**Call for Inputs on the Rights of Internally Displaced Persons**

**1.** In recent years, internal displacement has increasingly been induced by climate change as a result of extreme weather events such as floods, famine and droughts posing a threat to the human rights of the affected individuals. Ensuring access to basic services including healthcare, education, clean water, housing and sanitation is crucial for protecting the rights and well-being of climate-induced internally displaced persons. Efforts should be made to provide inclusive and equitable access to these services, taking into account the needs of vulnerable groups. Climate-induced displacement can expose individuals and communities to heightened risks of violence, exploitation, and discrimination. Protecting human rights requires addressing these risks and providing adequate protection measures. The Government of Kenya has introduced several initiatives to reduce the impact of disasters in the Country; reduce drought vulnerability and; enhance adaptation to climate change. These initiatives include: the establishment of the National Disaster Management Unit under the Ministry of Interior and Coordination of National government, the establishment of a disaster loss databases as a tool for drought risk reduction planning, new investment for pastoral reinforcement and transformation, the establishment of the National Drought Management Authority and Arid and Semi-Arid Lands (ASAL) focused institutions, the establishment of a drought and disaster contingency fund, the establishment of regional and global linkages and setting-up framework for drought risk management.

**2.** Climate change and internal displacement can have differential impacts on various groups and populations. Rural communities, especially those dependent on pastoralism, agriculture and subsistence farming, can be severely affected by changes in rainfall patterns, droughts, floods, and heat waves. Such impacts can lead to crop failures, loss of income, and eventual displacement. In urban areas, impoverished communities living in informal settlements or slums often face inadequate housing, lack of basic services, and limited access to resources. These conditions make them more susceptible to the adverse effects of climate change, such as flooding, which can force them to relocate. Certain populations, including women, children, the elderly, and marginalized communities, are often disproportionately affected by climate change and internal displacement. They may face additional vulnerabilities due to limited access to resources, discrimination, cultural barriers, or social inequalities. One of the lessons learnt from the National Climate Change plan 2013-2017, was Identifying vulnerable groups, including women, older members of society, persons with disabilities, children, youth, and members of minority and marginalized communities and, working with and for them. It was identified as a vital step in ensuring climate change success. Ensuring meaningful and full participation of affected populations in decision-making processes is crucial. Disadvantaged communities often face barriers such as limited access to education, language barriers, or exclusion from formal decision-making structures. In some cases, affected populations may not have adequate information or understanding of their rights, available opportunities, or the potential impacts of climate change and displacement. This can hinder their ability to participate effectively.

**3.** Facilitating international cooperation and financial support to assist countries in implementing effective preventive strategies. This can involve providing technical expertise, sharing best practices, mobilizing resources, and establishing partnerships between governments, civil society organizations, and international institutions.

**4.** Preventive strategies may include, conducting comprehensive risk assessments to identify areas prone to climate-related hazards, developing early warning systems and communication networks to alert communities and authorities about imminent threats, enabling timely evacuation and relocation where need arises. It is important to build the capacity of communities to understand climate risks, adapt to changing conditions, and participate in early warning systems and evacuation plans. Enhancing the resilience of communities will reduce their vulnerability to climate impacts. These can include building or retrofitting infrastructure to withstand extreme weather events, improving water resource management, diversifying livelihoods, promoting sustainable agricultural practices, and strengthening social safety nets. Developing policies and frameworks to support planned relocations when existing settlements become uninhabitable due to climate change can reduce the impact changes may have on communities. This involves identifying suitable relocation sites, ensuring access to basic services and infrastructure in the new locations, and providing support for the physical, social, and economic well-being of the displaced populations. Establishing legal and policy frameworks that recognize climate-induced displacement and provide adequate protection and assistance to affected populations. The mandate of the Kenya Meteorological Department provide timely early warning weather, advisories and alerts for severe weather and extreme climate events. The Climate Change Act 2016 in Kenya, mandates both the National and County Government to facilitate capacity development for public participation in climate change responses through awareness creation, consultation, representation and access to information. County Governments that are mostly affected by Climate Change have established County Climate Change Funds (CCCFs) that identify, prioritize and finance investments to reduce climate risk and attain adaptation priorities. This is achieved through community-level planning committees that identify adaptation needs, guided by transparent decision making criteria. CCCF investments aimed at building climate resilience have largely focused on livestock, water, natural resource governance and climate information services. CCCFs work through the governments established planning and budgeting systems, and will be linked with the Climate Change Fund established under the Climate Change Act (2016).

