

5-2009

South Consulting - 2nd Review Report - Annex 2: Situation Analysis of Post-Election Violence Areas

Truth, Justice, and Reconciliation Commission

Follow this and additional works at: <https://digitalcommons.law.seattleu.edu/tjrc-academic>

Recommended Citation

Truth, Justice, and Reconciliation Commission, "South Consulting - 2nd Review Report - Annex 2: Situation Analysis of Post-Election Violence Areas" (2009). *VII. Academic and Civil Society Analysis*. 8.
<https://digitalcommons.law.seattleu.edu/tjrc-academic/8>

This Report is brought to you for free and open access by the The Truth, Justice and Reconciliation Commission of Kenya at Seattle University School of Law Digital Commons. It has been accepted for inclusion in VII. Academic and Civil Society Analysis by an authorized administrator of Seattle University School of Law Digital Commons. For more information, please contact coteconor@seattleu.edu.

Annex 2:

**Situation Analysis of Post-Election Violence Areas
(PEV)***

Survey Findings

May 2009

Table of Contents

INTRODUCTION	2
I. PURPOSE OF POST-ELECTION VIOLENCE SURVEY	2
II. SURVEY DESIGN AND FIELD WORK.....	2
Design.....	2
Fieldwork recruitment and training process.....	2
Pre-test and Actual Fieldwork	3
Field Quality Control Procedures	3
Interviewing process.....	3
III. SAMPLING METHODOLOGY	3
IV. DATA MANAGEMENT (POST-FIELDWORK)	4
V. QUESTIONNAIRE DESIGN.....	4
DEMOGRAPHIC PROFILE OF SURVEY.....	5
KEY FINDINGS	6
AGENDA ITEM 1: IMMEDIATE ACTION TO STOP VIOLENCE AND RESTORE FUNDAMENTAL RIGHTS AND LIBERTIES	6
I. VIOLENCE.....	6
II. MILITIAS	8
III. FUNDAMENTAL FREEDOMS.....	10
AGENDA ITEM 2: ADDRESSING THE HUMANITARIAN CRISIS, PROMOTING HEALING AND RECONCILIATION	11
I. PERCEPTIONS OF IDPS	11
II. IDP SURVEY	14
III. HEALING AND RECONCILIATION	17
AGENDA ITEM 3: RESOLVING THE POLITICAL CRISIS (POWER SHARING)	20
I. POWER-SHARING.....	20
II.FUTURE OF THE COALITION GOVERNMENT	21
III.PERFORMANCE OF THE POLICE.....	21
AGENDA ITEM 4: LONG-STANDING ISSUES AND SOLUTIONS.....	23
I. CONSTITUTIONAL REVISION	23
II. LAND REFORM	24
III. CORRUPTION.....	25
IV. ELECTORAL REFORM	25
V. YOUTH.....	26
VI. PROSECUTIONS FOR PEV	26

1 Introduction: Purpose of Post-Election Violence Survey

1. The post-election violence (PEV) survey supports numerous purposes with respect towards measuring progress in the implementation of the Kenya National Dialogue and Reconciliation (KNDR) agreements. While objective measures of the implementation of specific agenda items may be gathered without a survey, the proper use of a survey instrument allows researchers and policymakers to gather data on the perception of progress towards implementation that may or may not correlate with actual implementation.
2. Specifically, the PEV survey allows us to further probe progress on important elements of the KNDR process with respect to those areas most affected by post-election violence. Besides the immediate effects of violence, these areas may suffer from political divisions, a lack of economic progress, and problems of social cohesion more so than in areas not directly affected by fighting. A survey targeted in these areas allows us to easily identify the main problems around healing and reconciliation and therefore progress towards national cohesion.
3. The benefit of this particular survey comes from our use of open-ended questions to better gauge the problems, progress, and solutions advocated by the general public with respect to the KNDR agreement. The survey has focused more on what residents thought the sources of problems were and their ideas on how to solve them. Moreover, the survey design includes a special sampling procedure aimed to target IDPs (see below), as well as an additional battery of questions about the situation in IDP camps.

