

Women, Land and Homes Project
Description of incident of Housing and Land Rights Violations
The case for Incidents of Military Occupation of Land or home for security operations

The relationship and encounters between the citizens and military in Kenya have long been kept limited. Valorized as ‘protectors’ of the nation, the various regiments of the military in Kenya have operated under almost unfettered good-will. Even when reports of violations of human rights by the military have been made public in the national media or civil society reports, the framing is always as some ‘distant actions’. It is in very few occasions that ordinary Kenyans speak about their encounter with the military in everyday conversations. Yet, the launch of what is now largely framed under the ambits of the Global War on Terror (GWOT) and most recent attempts by the Government of Kenya to respond and contain what has been described as ‘homegrown terrorism’, has witnessed increased and often-violent presence of the military in Kenya’s public life.

Most affected amongst these have been counties in the Northern Kenya. These include the Mandera, Isiolo, Wajir and Garissa counties. These areas have witnessed deployment of military officers in what are largely known as ‘operations’. In their characteristic systems of dealing with the residents of the Northern Kenya as some sort of recalcitrant evil, the Kenya Defence Forces (KDF) have violently occupied and alienated land and housing of many residents, leaving a trail of violations, amongst them displacement, loss of property, and general dispossession.

While numerous accounts of these incidents are framed as violation of civil and political rights, very little has been written on the socio-economic rights dimensions of the matter. Potential remains for the project to undertake this documentation in Mandera or Wajir County, where such violations of housing and land rights are rampant.

Beyond the counties mentioned above, the context of GWOT has perhaps created zeal amongst the military to display more physical presence in ordinary community life in Kenya. Such action seems to have gone hand in hand with a desire to occupy more land for their camps, training or holding sites. Besides, because of the deteriorating relationship between them and the citizens, the military has worked to develop a physical hedge between them and ordinary citizens.

One such has been in Embakasi Estate to the east of Nairobi, in October 2016. In this instance, the residents have had a long-standing dispute with the KDF over what they alleged to have been “Invasion and dispossession of Land without due recourse or compensation.” They woke up one morning only to find out that the KDF had taken up another 2,000 acres of land and dug trenches along the road to bar them from access. While the matter was reported in broad terms and the local residents held protests with explicit support from the County Government of Nairobi, not much has been documented on the impact of these actions of the KDF.

Under these circumstances, documenting losses, costs and/or damages for women affected by these incidents would be most appropriate.

SO Akoth

November 2, 18

- Background to general type of incident. (50 words max) :(military deny local inhabitants loss of access to, control over and (possibly) secure tenure over their lands on the premise of SWoT)
- What are the characteristics of the particular incident? : (dispossession, destruction of habitat, long-standing dispute with KSF)
- What are the effects (direct or indirect) of the type or particular incident on women? [unknown]

- What is the scale of the type or particular incident (any numbers)? (2,000 acres, plus any benefits from that land)
- Mention of specific losses, costs and/or damages for women affected by the incident. [unknown]
- Remedy sought by quantifying loss, costs and damages [unknown] (reparations, compensation, removal of troops through administrative or judicial means?)

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