**5.** Inter-communal conflicts, political instability, and ethnic tensions have been major causes of internal displacement in Kenya. Conflicts mainly arise due to competition over resources, land disputes, political grievances, or ethnic clashes. In arid and semi-arid regions of Kenya, conflicts arise between different pastoral communities over grazing lands, water resources, and cattle theft. These conflicts can escalate into violent confrontations, causing displacement of pastoralist communities. Additionally, competition over scarce resources, such as land, water, or pasture, can escalate into violent confrontations. These conflicts can occur between different ethnic groups, pastoralists, or farmers, leading to displacement as people abandon their homes and livelihoods to seek safety elsewhere. Recognition of community land in Kenya as provided under the Community Land Act, 2016 bestows legal protection and recognition to community lands. The Act empowers communities to take control of the management and administration of their land. Benefit sharing of natural resources is promoted among community members and must be used and managed sustainably and productively for the benefit of the whole community and future generations. The Act also provides for a dispute resolution mechanisms on settlement of disputes related to community land which is a platform for reconciliation.

**6.** Generalized violence frequently causes internal displacement, where people are forced to flee their homes and seek safety elsewhere within their own country. Displaced individuals often face precarious living conditions, lack of access to basic services, and limited livelihood opportunities. In addition, internal displacement can lead to challenges in establishing and maintaining legal identity documents, which can result in the denial of basic rights and hinder access to essential services such as education, healthcare, and employment. More often than not, displaced women and girls are at a heightened risk of experiencing gender-based violence, including sexual assault, exploitation, and harassment. It is essential to prioritize the prevention and response to gender-based violence, provide specialized support services, and ensure the participation and empowerment of women in decision-making processes. It is vital to enact laws that seek to provide protection and relief to suviours.The Protection against domestic violence Act in Kenya which provides for training of Police Officers on matters of domestic and gender-based violence. ‘Policare’ launched in 2021 is a one-stop centre model established to ensure that victims of both Sexual and Gender Based Violence (SGBV) and domestic violence can access counselling, medical and legal services from one place. The model by the National Police Service hosts all stakeholders involved in delivering justice to offenders, preserves the dignity of the victims and ensures the evidence is kept. Meaningful participation and inclusion of displaced populations in decision-making will ensuring their active involvement in the design, implementation, and monitoring of policies and programs can lead to more effective solutions that address their specific needs and aspirations. In Kenya for example, the right to basic education and health have been made accessible to everyone where the Government has ensured that education for primary schools and tuition for day secondary schools is free and accessible to all students. The Government also rolled out the Universal Health Coverage (UHC) to allow Kenyans to access quality health services without financial hardship. The UHC expands health services, promotes inclusivity, and reduces out-of-pocket payments when accessing health services.

**7.** Persistent and widening socioeconomic disparities can fuel violence. Economic marginalization, lack of access to basic resources, and limited opportunities can lead to frustration, resentment, and social unrest. Addressing inequality and promoting equitable development are crucial to reducing the risk of violence. When certain groups face discrimination and marginalization based on factors such as ethnicity, race or religion, it creates an environment conducive to violence. Efforts to combat discrimination and ensure equal rights for all individuals and communities are essential for preventing violence. Suppression of political dissent, lack of freedom of speech and assembly, and absence of democratic institutions can contribute to violence. Denying individuals the right to express their grievances through peaceful means can lead to radicalization and resorting to violence as a means of protest or resistance. Addressing gender inequality, promoting women's rights, and implementing comprehensive measures to prevent and respond to gender-based violence are essential. The setup of the Women Enterprise Fund, the National Government Affirmative Action Fund and the Youth Enterprise Development Fund is one way the Government of Kenya is enhancing socio-economic rights of vulnerable and marginalized groups. Additionally, the Kenya National Safety Net Programme (KNSNP) is a government social protection Programme, is part of the government’s initiatives to improve and enhance social protection delivery for vulnerable groups though cash transfers.

