

**AN ASSESSMENT ON THE FACTORS HINDERING
EFFECTIVE IMPLEMENTATION OF 'OPERATION RUDI
NYUMBANI' INITIATIVE**

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Abstract: This study explored the factors that hindered the effective implementation of 'Operation Rudi Nyumbani' Initiative in Nakuru County in Kenya. In 2008, the Government of Kenya (GoK) embarked on the resettlement of Internally Displaced People (IDPs) who had been displaced as a result of the post-election violence that rocked the country in December 2007 and the early part of 2008 after the disputed presidential elections. The resettlement programme, dubbed Operation Rudi Nyumbani (ORN) was launched amid high anticipation among the IDPs for compensation and permanent solutions to their problems. However, there have been concerns over the manner in which the Government has been implementing the programme. Report findings indicate that the implementation of the Programme failed to meet the expectations of many. It is on this basis that the study was carried out to determine the factors that have been hindering effective implementation of the project. Descriptive survey design was employed in the study to analyze the data to determine the factors that hindered effective implementation of the resettlement of IDPs in Kenya. An interview guide was used to collect data in this study. The

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specific objective of the study was to assess the factors hindering the effective implementation of 'Operation Rudi Nyumbani' Initiative in Nakuru County. Data was collected from a sample of 387 respondents drawn from the 3 categories i.e. the provincial administration (14), the IDPs (369) and the humanitarian organizations (4). The study findings indicate that effective implementation of ORN Initiative has been hampered by a combination of political, socio-cultural, economic and logistical factors. The study was only limited to IDPs in Nakuru County.

Keywords: Internally Displaced Persons (IDP), Operation Rudi Nyumbani, Kenya, Post Election Violence

1.0 Introduction

Internal displacement is a global crisis affecting millions of people, literally in all regions of the world. Reports by IDMC indicate that, at the end of 2008, the number of people displaced by conflict, generalized violence or human rights violations across the world stood at approximately 26 million. Africa has the largest IDP population with about 11.6 million IDPs in 19 countries (IDMC, 2008). Internal displacement has been part of all transition moments in Kenya since the onset of multi-party politics in 1992 (Kenya Human Rights Commission 2009). Ethnic clashes and violence have been repeatedly used in the run-up to the general elections to frighten and suppress individuals, parties and communities associated with political opposition.

By May 2004, there were over 360,000 IDPs in Kenya (FIDH and KHRC, 2007) by 2006 the figure had risen to 450,000 (IDMC 2007). At the end of 2007, there were still 380,000 IDPs from clashes that had been experienced in the 1990s (OCHA Kenya 2008). Following the announcement of the disputed presidential election results in Kenya on 30th December 2007, a wave of violence rocked many parts of the country, resulting to massive displacement and loss of lives and livelihoods. An estimated 500,000 persons were internally displaced in various parts of the country (OCHA Kenya, 2008). About 1,300 others lost their lives in the violence (Commission of inquiry into the post-election violence, 2008), while another 2000 fled to Uganda as refugees (South Consulting, 2009). The political crisis and violent conflict threatened the very existence of Kenya as a national state (South Consulting 2009). The flurry of the post-election violence only settled when the rivaling parties Orange Democratic Movement (ODM)

and Party of National Unity (PNU) signed the National Accord and Reconciliation Act (hereinafter the Accord) on 28th February 2008. Of priority was the resettlement of IDPs who were languishing in the camps and other places where they had sought refuge after the eruption of the post election violence. Worth noting is that the negotiations that led to the peace deal were based on four principal agendas namely cessation of violence, humanitarian assistance and restoration of basic rights, restoration of the political crisis and the resolution of long-term underlying issues. In this regard, on 5th May 2008, the government, through the Ministry of Special Programmes (MOSSP) launched the IDPs resettlement programme dubbed ‘Operation Rudi Nyumbani’. Through this ‘Operation’ the government would seek to increase physical security in the areas from which people were displaced, rehabilitate key services, provide assistance for the first three months of return and promote and engage in reconciliation activities (Report of the National Accord Implementation Committee, March 2008). This government strategy for emergency social and economic reconstruction envisaged that all IDPs would return home and re-establish their lives and livelihoods by June 2008 (Kamungi and Klopp, 2009).