Survey Design and Field Work

Design

4. South Consulting produced the survey instrument, supervised field work, and performed data analysis. A private research firm performed field work and helped in questionnaire production using Formic software as well as automatic data capture.
5. Prior to finalizing the survey, a pilot survey was undertaken on 28 February and 1-3 March in Nairobi, Kericho, and Molo. The purpose of the pilot was to field test the questionnaire, including question wording and ordering, allowing feedback from respondents to interviewers on the ease of answering questions but also feedback from interviewers on problems with administering them.

Fieldwork recruitment and training process

6. The fieldwork team comprised a coordinator, supervisors and interviewers. South oversaw the entire fieldwork process. This included ensuring that the supervisors had the correct sampling distribution list as well as the correct number of the questionnaires as per the required distribution and the regions where each supervisor worked.
7. The field supervisors were in charge of certain number of districts and were tasked to accompany interviewers and make sure that they follow the proper respondent selection and interviewing procedures, edit questionnaires for completeness in the field, execute quality control procedures including conducting mandatory back checks, compiling field reports and daily progress updates, plan the interviewing schedules, and maintain fieldwork discipline. Interviewers were responsible for conducting the actual survey,

following the proper selection procedures by randomly selecting households and respondents via Kish Grid and continuing with the survey if the respondent agrees.

8. In addition, South Consulting hired the services of at least 10 field supervisors to complement the efforts of the Steadman Group in the field exercise. The main task of these supervisors was to audit the field exercise and ensure that the fieldwork was implemented as designed. During the fieldwork, the South Supervisors witnessed some of the interviews as well as performing back-checks.

Pre-test and Actual Fieldwork

9. The fieldwork exercise was preceded by a pilot study carried out between February 28th 2009 and March 2nd 2009. The pre-test was done in Nairobi, Kipkelion and Molo. Nairobi and Kipkelion were selected for the pre-test due to their urban and rural characteristics respectively. Molo was selected for the pre-test so as to test the study tool among the internally displaced persons. However, each of these regions experienced PEV although in varying degree of magnitude. Actual fieldwork began on 7 March 2009 and continued until completion on 14 March 2009. The fieldwork commenced in all areas concurrently.

Field Quality Control Procedures

10. During fieldwork, the survey teams conducted interviews in either English or Kiswahili depending on the language respondents preferred. This was done to ensure the respondents were at ease all through the interviewing process.
11. The supervisors ensured that they checked 100% of the questionnaires on a daily basis for completeness. Any questionnaire found to have incomplete details was referred back to the field the following day for corrections.
12. The project coordinator and supervisors accompanied over 11% of the interviews. This ensured that interviewers follow instructions. In total, each interviewer was accompanied at least 3 times during fieldwork. Supervisors also back-checked 20% of the interviews to ensure proper conduct of fieldwork and prevent shirking.

Sampling Methodology

13. The survey is designed to achieve a sample of 1,500 Kenyans aged 18 and over in areas affected by PEV (producing a 95% confidence level and a sampling error of +/- 2.47%). It is important that strict scientific sampling guidelines, including randomization, are always followed so that the sample drawn is an accurate reflection of the population at large. Any attempts at "purposeful selection" are avoided to prevent unscientific conclusions.
14. The survey relied upon multi-stage cluster sampling using the 1999 National Population and Housing Census as the sampling frame. First, 1,500 interviews were proportionally allocated to all of the districts affected by post-election violence, as identified in the Waki Report, the Ministry of Special Programs and the international humanitarian intervention 'hubs' and coordination clusters. This included areas in Nairobi, Central, Rift Valley, Nyanza, and Western provinces. If a district recorded incidences of PEV, we included it in the sample. If districts did not, they were excluded. As such, enumeration occurred in twenty-six districts, following the district names and boundaries that were in place during the post-election and reflect those in the census (although some areas of

Mombasa district did experience violence, we decided to perform focus groups there given the highly concentrated and localized form of violence in that district).