**8.** General violence can have a disproportionate impact on specific groups due to various factors such as historical inequalities, social dynamics, and systemic discrimination. This may include; minority communities who face higher levels of violence and displacement due to factors such as discrimination, prejudice, and intergroup conflicts. They may be targeted based on their ethnicity or race, leading to displacement and loss of livelihoods. Women and girls are often disproportionately affected by violence, including domestic violence, sexual assault, and gender-based violence during conflicts. They may also face specific challenges when internally displaced, such as increased vulnerability to sexual exploitation, trafficking, and limited access to healthcare and resources. Children and youth are particularly vulnerable during violent conflicts and displacement. They may experience trauma, separation from families, loss of education, and recruitment into armed groups. Disrupted childhoods can have long-term consequences for their physical, emotional, and psychological well-being. Marginalized communities often face violence and displacement due to conflicts over land, resources, and cultural differences. They may be forcibly removed from their ancestral lands, leading to loss of cultural heritage, livelihoods, and social cohesion.

**9.** Addressing the underlying causes of generalized violence is crucial. Efforts should focus on promoting inclusive governance, equitable access to resources, and addressing social and economic disparities. Community engagement, mediation, and peace negotiations can play a significant role in promote peaceful coexistence and prevent conflict escalation. Building resilient communities is crucial in preventing displacement. Investments in education, healthcare, infrastructure, and livelihood opportunities can help address the underlying causes of violence and strengthen social cohesion. It is also vital to develop robust early warning systems for identifying and responding to potential outbreaks of violence. These systems should involve the collection, analysis, and dissemination of information on conflict indicators, human rights abuses, and other risk factors. Effective early warning systems can help trigger early interventions to prevent or mitigate displacement. Moreover, upholding and promoting human rights is essential in preventing violence and displacement. Governments should ensure the rule of law, strengthen the justice sector, and hold perpetrators accountable. Establishing and enforcing legal frameworks that protect the rights of vulnerable groups including ensuring access to basic services, adequate housing, and livelihood opportunities can help prevent targeted violence and displacement. What’s more, recognizing the potential impact of natural disasters on displacement is crucial. Integrating disaster risk reduction measures into preventive strategies can help build resilience and reduce vulnerability. This involves investing in early warning systems, infrastructure development, and community preparedness to mitigate the impact of disasters and prevent displacement.

**10.** Collaboration and coordination among national governments, regional organizations, and international actors are essential. Sharing information, resources, and expertise can enhance the effectiveness of preventive strategies. Cooperation in areas such as peace building, humanitarian assistance, and development aid can contribute to long-term stability and reduce the risk of displacement.

**11.** Synergies from various stakeholders, including governments, civil society organizations, communities and individuals is key to addressing the root causes of generalized violence.

Governments should promote good governance and the rule of law to ensure equal access to justice for all and protect human rights. It should also address socio-economic disparities by implementing inclusive policies, reducing poverty, and providing opportunities for marginalized groups. It is pertinent for States to strengthen law enforcement agencies and judicial systems to ensure effective crime prevention, investigation, and prosecution to effectively address root causes of generalized violence. Non-governmental organizations and civil society organizations should advocate for policy changes and legal reforms that address systemic issues leading to violence, provide support services, counseling as well as rehabilitation programs for victims and perpetrators of violence. These organizations need to engage communities to raise awareness about the consequences of violence and promote non-violent alternatives. Communities and individuals in turn play a critical role in addressing root causes of generalized violence. They are key in promoting social cohesion, fostering dialogue, understanding and providing support to vulnerable individuals leading to community policing initiatives to enhance trust, collaboration, and crime prevention efforts.

**12.** Internally displaced persons are particularly vulnerable to various forms of violence, including sexual and gender-based violence, forced recruitment, and exploitation. Ensuring their physical safety and protection from harm should be a priority. Displaced populations often face challenges in accessing healthcare services and sanitation facilities, leading to increased vulnerability to diseases, particularly in overcrowded and unsanitary conditions. They may live in overcrowded camps or informal settlements, lacking basic amenities such as clean water, sanitation facilities, and adequate shelter. Additionally, displacement disrupts the education of children and young people, denying them the right to education. The right of internally displaced persons to participate in decision making and policy formulations are often overlooked. They should have the opportunity to participate in decisions that affect their lives and have their voices heard in matters concerning their displacement, including the planning and implementation of policies and programs that affect them. Certain groups, such as ethnic or religious minorities, women, children and persons with disabilities may face heightened discrimination and marginalization within displaced populations. Their specific needs and rights must be recognized and addressed.

