Women, Land and Homes Project-Kenya

HIC-HLRN in collaboration with Mazingira Institute and Pamoja Trust
Habitat-related Human Rights violations cause impacts, impacts warrant redress and redress may inhibit future violations.

Taken from UN General Assembly Resolution 60/147 (2006): Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law.
Conceptual Framework

1. Evictions Impact Redress and Assessment (EvIRA) Tool

Violations cause Impacts. These Impacts warrant Redress that, in turn, may inhibit repetition of these violations. The forms of reparations are restitution, compensation, non-repetition, rehabilitation and satisfaction.
Methodology

- Purposive sampling. 30 respondents from each of the 4 categories: single, married, separated and widow. 120 in total.
- Mobilisation done by women leaders from the area and trained on women’s equal rights to property.
- Respondents asked for a question of previous eviction to be included. This led the team to understand evictions due to customary practices.
Key Findings

- Main key finding: 81% suffered distress due to previous move(s)
- 1. Wealth
  - Loss of household assets, income opportunities, vehicles, value documents (title deed, school & birth certificates)
  - 63% were self-employed on the site. Loss of income opportunities will increase poverty and strain any relief services by govt or non-state actors
2. Wellbeing

- Captured the women’s housing histories to assess how loss of land or home may affect their wellbeing

- Majority (81%) suffered distress due to previous evictions. This led the team on how on structuring the customary practices follow up

- Playgrounds and recreational spaces disrupted which undercuts the psychosocial wellbeing of the community
3. Habitat

- Majority (81%) were tenants

- Measured the adequacy of the habitat: 95% had electric light, 81% cooked with gas, 70% had a latrine in compound/house

- Community worship centers also under threat of destruction
Recommendations

1. Integrated development concept: conceive displacement and resettlement in an integrated manner
2. Engage the community on resettlement planning to draw out their perspectives
3. Set up an inter-agency post-resettlement monitoring team to work with the affected households in restoring their livelihood activities.
4. Provide timely and adequate notice to the affected population.
5. Non official actors should hold legal clinics with women victims of forced evictions to aid in seeking reparations.