Despite these government efforts, success has remained a mirage. Many IDPs continue to live in deplorable ‘transit camps’ with no access to services (South Consulting, May 2009). Others who left the camp have relocated to areas they consider safe or to their “ancestral homes”. Most of these IDPs remain unwilling or unable to return to their pre-displacement home areas, a reflection that the ‘Operation Rudi Nyumbani’ Initiative was not effective in its mission of resettling the IDPs. According to Mars Group, a rights agency, ‘Operation Rudi Nyumbani’ was a flop (Daily Nation, 29th October 2008). This study sought to investigate the factors that are hindering the effective implementation of the ‘Operation Rudi Nyumbani’ Initiative in Nakuru County. Previous studies on the post-poll violence victims of 2007 have mainly focused on the extent to which the agenda items of the National Accord of 2008, in which resettlement of the IDPs was a key priority, have been implemented. Little has been done to establish the reasons why people are reluctant or unable to return to their homes. This study therefore sought to investigate the factors that are hindering the effective implementation of ‘Operation Rudi Nyumbani’ initiative in Nakuru County.

The findings of this study would guide the government on the response to the protection and assistance needs of the IDPs. Such informed response would in turn promote safe and dignified return of the IDPs to their homes in accordance with the U.N. guiding principles on internal displacement. In addition, the study would provide direction to the government, civil society, religious bodies and other stakeholders in developing programmes to address issues specific to IDPs. The study would also enhance the work of County Peace committees in their effort to reconcile disputes and provide long-term solutions to issues of internal displacement in their respective areas.

2.1 Literature Review

The total number of people internally displaced by armed conflict, generalized violence and human rights violations worldwide as of the end of 2012 was estimated to be 28.8 million. This represents an increase of 2.4 million from the previous year, and is the highest figure IDMC has ever recorded. Around 6.5 million people were newly displaced, almost twice as many as the 3.5 million during 2011 (IDMC, 2012). IDMC argue that the main causes of displacement range from natural disasters, armed conflict, poverty, effects of climate change, scarcity of resources, political instability and weak governance and justice systems. These same factors often hamper the end of displacement and make the task of rebuilding lives and restoring livelihoods of people affected by displacement all the more difficult.

The largest regional increase in the number of internally displaced people (IDPs) in 2012 was in the Middle East and North Africa, where 2.5 million people were forced to flee their homes. There are now almost six million IDPs in the region, a rise of 40 per cent on the 2011 total of 4.3 million. In the Middle East generally, and particularly in Syria, there has been a close correlation between the rapid escalation of conflict and the sharp rise in the number of IDPs. The region with the largest total number of IDPs was sub-Saharan Africa. As of the end of 2012 it was hosting 10.4 million, almost a third of the world's internally displaced population and an increase of 7.5 per cent compared with the year before, thus reversing the downward trend recorded since 2004. Around 2.4 million people were newly displaced, of whom a million fled their homes as a result of escalating violence in DRC, which was the world's second largest crisis in terms of new

displacement in 2012. In November, a new rebel group known as the March 23 Movement (M23) displaced 140,000 people from the North Kivu capital of Goma in a single week. The outbreak and escalation of conflict in Mali in 2012, fuelled by an influx of weapons from Libya, led to the displacement of at least 227,000 people. Increased violence by the radical Islamist group Boko Haram in Nigeria also caused significant new displacements (IDMC, 2012).

2.2 IDPs in Kenya

In 2012, 118,000 people were estimated to have been newly displaced in Kenya as a result of inter-communal clashes and violence linked to struggles over natural resources, compounded by ethnic, economic and political factors. Local conflicts became more frequent and intense ahead of the March 2013 general election. Cattle rustling and conflicts between pastoralist communities led to displacement in the Tana River, Turkana, Moyale and Samburu counties. These tensions, which were also said to have had a political dimension, arguably constituted the most neglected humanitarian and development problem in Kenya. Tens of thousands of people were also displaced across the country as a result of natural disasters.

Kenya's largest displacement in recent years followed the disputed presidential election of December 2007. When the results were contested, widespread politically-motivated violence displaced more than 650,000 people. About 300,000 IDPs sought refuge in host communities, while the remainder fled to around 100 camps. In 2008 the government launched Operation Rudi Nyumbani, or "return home" initiative in an effort to close the camps and facilitate IDPs' return or get resettled. The number of people who were still internally displaced as a result of the post-election violence as of the end of 2012 was unclear, and the results of a planned verification exercise were never released since many who were never IDPs pretended to be the real IDPs. Large numbers of IDPs were unable to return home or rebuild their lives elsewhere, especially those who did not own land and those who, in the absence of meaningful reconciliation, feared new attacks from the people who displaced them. Many were still living in tattered tents in many parts of the Rift Valley. The government, national and international humanitarian organizations have responded to displacement, but some serious protection concerns have gone unaddressed.