**13.** Internally displaced persons should be included as key stakeholders in peace negotiations and mediation processes at the early stages. This allows their concerns, needs, and aspirations to be considered and integrated into the peace building agenda. Early engagement helps build trust and legitimacy among displaced persons, enhances the prospects for sustainable solutions, and reduces the risk of further marginalization. They should be involved in all stages of peace building, including implementation, monitoring, and evaluation. Efforts should be made to ensure diverse representation, including women, youth, and marginalized groups within the displaced population. It is important to appreciate the capacity of displaced populations and the added value they bring in these processes. Adequate support and capacity-building programs should be provided to internally displaced persons to enhance their participation. Specific mechanisms such as consultations, forums, focus groups, or dedicated platforms where displaced persons can share their views, concerns, and proposals should be established to facilitate the meaningful participation of internally displaced persons. These mechanisms should be accessible, inclusive, and culturally sensitive to ensure meaningful participation. The National Policy on the Prevention of Internal Displacement, Protection and Assistance recognizes the importance of including internally displaced persons in decision-making in all matters affecting them.

**14.** Internally displaced persons often face significant challenges and barriers to their participation in decision-making processes that affect their lives. Women and girls tend to be underrepresented or excluded from such processes. They often face additional marginalization and discrimination, limiting their ability to participate effectively in decision-making due to traditional gender roles, cultural norms, and limited access to education and resources hinder them from influencing processes that affect their lives. Older persons and persons with disabilities face unique challenges in participating in decision-making processes. Physical accessibility barriers, limited mobility, communication difficulties, and age-related discrimination can hinder their engagement and limit their representation. Certain ethnic or religious minority groups within displaced populations may face exclusion or marginalization, preventing them from participating effectively. Discrimination, language barriers, cultural biases, and power imbalances can contribute to their underrepresentation in decision-making forums.

**15.** Efforts should be made to address these exclusions and ensure that the voices and perspectives of all displaced persons, including these underrepresented groups, are included in decision-making processes. This requires creating inclusive platforms, addressing structural barriers, promoting diversity, and actively engaging and consulting with marginalized populations. It is important to understand the different contexts and that policies, frameworks and procedures need to adapt and recognize the different contexts.

**16.** Peace negotiations should prioritize addressing the root causes of conflicts, such as socioeconomic inequalities, political exclusion, land disputes, resource competition, or ethnic tensions. By addressing these issues, it becomes possible to prevent further displacement and promote lasting peace. This includes addressing issues such as discrimination, marginalization, forced evictions, sexual and gender-based violence, and land rights abuses that often contribute to internal displacement. They should promote dialogue, truth and reconciliation processes, and community-based initiatives to heal wounds, foster social cohesion, and rebuild trust among different ethnic or religious groups. This can help address the grievances that often fuel conflicts and displacement. Kenya has enacted several policies and legal frameworks including Constitution of Kenya of 2010, National Policy on Peace building and Conflict Management, National Cohesion and Integration Act No. 12 of 2008, Truth, Justice and Reconciliation Act No. 6 of 2008, and the National Action Plan on Arms Control and Management in an effort to promote peaceful co-existence and social cohesion. The peace building, conflict management, and security strategy of the political pillar of Vision 2030 underscores the need for promoting peace building and reconciliation, deepening policies and legal and institutional frameworks that promote order in society, as well as institutionalizing dialogue between and among communities to promote harmony among racial, ethnic and other interest groups.

**17.** The inclusion of internally displaced persons in peace negotiations and decision-making processes is crucial for addressing their needs effectively. However, lack of representation can hinder the consideration of their specific concerns and needs. One of the key goals of peace building efforts is to find durable solutions for displaced persons, which can include safe and voluntary return to their homes, local integration in the host community, or resettlement in another location. However, these solutions can be complex and require addressing underlying issues such as land rights, property restitution, and socio-economic opportunities. Internally displaced persons often face significant socio-economic challenges, including limited access to basic services, education, healthcare, and livelihood opportunities. Peace building efforts should address these needs by ensuring equitable access to services and creating conditions for economic recovery and development. Effective coordination and sufficient resources are critical for successful peace building and addressing the needs of displaced persons. Cooperation between governments, international organizations, civil society, and other stakeholders is essential to ensure comprehensive support and prevent gaps in assistance.