15. Within each district, there was further allocated samples to randomly selected enumeration areas (sub-locations). This yielded 150 enumeration areas across the twenty-six districts. Interviewers travelled to those enumeration areas and began household selection from local sampling points. This method was also used for enumeration areas that were IDP camps, where tent structures were considered households.
16. Once households were selected, interviewers approached the first person they saw at the house and then proceed to randomly select respondents using the Kish Grid, a standardized tool for household selection. This method applied for respondents chosen from tent structures in IDP camps as well. There were no age, gender, or other purposeful quotas attempted—all respondents were randomly chosen. The interviewers then used the last digit of the serial number on the questionnaire to select the respondent to be interviewed (only members of the household 18 years and older are listed in the Kish Grid). In instances where the selected respondent was not available at the time of call, three call backs were made in an attempt to find the respondent.
17. In addition to the sample of 1,500 respondents in PEV areas, we also conducted 200 interviews in IDP camps, where we administered the same battery of questions as the larger sample, but also questions dealing in particular with issues faced by IDPs and the condition of life in the camps. These included 11 camps in Rift Valley. Similar procedures of random selection of living structures inside of camps and respondents follow the household and respondent selection described above. See Annex for the sampling distributions.

Data Management (Post-fieldwork)

18. The South Consulting team oversaw the process of data management. During the data processing exercise, following best practice, South's supervisor randomly validated at least 10% (170 questionnaires) and Steadman's supervisor randomly validated at least 15% of the questionnaires. Overall, South closely checked the process to ensure that valid data was captured. The data was then exported to SPSS for further cleaning, validation and analysis. The analysis was then handed over to the south research officers for report writing.

Questionnaire Design

19. The questionnaire included two important components. The first involved questions regarding the four agenda areas, with particular reference to how respondents perceive the source and solution to immediate and long-standing issues addressed by the National Accord. In particular, this included the use of multiple open-ended questions to allow for more in-depth responses that were coded and aggregated in post-fieldwork analysis. The second involved questions for IDPs specifically, especially considering the conditions in camps.

Demographic Profile of Survey

20. Table 1 presents the demographic profile of the PEV survey. Notice that these proportions do not necessarily represent the Kenyan population generally because the survey is limited to PEV areas only.

Table 1: Demographic Profile

Setting		Highest level of education	
Rural	92%	No formal schooling	8%
Urban	8%	Primary education	43%
		Secondary school education	38%
Gender		Post secondary college education	9%
Male	50%	University education	2%
Female	50%		
Age		Employment	
18 - 25 yrs	29%	Casual/piece jobs	10%
26 - 30 yrs	19%	Working full-time	27%
31 - 35 yrs	12%	Working part-time	14%
36 - 40 yrs	12%	Pensioner	2%
41 - 45 yrs	7%	Unemployed	33%
46 - 50 yrs	7%	Housewife taking care of home full-time	11%
51 - 55 yrs	4%	Other (Unspecified)	1%
56 - 60 yrs	4%	Student	2%
61+ yrs	6%		
Religion		Ethnic Community	
Protestant	62%	Kalenjin	27%
Catholic	26%	Luhya	23%
Muslim	1%	Kikuyu	19%
Other	8%	Luo	13%
Traditional	<1%	Kisii	9%
Rta	1%	Maasai	4%
		Other	5%