Displaced persons face a myriad of problems: Displacement deprives them of the basic necessities of life; they face discrimination and often find their family and communal ties shattered. Worst of all, they are often trapped within the zone of the very conflict which they seek to flee, forcing them to move again and again (Deng, 1998,). Yet, unlike refugees who are governed by the 1951 convention on refugees, there's no international legal instrument for protecting and assisting the internally displaced persons. In international law, the problem of internal displacement by definition is internal and therefore the responsibility of the government concerned to provide assistance and protection for the IDPs in their country. This lack of a legal framework specifically mandated to address issues of IDPs, coupled with the obstacles of negative sovereignty including ineffective government authority, limited capacity and tensions between centralized and political and economic forces among others presented serious challenges to dealing with the humanitarian and protection needs of IDPs for many years. It is in this respect that the government, through the Ministry of State for Special Programmes sought to resettle the over 500,000 persons displaced by the post-election chaos of 2007. After the signing of the National accord in February 2008, the government appointed the National Accord Implementation Committee (NAIC) which was mandated to develop policies for implementation so as to mitigate the effects of the PEV. NAIC developed actions that covered five key areas: security, peace building and reconciliation, resettlement of IDPs, revitalization of productive sectors and restoration of damaged infrastructure and positive engagement of the youth (Report of the National Accord Implementation Committee on National Reconciliation and Emergency Social and Economic Recovery Strategy, 2008). In addition, a Mitigation and Settlement Committee was set up to work with other established national committees to resettle IDPs. The 'Operation Rudi Nyumbani' Initiative was launched in May 2008. The 'operation' aimed at facilitating the return of all IDPs to their pre-displacement areas by end of June 2008. To fast track this initiative, two other initiatives, the *Operation Ujirani Mwema* and the *Operation Tujenge Pamoja* were also implemented to promote reconciliation and rebuild destroyed homes respectively. It was expected that, these efforts would encourage people to leave the camps and return to their pre-displacement homes. Contrary to this expectation, to date, there are still people living in IDP camps. Others who left the camps opted to settle elsewhere, raising questions on the effectiveness of the 'Operation Rudi Nyumbani' Initiative.

IDP resettlement is fundamentally concerned with making sure that the internally displaced people get their fundamental rights like proper housing, security, economic empowerment, basic rights to shelter, food, water and sanitation and their access to basic services such as schools or medical clinics (OHCHR, 2012). Therefore, the concern in the research is the factors hindering the effective resettlement of the IDPs long after the cabinet passed various resolutions on the way forward as IDP resettlement is concerned. The question asked in the research on Operation Rudi Nyumbani is: “What are the factors hindering effective IDP resettlement? On the other hand, effective IDP resettlement is considered be the dependent variable assessed in terms of indicators such as: basic rights to shelter, food, water and sanitation and their access to basic services such as schools or medical clinics, protection, provision of land etc. [IDMC, 2012], explored the status of IDPs in Kenya and their resettlement efforts. The results of the study indicated that there was a there were a myriad of challenges facing the effective resettlement of the IDPs more so after the disputed presidential elections of 2007. The study concluded that by considering political, socio-cultural, economic and logistical factors the effective IDP resettlement is likely to be achieved.

