement of pastoralists is little understood either qualitatively or quantitatively, they face a greater risk or protracted displacement. There is currently no conceptual understanding of durable solutions specific to Kenya’s displaced nomadic population, and as a result no response that aims to achieve them”.<sup>19</sup>

### ***Possible impacts of the development of a new IDP policy***

In October 2012 a National Policy on the Prevention of Internal Displacement and the Protection and Assistance to Internally Displaced Persons has been adopted after three years of drafting. The text is largely based on international and regional instruments such as the Great Lakes Protocol on IDPs and the African Union Kampala Convention – though Kenya has ratified none of them both. It provides a comprehensive, detailed and indiscriminate approach for management and protection of IDP. For example, the definition of IDPs includes persons internally displaced by “natural disasters whether or not triggered by the change of climate”, “politically instigated or inter-communal hostilities such as competition over lands or other resources” (Kenya National Assembly, 2012a). As a consequence, pastoralists’ internal displacement should finally be recognized.

Another central aspect is the provision for the set up of a data collection, registration and profiling system on IDPs, while taking into account right to privacy. The profiling is supposed to be carried within 30 days of an internal displacement (IDMC,

2012). Also, IDPs could in theory seek “legal recourse for compensation for life and property lost” because the state now is legally responsible to prevent displacement and can hence be held accountable (IRIN, 2012f). However, the implementation, especially in northern areas where resources and capacity-building are scarce, will be a tremendous challenge. The data collection system has not yet started to function, and it is unlikely that local administrations will be provided with enough resources to do so on the short-term.<sup>20</sup> Moreover, it remains to be seen if pastoralists migrating to urban areas during drought or for drought-related reasons will also be considered as IDPs and be the granted adequate assistance and protection.

## **Enhancing resilience and adaptive capacities**

### ***Disaster-management policies***

Kenya has adopted several frameworks governing disaster management such as the draft National Disaster Management Policy developed since 2009, a National Disaster Response Plan, and the Climate change response strategy of 2010 (IDMC, 2012). However, these frameworks lack enforcement, adequate infrastructures and human resources, especially in northern areas (OHCHR 2012; IRIN, 2010a, 2013b). Additionally, the Kenyan National Assembly created in November 2011, the National Drought Management Authority to serve as the focal point for information-sharing, early-warning, rapid reaction and coordination of policies and measures targeting drought.

The successes of these institutions and policies remain however very doubtful. Communicating early warning systems towards pastoralists has to take their culture, beliefs language and local knowledge into account. Beyond information diffusion, infrastructural problems are also important as pastoralists are sometimes not able to access markets to trade their stock to anticipate drought hardships. Indeed the main challenge for disaster-management policies is the absence of local capacity-building actors and access to resources and funds to implement prevention, mitigation and relief actions. The existing contingency funds lack financial capacity. The long-term objective, according to Mohamed Elmi, the Minister of ASALs, is to access Adaptation Fund money of the UNFCCC for long-term interventions (IRIN, 2011f).

Beyond the State, another key actor in natural disaster response is the Kenya Red Cross Society, one of the most specialized humanitarian actors in responses to displacement, notably consequent to

19. The report on pastoralists displacement published by IDMC at the end of 2013 aims at providing a detailed review of displacement flows as well as a conceptual understanding of durable solutions.

20. Interview with Justin Ginetti, 9th April 2013; Interview with Nuur Sheekh, 30th April 2013.

natural disasters. Through its “tracing” approach,<sup>21</sup> it provides much needed information on migration flows of IDPs and refugees. It has provided assistance to floods-induced displaced people in 2012 (IDMC, 2012). Quite interestingly, the KRCS considers droughts, floods and inter-communal conflicts as part of one single “complex emergency” calling for unified funding, preparedness and response (KRCS, 2012). However there is no information on their assistance to drought-related pastoralists displaced or pastoralist drop-outs.