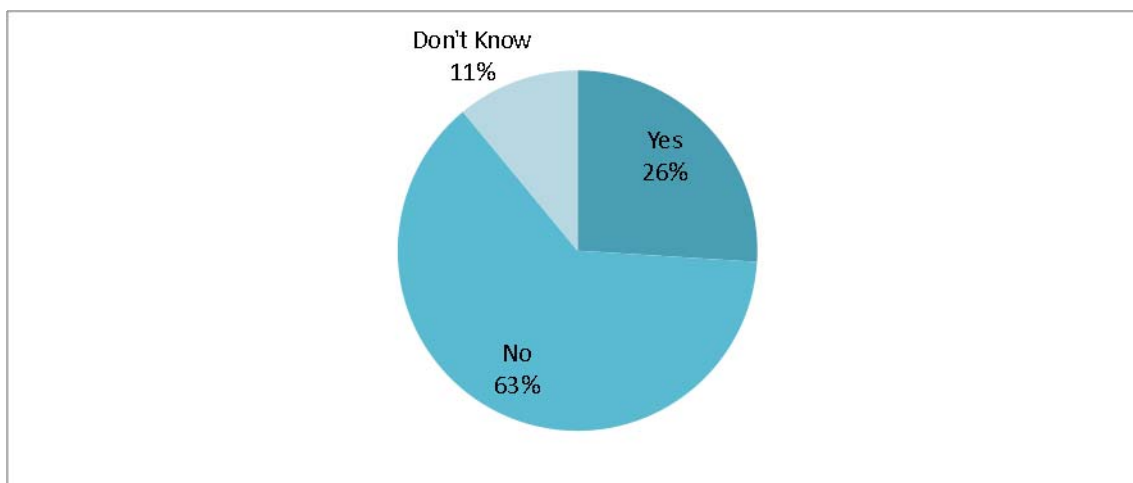
Key Findings

Agenda Item 1: Immediate Action to Stop Violence and Restore Fundamental Rights and Liberties

Violence

21. An immediate concern for Kenyan citizens involves the propensity for violence, especially given recent challenges facing the working of the Coalition government and the fact that national level political conflicts tend to trickle to the local level where they heighten animosity between groups. Chart 1 shows that despite ongoing issues, only about a quarter of respondents (26%) in areas affected by post-election violence (PEV) think that violence will occur in their area in the twelve months, whereas 63% did not think so and 11% remained unsure. Given that the survey was limited to PEV areas, this result might provide an encouraging sign that those most affected by post-election violence remain sceptical about future violence. However, events could easily change this, especially because of lack of cohesion within the Coalition.

Chart 1: Do you think violence is likely to occur in this area in the next twelve months?



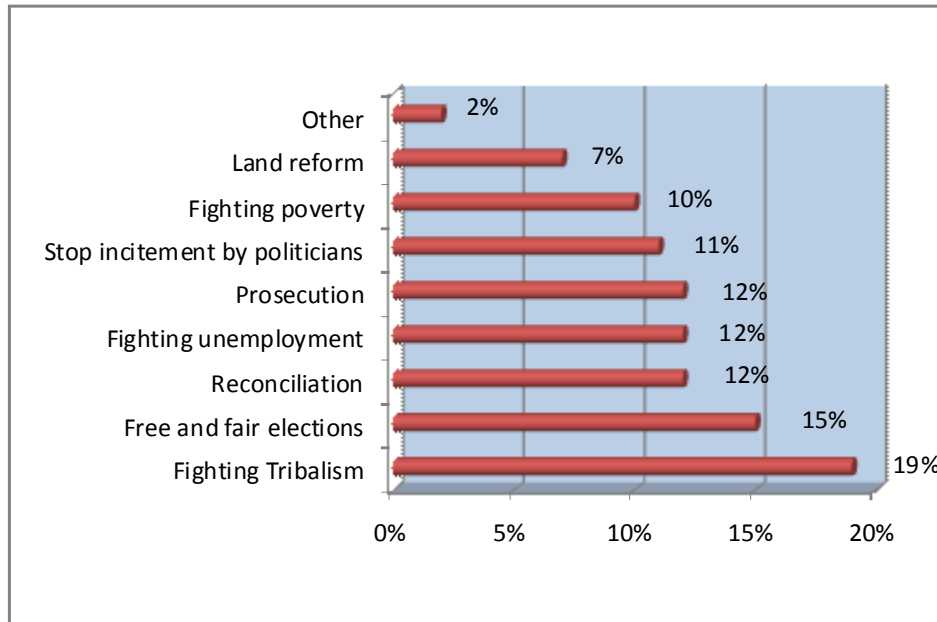
22. For those who answered that they did think violence would occur in their areas in the coming year, we asked a follow-up open-ended question probing their reasons for saying that they thought violence would occur. A plurality attributes the potential for future to violence to “fighting within government” (28%). Moreover, 7% thought political incitement and 7% thought differences between political parties could contribute to violence. Further responses show the importance of governance: 4% blame a lack of justice, 4% corruption, and 3% leader who will not fulfil promises. Taken together, a majority of 53% blame some aspect of poor government. This demonstrates the perceived relationship between the ability of the Coalition to work together and levels of violence in the eyes of the public.
23. Other responses focused on more social problems at the community level. 11% replied that tribalism would produce violence; while 5% felt the same way about tension, and 4% disagreements in the community. 24% provided other responses.

