

# **Annex 2**

**Public**

	<b>PERIODIC REPORT</b>	<b>GROUP</b>	<b>VIEWS (EXCERPTS FROM THE PRIODIC REPORTS)</b>
	2 <sup>nd</sup> Periodic Report (March 2013)	Uasin Gishu	“The members of the Uasin Gishu County group indicated that they continue to suffer as a result of being forced to flee from their homes and the loss of property associated with their displacement. They asserted that the Government of Kenya had done little to restore their livelihood and that the local judicial mechanisms have failed them.” <sup>1</sup>
		Vihiga	“The members of the group described how they had been reduced to poverty with little or no support from the Government of Kenya. Some mentioned that their children were dying because they were no longer able to provide for them.” <sup>2</sup>
	5 <sup>th</sup> Periodic Report (September 2013)	Uasin Gishu	“The members of the group cited resettlement as a primary concern and stated that despite the promises made by officials in the Government of Kenya to provide the victims with a permanent place of residence, they have yet to be resettled permanently and thus are unable to rebuild their lives.” <sup>3</sup>
	8 <sup>th</sup> Periodic Report (March 2014)	Kiambaa	<p>“The CLR reported that, considering that the members of the group were farmers who were used to tilling the fertile soil of the former farms in the Rift Valley, they now struggle to produce food for themselves and their families from the land on which they have been resettled, which they described as rocky and barren. Half of the group is made up of middle aged and elderly people who report that the Government has not provided them with the necessary support to provide for their families.”<sup>4</sup></p> <p>“The members of the group reported that they were particularly concerned about thorny issues pertaining to their resettlement by the Government of Kenya. Some claimed to have been resettled on land that was already occupied by squatters and thus were perceived as intruders and subjected to harassment and general insecurity. Others claimed to have been resettled on land</p>

<sup>1</sup> ICC-01/09-01/11-661-Anx, pg. 4

<sup>2</sup> ICC-01/09-01/11-661-Anx, pg. 5

<sup>3</sup> ICC-01/09-01/11-980-AnxA, pg. 5

<sup>4</sup> ICC-01/09-01/11-1226-AnxA, pg. 4

			<p>that has limited or no access to basic amenities such as schools and health centres and no water resources.”<sup>5</sup></p> <p>“The members of the group reported that the Government of Kenya has never permanently resettled them and that none of them had received any land. Being primarily farmers, the members of the group stated that they could not productively till the land upon which they currently reside due to fears that they could be displaced or relocated at any moment. Without the ability to provide for themselves through farming, the members of the group also reported to have struggled to provide their children with an education.”<sup>6</sup></p>
9 <sup>th</sup> Periodic Report (May 2014)	Nairobi	<p>“The members of the group indicated that they had been integrated into new communities and in so doing, they reported that their plight appeared to have been forgotten by the past and current governments because they were less visible than the victims who remained in camps. They stated that those integrated internally displaced persons (the ‘IDPs’) had been unfairly discriminated against in relation to Government assistance.”<sup>7</sup></p>	
	Uasin Gishu	<p>“Some of the members of the group reported that they were still living in IDP camps and that the conditions in these camps were extremely difficult without access to clean water, sanitation and other amenities.”<sup>8</sup></p>	
10 <sup>th</sup> Periodic Report (July 2014)	Vihiga	<p>“The victims reported that they had tried to get assistance from the local authorities but that they had not been successful. They further reported that they perceived that the District Commissioner was biased against their pleas for assistance because he was from the Kalenjin community.”<sup>9</sup></p>	
11 <sup>th</sup> Periodic Report (September 2014)	Kisii	<p>“The CLR reported that the victims from Kisii County were not happy that the Government of Kenya (the ‘GoK’) had declared at a recent status conference held in The Hague that it had completed the process of compensating victims. He further reported that members of the group had participated in a demonstration in Kisii</p>	

<sup>5</sup> Ibid

<sup>6</sup> ICC-01/09-01/11-1226-AnxA, pg. 5

<sup>7</sup> ICC-01/09-01/11-1316-AnxA, pg. 3

<sup>8</sup> ICC-01/09-01/11-1316-AnxA, pg. 5

<sup>9</sup> ICC-01/09-01/11-1444-AnxA, pg. 3

			to highlight the fact that they had yet to receive any assistance from the GoK." <sup>10</sup>
		Nyamira	"The CLR reported that the victims in this group were in a similar position as the other victims from Nyamira County and add that these victims considered that they had been treated unfairly by the GoK in terms of compensation due to their tribal affiliation." <sup>11</sup>
12 <sup>th</sup> Periodic Report (November 2014)		Nakuru	"The CLR reported that the victims from Nakuru County had been resettled by the Government of Kenya (the 'GoK') but that life remained very difficult because the areas where they were resettled had poor soil and was lacking in clean water. One of the members of the group informed the CLR that the victims were forced to draw water from the same reservoir as the farm animals for drinking and sanitary purposes." <sup>12</sup>
		Kisii	"The CLR reported that the victims expressed frustration over the selective assistance of victims by the GoK and that the victims in this group, characterized as 'integrated IDPs' because they are no longer in camps, had not benefitted from any form of government assistance despite their needs. Members of the group reported that when they raised these issues domestically, their leaders were threatened with violence and told to drop the claim." <sup>13</sup>
13 <sup>th</sup> Periodic Report (January 2015)		Nairobi	"The CLR reported that, according to victims in this group, there were still many victims living in Internally Displaced Persons ('IDP') camps in the Central Kenya region. The victims reported to the CLR that they were transported to Central Kenya following the PEV and had remained there ever since, despite petitions by them to the Government for relocation." <sup>14</sup>
14 <sup>th</sup> Periodic Report (March 2015)		Kisii	"The CLR reported that the victims in this group were concerned about the fact that there had not been any efforts to compensate them for the harm that they suffered. The victims explained that many in their community were dying as a result of poor health and dire