#### **Development policies for Arid and Semi-Arid Lands**

Development policies for Arid and Semi-Arid Lands have been limited during a long-time. A traditional approach of ASALs by government agencies as well as humanitarian actors has been short-term assistance, notably in terms of food. There was a common perception of ASALs as a “food aid sink hole” with little recognition of the economic potential of these areas (IRIN, 2011f). However, there seems to be a recent evolution in the past few years.

In 2008, the Ministry of State for the Development of Northern Kenya and Other Arid Lands was created – the only of its kind in the whole Horn of Africa. Moreover, the draft policy on the sustainable development of ASALs was approved in February 2013 after nine years of waiting (Kenya Rural Development Programme, 2013). It provides for investment in security, infrastructure, job creation, adaptation to climate change, management of drought, job creation and emphasizes the need for a “special treatment” of ASALs. But quite interestingly, none of these policies and approaches refers to the terms “displacement” and the term “drop-out” is referred only one time, without strategic approach.

Concerning on-going implementation, a live-stock marketing board is in working process to provide support for the pastoralist livestock value-chain. Indeed, while Kenya is a net importer of meat (Government of Kenya, 2004), the livestock value-chain of pastoralists in ASALs has never been strongly supported by government (IRIN, 2011f).

Finally, the new Constitution of Kenya adopted in 2010 is supposed to provide opportunities for securing tenure rights and rights to natural resources of pastoralists communities, which could reduce the process of land fragmentation (around 15 per cent of the land in semi-arid areas is now used as national park or reserves) (IRIN, 2011f).

21. <https://www.kenyaredcross.org/>, accessed the 4th of July 2013.

#### **Security policies**

Disaster-management and development policies will most likely remain ineffective if the security situation remained bleak in northern areas. Government policies on this matter have generally been criticized for their inadequacy, if not their adverse effects.

The Kenyan State has tried to decrease insecurity with strong disarmament programmes. Several operations seem to have fuelled inter-ethnic clashes and displacement, because the programmes were felt to be biased and heavy-handed (Sheekh et al., 2012). The proliferation of firearms from the Sudan and Somalia has severely undermined disarmament operations.

Conversely, the Kenyan State has also carried out community armament programmes to out-source security provision by turning pastoralist communities themselves into home guards and reservists. But many of the distributed arms ended up traded or used for personal security and even criminal attacks, fuelling the conflicts (IRIN, 2011e). This short-term security approach, coupled to the short-term food aid approach, has been interpreted by certain communities that end up demanding “bullets and food” from their government (IRIN, 13<sup>th</sup> July 2009b).

Long-term policies of conflict-management, peace-building to try to end cattle raiding and resource-based conflicts have been left to NGOs supporting informal resource-sharing agreements set up by communities themselves. But those agreements often break up as soon as the rain comes back and replenishes the resources. More, the decrease of the strength of traditional peacekeeping institutions, especially the role of elders in sanctioning conflict, is an issue upon which it is difficult to act. The issue of reconciliation for conflict-induced IDPs also plays a crucial role, but is rarely addressed on a large-scale and is poorly funded by donors (IDMC, 2012).

### **3.2. International responses and frameworks**

Donor countries and international organizations support different measures targeting IDPs (though not pastoralist) and pastoralist development, from food assistance to livelihood transition.

#### **Responding to internal displacement**

Donor countries and international organizations have supported the post-election process in 2007 and 2008 and assisted the Government and other actors to monitor and assist PEV IDPs, notably with interventions to provide water, sanitation and shelter as well as technical support to develop



the IDP policy through the setting up of a Protection Working Group (IDMC, 2012).

However the same level of interest and assistance has not been dedicated to displaced pastoralists and other non-PEV IDPs. For example, no organization has undertaken comprehensive surveys of the migration flows of pastoralists towards urban centres during the drought of 2011, as well as their situation and needs in 2011 and 2012. Aside from the KRCS, the organizations that have paid theoretical attention to the issue are UNOCHA, the IOM (through the focus on drop-outs) the Internal Displacement Monitoring Centre (IDMC) and the Institute for Security Studies (ISS).<sup>22</sup>

### Enhancing resilience and adaptive capacities

The response of the international community to pastoralist situation in northern areas is a continuum from short-term food assistance (historically the most important), to livelihood support, livelihood diversification and finally livelihood transition (the three latter remaining largely project-based).