**18.** Addressing the root causes of conflicts is crucial to preventing internal displacement. Identifying and addressing issues such as political marginalization, economic disparities, and land disputes can help prevent conflicts that lead to displacement. Peace building efforts should integrate conflict sensitivity into development initiatives. This involves assessing and addressing the potential impacts of development projects on social, economic, and political dynamics, to prevent exacerbating tensions or creating new grievances that could lead to displacement. Inclusion is vital to ensure that the perspectives and needs of all affected groups, including potential displaced persons, are considered in peace negotiations. Developing robust early warning systems and rapid response mechanisms can help detect and respond to potential triggers of displacement. Timely intervention, mediation, and conflict resolution efforts can help prevent conflicts from escalating and leading to internal displacement.

**19.** Many internally displaced persons have been forced to leave their homes and properties behind, and the restoration of their housing and property rights is essential for their reintegration. However, these rights are often violated, with properties occupied or destroyed, making it challenging for IDPs to return to their original homes. Additionally, they often face significant barriers in reestablishing their livelihoods and finding employment opportunities. They may lack access to productive assets, vocational training, and credit facilities. Discrimination and stigmatization can also hamper their ability to secure sustainable livelihoods. Further, obtaining legal identity documents, such as birth certificates or identification cards, is crucial for accessing rights and services. However, displacement can lead to the loss or absence of such documentation, creating obstacles for IDPs in accessing basic services, obtaining employment, or participating in decision-making processes. Lastly, the presence of internally displaced persons can strain social cohesion and community relations, especially when host communities perceive them as a burden or competition for limited resources. Promoting dialogue, understanding, and collaboration between internally displaced persons and host communities is essential to foster harmonious relationships and reduce tensions.

**20.** Displacement negatively impacts on children and youth and often leads to disruptions in their education, lack of access to healthcare, including psychological trauma due to displacement. They may also struggle with limited opportunities for play, recreation, and social interaction, which are crucial for their overall development. Women and girls often face gender-specific challenges and may also experience heightened vulnerability to exploitation and abuse during displacement and struggle to regain their livelihoods and social status. The presence of internally displaced persons may disrupt social cohesion within host communities due to cultural differences, competition for resources, or perceived favoritism in the delivery of humanitarian aid. This can strain relationships between the host community and internally displaced persons, leading to social tensions and conflicts. Host communities may experience increased pressure on resources such as housing, healthcare facilities, schools, and water and sanitation infrastructure. This strain can lead to competition over limited resources, potentially causing tensions between host communities and IDPs. The most appropriate approach is to facilitate community engagement and dialogue initiatives that bring together internally displaced persons and host communities to foster understanding, trust, and social cohesion. Promote inclusive decision-making processes that involve both groups in shaping policies.

**21.** Firstly, strong social cohesion within the host communities can facilitate the integration or reintegration of internally displaced persons. When host communities are accepting, inclusive, and supportive, it becomes easier for internally displaced persons to feel a sense of belonging and actively participate in social, economic, and cultural activities. On the other hand, if there is tension, discrimination, or exclusion within host communities, it can impede the integration or reintegration process. Secondly, providing adequate support for the mental and psychological health of displaced persons is crucial for their successful integration or reintegration. Access to mental health services, counseling, and trauma healing programs can help address the psychological effects of displacement, reduce stress, and promote well-being. Unresolved trauma, anxiety, and depression may hinder internally displaced persons ability to cope with challenges, form relationships, and participate fully in their communities. Lastly, recognizing and respecting the identity of internally displaced persons can foster their integration or reintegration. Preserving their cultural, linguistic, and religious practices, and ensuring their rights to self-determination and participation, contributes to a sense of identity and belonging. If displaced persons face pressure to assimilate or if their cultural or religious practices are marginalized or stigmatized, it can impede their integration. The Act in Kenya, recognizes the need to extend protection and assistance to communities hosting internally displaced persons, this is a way to promote cohesion between internally displace persons and host communities.

**22.** Engage the international community, regional organizations, and relevant stakeholders to provide support, resources, and expertise in addressing the root causes of displacement. Collaboration with humanitarian organizations, development agencies, and civil society groups can enhance the effectiveness of peace processes. It's important to note that each conflict and context is unique, and strategies should be tailored accordingly. A comprehensive and context-specific approach that addresses the root causes of internal displacement can contribute to sustainable peace and prevent future displacement.