Table 2: Why do you think violence will occur?

Fighting within government	28%
Tribalism	11%
Political incitement	7%
Differences between political parties	7%
Tension	5%
Lack of justice	4%
Disagreements in the community	4%
Corruption	4%
Leaders will not fulfill promises	3%
To create more jobs	3%
Other	24%

24. To the same population who answered that they believed violence could occur, we asked them who they think would be responsible for such acts. The most popular responses were politicians (33%), political supporters (27%), members of rival ethnic groups (19%), gangs (8%), militias (5%), and the police (4%). 5% replied “other.” Aggregating the responses on politicians and political supporters leaves 60% who attribute potential violence to political actors, once again underscoring the importance of good governance towards the promotion of peace.
25. Similarly, we asked those who replied that they did not think violence would recur why they thought so. 40% replied that there was peace in their region, 17% believe people have learned that violence does not help, 11% say their areas contain members of the same tribe or that their area lacks tribalism, and 5% mention that members of their community are concentrated on development and not fighting. 24% provided other responses and 4% refused to answer.
26. We asked all respondents the best ways they think to prevent violence are in Kenya. We allowed for up to three responses and present aggregated results.

Graph 1: What are the most important ways to prevent future violence in Kenya?

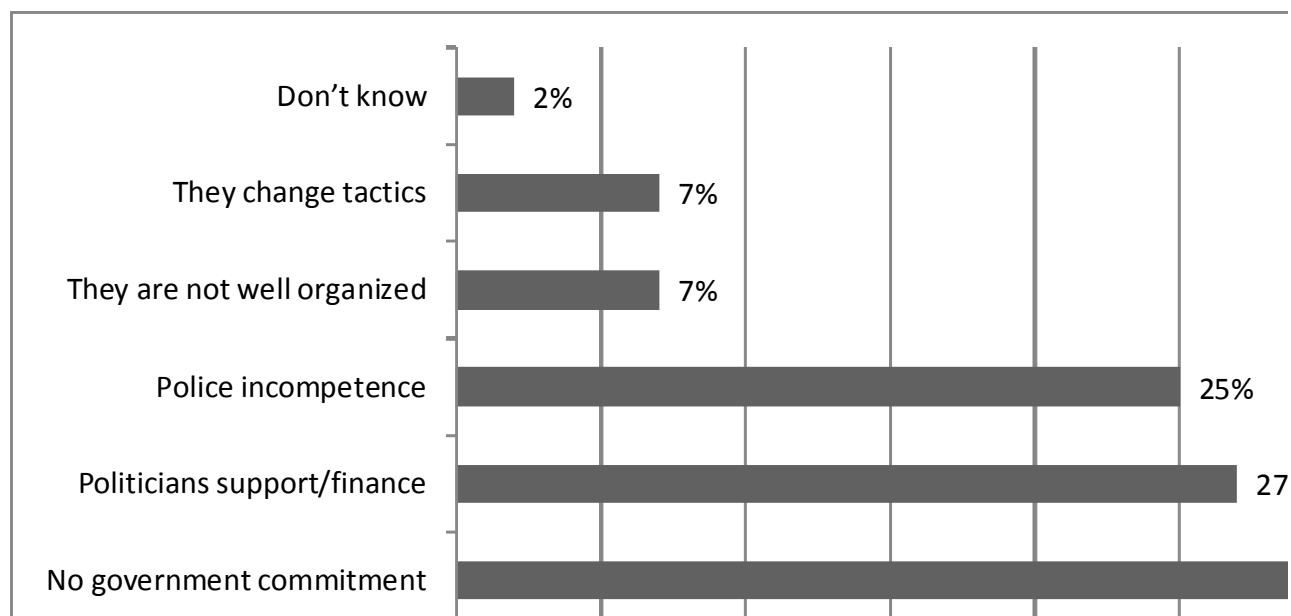


27. While a plurality believe that fighting tribalism is the best way to prevent violence (19%), additional responses relate directly to aspects of the Agenda items specified in the KNDR agreement. 15% believe conducting free and fair elections is key to curtailing violence, while 12% think that reconciliation is important, as well as fighting unemployment (12%) and prosecuting those who are guilty for crimes (12%). Similarly, 11% believe stopping incitement by politicians remains imperative, along with fighting poverty (10%) and land reform (7%). 2% provided other responses.

Militias