Responses to drought emergencies have often been focused on short-term reactive food aid, because of the absence of long-term projects focusing on livelihood resilience and supposed lack of mechanisms to fund pre-emptive action. For example massive humanitarian funding for food assistance during the 2011 drought was only released when UN officially declared state of famine in July 2011, whereas early warnings of poor rainfall were noted since May 2010 (Fitzgibbon, 2012). During the last droughts of 2008/2009 and 2011, the humanitarian communities also fell short of understanding the utter importance of focusing on livestock as key assets of the pastoral communities, even though things seem to evolve with the development of the Livestock Emergency Guidelines and Standards (LEGS) (IRIN, 2011c) and the understanding of the importance of timely restocking programmes to supplement communities that have lost their livestock with new ones.<sup>23</sup>

Other projects focus on livelihood support, service provision (such as health and education), livestock assistance, information sharing, risk management and adaption to climate change. For example, the International Organization of

Migration has recently opened a pastoralist dispensary in Turkana.<sup>24</sup> The IIED and the Climate Adaptation Fund are funding early warning projects tapping into pastoralist use of radio and mobile phones.<sup>25</sup> USAID and UNICEF are developing mobile schools projects.<sup>26</sup> Livelihood diversification is also promoted and supported by international actors, for example through training in small-scale farming for pastoralist women and targets pastoralist dropouts that have lost their livestock and need to start a new livelihood (IRIN, 2012a). Finally, projects of livelihood transition are promoted, notably by Oxfam, to support pastoralists in developing new livelihoods such as small businesses.<sup>27</sup> Notwithstanding, these long-term approaches are not yet developed and coordinated on the same scale as food assistance.

### 3.3. Policy recommendations

The previous analyses call for several non-exhaustive policy recommendations in order to improve the situation of displaced pastoralists.

**Develop a better knowledge on the nature, scale and reasons of migratory flows as well as of the specific needs of displaced pastoralists.** First, the Government of Kenya, international organizations, humanitarian actors, researchers and donor countries must work together to develop adequate assessment methodologies that fully grab the complexity and multi-causality of such flows. This is a necessary step towards developing a stronger conceptual understanding of these displacements, of the possibility of prevention, and of durable solutions. In Kenya, the Ministry of State for Special Programmes and the Ministry for the development of Arid and Semi-Arid Lands could work together to develop new assessment tools and methodologies. Second, this development of methodologies would adequately support the data collection and profiling system that will be set up by the new IDP policy of Kenya. However, due

22. UNOCHA has realized surveys and assessment of pastoralists displaced by floods and/or by inter-communal conflicts in 2012. The Internal Displacement Monitoring Centre has realized one scoping study to cast light upon the issue (see Sheekh et al., 2012), and will also publish in October 2013 an extensive in-depth qualitative and quantitative assessment of the scale and factors of pastoralists displacement in Northern Kenya.

23. Interview with Nuur Sheekh, 30th April 2013.

24. <http://www.iom.int/cms/en/sites/iom/home/news-and-views/press-briefing-notes/pbn-2012/pbn-listing/pastoralist-dispensary-opens-in.html> (Accessed the 30th of April 2013)

25. <http://reliefweb.int/report/kenya/kenya-information-strengthens-pastoralists-resilience> (Accessed the 30th of April 2013) ; <http://reliefweb.int/report/kenya/cell-phones-revolutionizing-kenya%E2%80%99s-livestock-sector> (Accessed the 30th of April 2013)

26. <http://kenya.usaid.gov/programs/education-and-youth/1015> ; <http://reliefweb.int/report/kenya/kenya-educating-nomadic-pastoralist-children-low-cost> (Accessed the 30th of April 2013)

27. <http://blogs.oxfam.org/en/blogs/12-07-10-helping-pastoralists-cope-changing-way-life-kenya> (Accessed the 30th of April 2013)

assistance and capacity-building for implementation and profiling will be needed, especially at local level – otherwise the policy will remain mere words.