Conceptual Framework

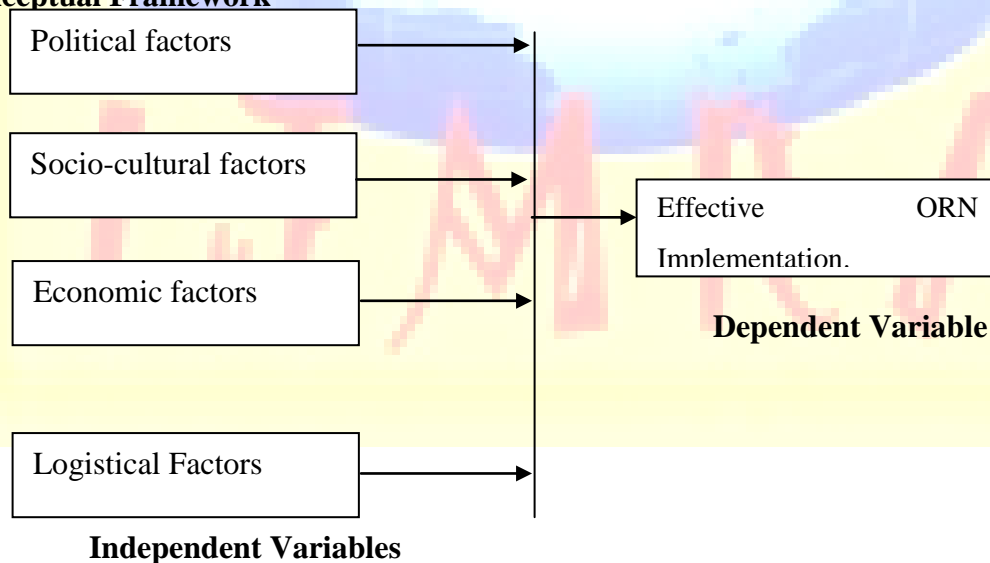


Fig. 1 Source: Author, 2013

3.0 Findings

Descriptive analysis

In regard to the effective resettlement, the IDPs were asked to indicate the main reasons why they were reluctant to go back to their PDAs. Majority indicated that they were unable to return to their PDAs for fear of fresh attacks (39.1%). This was followed by the concern that the perpetrators of the violence have not been held accountable for their actions (18.2%). Another 5.4% cited security as the main reason they chose to remain in the camps. 14% do not own land in their PDAs and another 5% allege that they were disposed of their land following their displacement, 8.5% are waiting the resettlement kit from the government. These are clear indications that the effective implementation of ORN Initiative is hindered by a combination of security and economic concerns. The results of data analysis and discussions are as follows:

Table 1: The main reason why IDPs have not returned to their pre-displacement areas

Reasons	Frequency	% of responses	% of Cases
Fear of fresh attacks	174	39.1	61.3
Don't own land in the pre-displacement area	63	14.2	22.2
Waiting for resettlement funds from the government	38	8.5	13.4
Perpetrators of the violence are still free	81	18.2	28.5
My land has been occupied by other people	24	5.4	8.5
Can't afford basic facilities-food, house	30	6.7	10.6
Security	24	5.4	8.5
Government not serious on violence	1	2	4
Have no shelter	9	2.0	3.2
Incitement and hate speeches	1	2	4
Total responses	445	100.0	156.7

It is evident that most of the factors hindering the effective implementation are security, lack of land, and lack of basic facilities. This is in agreement with Apter (1997) who posits that political violence is a constant pattern that has been present through the history of man-kind which has been as a result of insecurity, conflict over resources like land and lack of basic facilities.

Research has shown that lack of these basic facilities will make communities to fight over them; also political instability fuels violence which leads to many being displaced.

Table 2: Most important concerns right now

Category label	Frequency	Percentage of Responses	Percentage of Cases
Food	47	9.5	16.6
Shelter	171	34.5	60.4
Land	174	35.1	61.5
Security	68	13.7	24.0
Money	23	4.6	8.1
Education	12	2.4	4.2
Good governance	1	.2	.4
Total responses	496	100.0	175.3

The Internally Displaced People were asked to indicate their main concern then. The results indicate that the most urgent concerns for the IDPs at the moment revolve around basic necessities, with food and shelter accounting for 45% of responses. Land came second (35%) followed by security with 14%. in the table 4.3 below. It is often assumed that the IDPs still living in camps are those who have not received the IDP start-up funds from the government. To prove this, we asked whether the respondents had received the said funds. Majority of the respondents (82%) reported that they had received both the Kshs. 10,000 and the Kshs. 25, 000 reconstruction funds. This indicates that IPDs remain in the camps because of other reasons other than awaiting support funds from the government. However, majority (80%) of the respondents reported that the disbursement of the funds was faced with problems.

To gauge on the perception of IDPs on the security situation in their PDAs, respondents were asked whether there were locally organized armed groups in their PDAs and whether these have been disbanded. Majority of those interviewed (98%) said that there were locally organized armed groups who committed acts of post-election violence in pre- displacement areas with 60% reporting that they had not been disbanded as shown in table 3 below. The presence of armed

groups is associated with insecurity and laxity on the part of the government to respond to protection needs of the IDPs. The IDPs are not guaranteed non repetition of the evictions due to the presence of these gangs and this is hindering the effective implementation of ORN Initiative.

Table 3: Whether this was the first time they were displaced from their home

	Frequency	Percent
Yes	56	19.9
No	226	80.1
Total	282	100.0

The IDPs were asked whether the 2007 evictions were the first they had experienced. 80% of the respondents indicated that it was not the first time they had experienced. A follow-up question was asked on what they thought the displacement had been recurring. Here, the government took the lion share of the blame with a cumulative 48% for failing to stop violence. Ethnic factors accounted for 17% (tribalism 13%, no reconciliation 4%), political violence 13% and land issues 20%. These results clearly indicate that the problem of internal displacement is a result of a mix of political, socio-cultural and economic factors. These factors work together or separately to hinder the effective implementation of ORN initiative.