28. We asked whether there had been local organised armed groups who committed acts of post-election violence in the respondents' area, and found that only 18% of the sample replied "yes." 80% said "no" while 2% were unsure. Because the survey was conducted in PEV areas only, this suggests that the presence of militias may be much smaller than the problem of violence more generally, at least as the public perceives the existence of militias. Of those who replied that there had been militias operating in their area, only 43% reply that they have been disbanded, while 46% say they have not and 11% remain unsure. Thus, while limited even within PEV areas, the threat from militias does remain.
29. Graph 2 shows aggregated responses from an open-ended question that allowed the sub-sample of people who responded "no" to the question on whether militias had been demobilized in their area to provide their reasons for why they think militias have not been disbanded.

Graph 2: Why do you think these groups have not been disbanded or demobilized in your area?



30. The results do not bode well for perceptions of how well the Coalition government is performing in addressing the problem of militias. Nearly a third do not believe the government is at all committed to addressing the problem of militias (32%), while another 27% blame politicians for supporting and/or financing them. 25% blame police incompetence in trying to arrest militia members, while 7% blame the structure of militias themselves as the reason they continue to thrive. 2% do not know.

Table 3 reveals how Kenyans in PEV areas believe that militias ought to be dealt with.

Table 3: What is the best way to disband and demobilize armed groups in Kenya?

Prosecute their leaders and members	24%
Opening dialogue with groups	11%
Increase security by hiring more personnel	11%
Educating the community	7%
Increased searches for illegal weapons	6%
Preaching peace and reconciliation	4%
Government to disband militias	4%
Stop their sponsors	4%
Don't Know	4%
Other	25%

31. Results from Table 3 provide strong recommendations for the Coalition government towards ending militias and thereby providing population protection of citizens. First and foremost, Kenyans most affected by the violence agree that militia leaders and members ought to be prosecuted (24%), followed by those who believe in opening up dialogue (11%) and hiring more security personnel (11%). 7% think the educating the