<sup>10</sup> ICC-01/09-01/11-1537-AnxA, pg. 3

<sup>11</sup> ICC-01/09-01/11-1537-AnxA, pg. 8

<sup>12</sup> ICC-01/09-01/11-1693-AnxA, pg. 3

<sup>13</sup> ICC-01/09-01/11-1693-AnxA, pg. 6

<sup>14</sup> ICC-01/09-01/11-1792-AnxA, pg. 3

			<p>economic conditions resulting from the harm that they suffered during the PEV.”<sup>15</sup></p> <p>“Following the PEV, a majority of the victims became unable to support their families and provide for their children’s education. Many of the victims said that they felt that the Trust Fund for Victims had neglected them.”<sup>16</sup></p>
15 <sup>th</sup> Periodic Report (May 2015)	Nyamira		<p>“The CLR reported that a majority of the victims in this group reported that their businesses were either looted or destroyed during the PEV and that they had not yet regained their former economic status in society. Many reportedly expressed frustration with the Government of Kenya (the ‘GoK’) for not doing more to help the victims restart their lives.”<sup>17</sup></p> <p>“The CLR reported that the victims in this group were dissatisfied about the perceived disparity in treatment of different groups of victims by the GoK. According to the CLR, the members of the group consider that victims from the Kisii community had largely been ignored despite the hardships they had endured following their forced displacement from the Rift Valley during the PEV and subsequent forced eviction from the Internally Displaced Persons (the ‘IDP’) camps where they sought shelter. According to the victims, the ‘integration’ that resulted from the closing of the IDP camps was what contributed to the disparity of treatment from the GoK.”<sup>18</sup></p> <p>“The CLR reported that the victims in this group were disappointed by lack of support from the GoK. Some reported being unable to provide for themselves and their children due to the poverty that had ensued following their displacement and destruction of property.”<sup>19</sup></p>

<sup>15</sup> ICC-01/09-01/11-1847-AnxA, pg. 3

<sup>16</sup> ICC-01/09-01/11-1847-AnxA, pg. 5

<sup>17</sup> ICC-01/09-01/11-1890-AnxA, pg. 3

<sup>18</sup> ICC-01/09-01/11-1890-AnxA, pg. 4

<sup>19</sup> ICC-01/09-01/11-1890-AnxA, pg. 5

16 <sup>th</sup> Periodic Report (July 2015)	Bungoma	<p>“The victims reported having heard rumours that the government intended to compensate victims but not those who were known to be participating in the ICC process. [...]According to the CLR, there were three victims in this group that were still living in an Internally Displaced Persons ‘IDP’ Camp, waiting to be resettled by the Government.”<sup>20</sup></p> <p>“According to the CLR, many of these victims were anxious to receive some form of meaningful assistance from the government or aid-agencies, as many of them were still unable to sustain themselves and their families. The CLR reported that victims were aware of the budgetary commitments made by the Government of Kenya (in the 2015 State of the Nation Address).”<sup>21</sup></p>
	Trans Nzoia	<p>“One member of the group requested that priority be given to those victims who had not received any form of compensation from the GoK while another member of the group insisted that if the TFV was to consider initiating any community-based projects in Kenya, victims ought to be widely and extensively consulted beforehand to ensure that the projects would benefit a majority of the victims.”<sup>22</sup></p>
17 <sup>th</sup> Periodic Report (September 2015)	Nyeri	<p>“The CLR reported that the victims in this group were living in makeshift transit camps together with their families. The victims explained that the tents they were using were tattered and offered little protection against the cold, rain and sun. According to the CLR, the victims in the camps had no access to food, clean water or medicine and they routinely succumbed to illness as a result. The victims reported that they had received neither meaningful support from the government nor assistance from non-governmental organisations.”<sup>23</sup></p> <p>“The victims were troubled that a number of their fellow Internally Displaced Persons (‘IDPs’) had had children who were born in the IDP camps and that these children continued to live in the camps. According to the CLR,</p>

<sup>20</sup> ICC-01/09-01/11-1933-AnxA, pg. 7

<sup>21</sup> ICC-01/09-01/11-1933-AnxA, pg. 8

<sup>22</sup> ICC-01/09-01/11-1933-AnxA, pg. 9

<sup>23</sup> ICC-01/09-01/11-1973-AnxA, pg. 4

			these children had never lived inside a proper home and the government had failed to meaningfully resettle or compensate these victims. The CLR reported that the victims appeared to be psychologically affected by their PEV experience and the subsequent indifference shown to them by the Government of Kenya which, according to the CLR, had failed to take significant steps to redress the harm that these victims have suffered.” <sup>24</sup>
	19 <sup>th</sup> Periodic Report (January 2016)	Nairobi	“The CLR reported that the situation of the victims in this group had remained largely unchanged since they were last met in December 2014. The victims reported that they continued to live a life of economic hardship due in large part to their inability to overcome losing their businesses and property during the PEV. [...]According to the CLR, the victims also considered that government assistance had not been distributed equitably amongst the victims of the PEV...” <sup>25</sup>

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<sup>24</sup> Ibid

<sup>25</sup> ICC-01/09-01/11-2021, pg 5