Table 4: The most important ways to prevent violence in Kenya in future

Category label	Frequency	% of Responses	% of Cases
Land reform	115	19.7	41.4
Fight unemployment	23	3.9	8.2
Fight tribalism	144	24.5	51.2
Fight poverty	113	19.2	40.2
Stop incitement by politicians or / and	76	13	27.1
Prosecute perpetrators	69	11.7	24.6
Adequate security	47	8.0	16.7

Total responses	588	100.0	209.3
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The study sought the perceptions of the IDPs on how best violence would be prevented in Kenya. Majority of those interviewed said that to prevent violence in Kenya we should fight tribalism (25%), fight poverty (19%), have land reforms (20%), stop incitement by politicians (13%), prosecute perpetrators (11%), and adequate security (8%) as presented in table 4 above. Again, issues of political violence, security land and poverty were

Table 5 Most important reason IDPs remain in camps

Response	Frequency	Percentage
Lack land to go to	4	50
Fear of fresh attacks	3	37.5
IDPs are not genuine	1	12.5

The results in table 5 above indicate that the issues of land and security are key in the resettlement efforts. The respondents indicated that lack of land was the main reason currently why they remain in the camps, followed by fear of fresh attacks while others blamed their problems on lack of genuineness from the IDPs themselves. This is in agreement with the report which was prepared by the KNCHR, (2009) which indicated that the main reasons why IDPs continued to remain in the camps were landlessness, Business people, insecurity, education, inaccessibility of their farms, poverty and shelter.

The responds were asked to indicate the reasons why the healing process has taken long since the introduction of the ORN. The results indicate that mistrust between communities, statements by politicians, perpetrators of violence still free, awaiting government funds were the impediments towards reconciliation as shown in table 6 below.

Table 4.17 Biggest challenge to healing & reconciliation

Response	Frequency	Percentage
Mistrust between communities	4	50
Statements by politicians	2	25
Perpetrators of violence still free	1	12.5
Awaiting government funds	1	12.5

The respondents were asked to give the most challenges facing the effective ORN initiative. The result indicate that lack of proper register of IDPs, lack of proper register of IDPs, poor coordination of the exercise, inadequate physical facilities, delay in release of funds, inadequate trained personnel, inadequate stocks, people posing as IDPs while they are not give a clear indication of the factors hindering reconciliation efforts and consequently hinder the effective implementation of ORN Initiative as shown in table 7 below.

Table 6 Biggest challenge while distributing assistance to IDPs

Response	Frequency	Percentage
Lack of proper register of IDPs	6	46.2
Poor coordination of the exercise	2	15.4
Inadequate physical facilities	1	7.7
Delay in release of funds	1	7.7
Inadequate trained personnel	1	7.7
Inadequate stocks	1	7.7
People posing as IDPs while they are not	1	7.7

4.0 Conclusions

Based on the findings, it is concluded that the effective implementation of ORN Initiative has been hampered by a combination of political, socio-cultural, economic and logistical factors. The needs and concerns of IDPs are diverse and complex. The government intervention through the

ORN Initiative failed to address these diverse needs. According to NAIC's strategy, the resettlement and re-integration of IDPs was meant to enhance development, alleviate suffering, ensure security and enhance enjoyment of human rights. Clearly, this desirable situation is yet to be realized for the IDPs. For the resettlement efforts to be effective, there's need to find lasting solutions to the problem of internal displacement by addressing the root causes of these displacements. The government should fulfill its duties and responsibilities to internally displaced persons as enshrined in the UNGPID and other international instruments relating to IDPs. In this regard, the government must establish conditions and provide the IDPs the means to enable them return to their farms in safety and dignity or to settle in other parts of the country.

The study recommends that profiling of IDPs. There's need for the government to compile an accurate register of IDPs in view of the various causes of their inability and/or unwillingness to return to their areas. Since the IDPs have different needs, concerns and interests, the IDPs should be incorporated in making decisions that affect them and their concerns about what the government should prioritize in their resettlement process taken into account. Ensure that IDPs are consulted on, and participate in decision making that affects their lives. Establish the complex, multi-sectorial approaches necessary to ensure that the specific vulnerabilities of each group of IDPs are addressed both in their own right and as part of broader social policy.

The research was carried out in Nakuru County and covered only 2007 PEV IDPs living in the camps. Thus further research studies should be conducted in order to determine the situation in other parts of the country, to assess the needs and concerns of IDPs in those areas. Such research should also target the integrated IDPs as they have been excluded from this study.

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