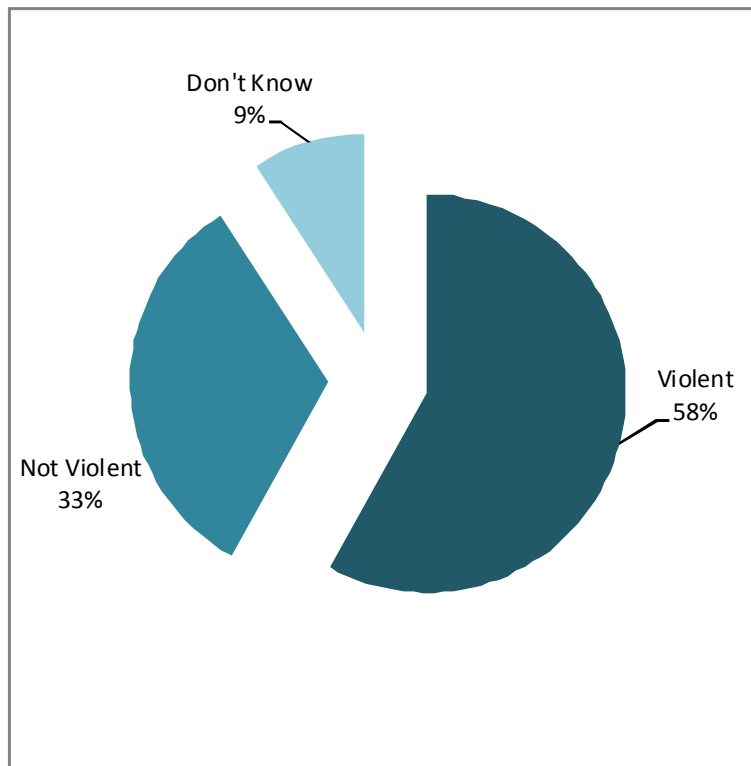
community is required, while 6% want stronger police work in the search for illegal weapons that are used by militias. Preaching peace and reconciliation (4%), government disbanding militias (4%), and stopping sponsors (4%) also remain important for the public. 4% don't know, and 25% provided other responses.

- 32. When asked who they think finances militias, respondents in PEV areas provide an even more critical of the government. 37% blame politicians, 13% blame political parties, and 10% blame the government. Taken together, 60% of responses declare Kenyan political actors as the financiers of militia violence. 11% attribute responsibility to business people, while 8% say ordinary citizens and 7% community elders. 10% don't know, 4% provided other responses, while 1% refused to answer.

Fundamental Freedoms

- 33. Chart 2 shows the lack of public confidence in the government's reaction to public demonstrations.

Chart 2: Do you think the government's response to public demonstrations today is likely to be forceful/violent or not likely to be forceful/violent?



- 34. Data from this question show a clear lack of faith amongst respondents that the government will act appropriately and refrain from violence during public demonstrations. 58% believe the government will use force against people in demonstrations, showing a clear curtailment of the freedom to assemble.

Agenda Item 2: Addressing the Humanitarian Crisis, Promoting Healing and Reconciliation

35. One potential concern for residents in PEV areas is the existence and location of Internally Displaced Peoples (IDPs). While the Coalition government claims that all camps have been closed and members relocated, this is in fact not the case; some IDPs have relocated to ‘transit camps’ while a few camps are still in place and have IDPs who have declined to move out. Without government protection, and an effective resettlement programme, IDPs remain vulnerable and hostilities between IDPs and other community members may exacerbate conflict and serve to undermine progress on various agenda items.
36. In this section, we begin by presenting evidence about perceptions of IDPs from the PEV public, and then present results from IDPs specifically.

Perceptions of IDPs

37. When asked if there were any people displaced from their homes in the areas inhabited by the respondents, 30% of those sampled in PEV areas replied “yes.” Of those who replied yes, we asked a follow-up question as to whether IDPs had been resettled in that area, stay in IDP camps, or have relocated to other areas. 63% reply that they have mostly been resettled, 6% remain mostly in IDP camps, and 26% relocated to other areas. 2% don’t know and 2% refused to answer.
38. For those who replied “mostly resettled in this area,” we asked what the respondents thought was the most important concern for IDPs that have been resettled locally.