**Strengthen the use of climatic early-warning systems at all levels, especially at local and pastoralist community's level.** The communication of information towards pastoralist communities also needs to be done by taking into account their specific cultural values, beliefs and perceptions to trigger adequate responses (IRIN, 2010b).

**Develop proactive policies to improve livelihood opportunities of pastoralists in northern Kenya as part of the long-term answer to current issues.** The Government of Kenya should realize the importance of livestock value-chain, and adequately develop markets and livestock value-chain support system. This should be done by paying attention to the fact that for certain pastoralists communities, integration in the market economy and livestock selling for cash is not a natural reasoning (The Guardian, 2012). Livestock assistance preparedness needs to be improved to be able to anticipate droughts and food security emergencies.

**Promote conflict prevention, resolution, as well as reconciliation** The question of resource-based conflicts, cattle-rustling and underlying ethnical hostilities fuelled by political incitements and other economic incentives, is one of the most important issues in Northern Kenya nowadays: it is at the same time the result of several decades of marginalization, resource depletion and poverty, and a cause of livelihood erosion and displacement. While solutions for this problem are specific for every counties and communities, the involvement of elders and religious and traditional leaders, support for community-based resource-sharing agreements (Opiyo et al. 2012), development of early-warning systems could be possible means of advancing conflict prevention and resolution. The issue of reconciliation is also key and will need to be addressed in order to achieve peaceful coexistence and resource-sharing of communities.

**Consult and associate affected pastoralist communities** Finally, a transversal recommendation is to consult and associate affected pastoralists communities in the development of the previously mentioned measures. Realizing adequate profiling and qualitative assessments of their needs would be a first step for such integration.

## CONCLUSION

Drought-related internal displacements of pastoralists in northern Kenya are multi-causal and complex. The resource base and the coping strategies of the communities are slowly eroding as

cyclical drought affects more and more citizens, triggering vicious circles of vulnerability in already marginalized areas. It follows that the impact of drought on displacement is mostly related with loss of livestock, erosion of livelihood systems and/or increase of the resource-based conflicts as well as cattle-rustling – along with other political, economic and historical factors. Drought-related displacement can also be linked to urban migration that can be seen either as diversification strategies or as the result of the destitution of pastoralists “drop-outs”, that can be compared to internally displaced persons: any generalization is difficult as there is little research and assessment on these migration flows. Pastoralist communities with eroding livelihood can also end up migrating to refugee camps. In 2012, the main displacement cause amongst pastoralist communities was conflict. In most case, drought-related issues, i.e. resource depletion and livestock, were closely related to conflict drivers – along with many other factors, composing a complex nexus of drought – livelihood erosion – conflict leading to death and displacement.

Attention and assistance given to environmental displacement of pastoralists in Kenya are scarce and incomplete. At the national level the only IDPs to be considered and assisted so far by the government are the post-election violence IDPs, the other being non-registered. Prevention of displacement, in the form of sound policies for ASALs development, disaster-risk reduction and security are still lagging behind. The government has been promising new IDP laws, drought-management and ASAL development policies, but implementation will be challenging. Security concerns remain highly problematic and so far not really addressed. At the international level, few organizations have paid attention to pastoralists' displacement, and even less to drought-related displacement and dropouts. However, it seems that the approach towards pastoralism is slowly shifting from food assistance to long-term support, diversification and/or transition of livelihoods. Donor countries and humanitarian actors were instrumental in assisting PEV IDPs, and should now assist Kenya in implementation of its new policy, with due capacity-building.

Finally, the review of secondary sources of information of drought-related and conflict-related factors in displacement flows points to differing perceptions and narratives among stakeholders – such as the media, local communities, policymakers and aid workers – with respects to the relative importance of drought-related and conflict-related factors, which calls for further field research to question these perceptions. ■

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