Table 4: What do you think is the most important concern for IDPs who have been resettled in this area?

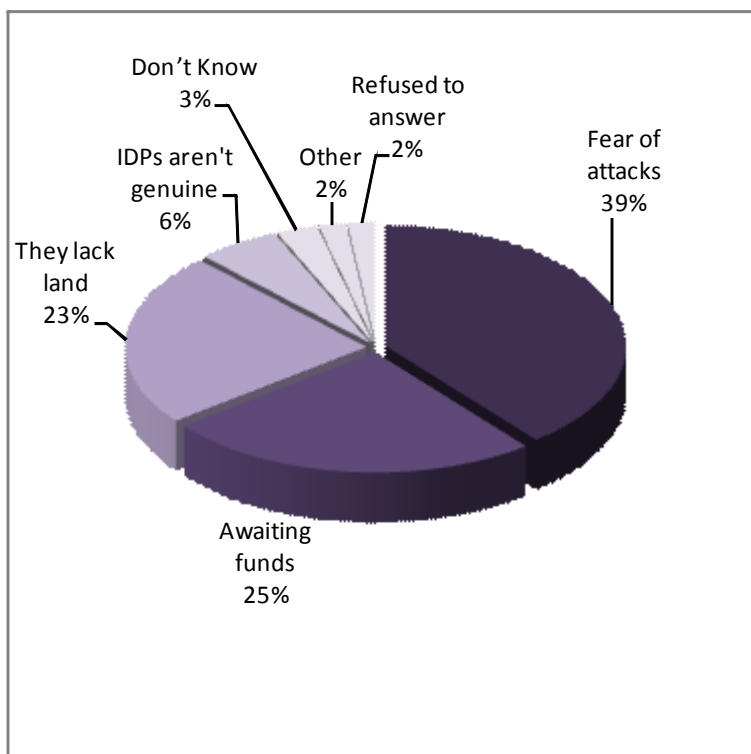
Food	40%
Livelihood	14%
Security	13%
Healing and reconciliation	9%
Shelter	8%
Land	7%
Other	2%
Refused to answer	6%
Don’t know	1%

39. Table 4 makes clear the needs of IDPs who have been resettled as perceived by members of those communities. A large plurality perceive food as the most important concern (40%), followed by livelihood (14%) and security (13%). Thus, “bread and butter” issues of basic living and survival remain important.
40. While post-election violence produced nearly 600,000 IDPs, their status remains controversial. The government denies their existence, claiming that all IDP camps have been closed. Moreover, the degree to which IDPs have been re-integrated into their own communities or been pushed to other communities remains contentious and

problematic. Additionally, there are some perceptions amongst the public that non-IDPs might be posing as such in order to access government funds.

41. To gauge potential levels of hostility towards IDPs, we asked what respondents thought was the most important reason IDPs remain in camps. The answers we provided were 1) “fear of attacks if they go home” 2) “awaiting government funds” 3) “they lack land to go to” or 4) “do you think IDPs are not genuine.” Chart 3 presents these results.

Chart 3: What is the most important reasons IDPs remain in camps?



42. In general, the results from Chart 3 show that by and large, the public is attuned to the needs of IDPs that remain in camps. Rather than assert that these IDPs are false and simply posing as such to access government services (6%), a large plurality believe that the IDPs fear for their safety (42%), are awaiting government funds (27%), or lack land to return to (25%). 3% don't know, 2% had other responses, and 2% refused to answer. The public in PEV areas thus remain sensitive to the needs of IDPs in camps.
43. Table 5 shows how people think the government can address the problem of IDPs. Once again, this question was asked of the entire PEV sample, not just IDPs, so its results demonstrated the perceptions of the population living in PEV areas, but not necessarily IDPs themselves.

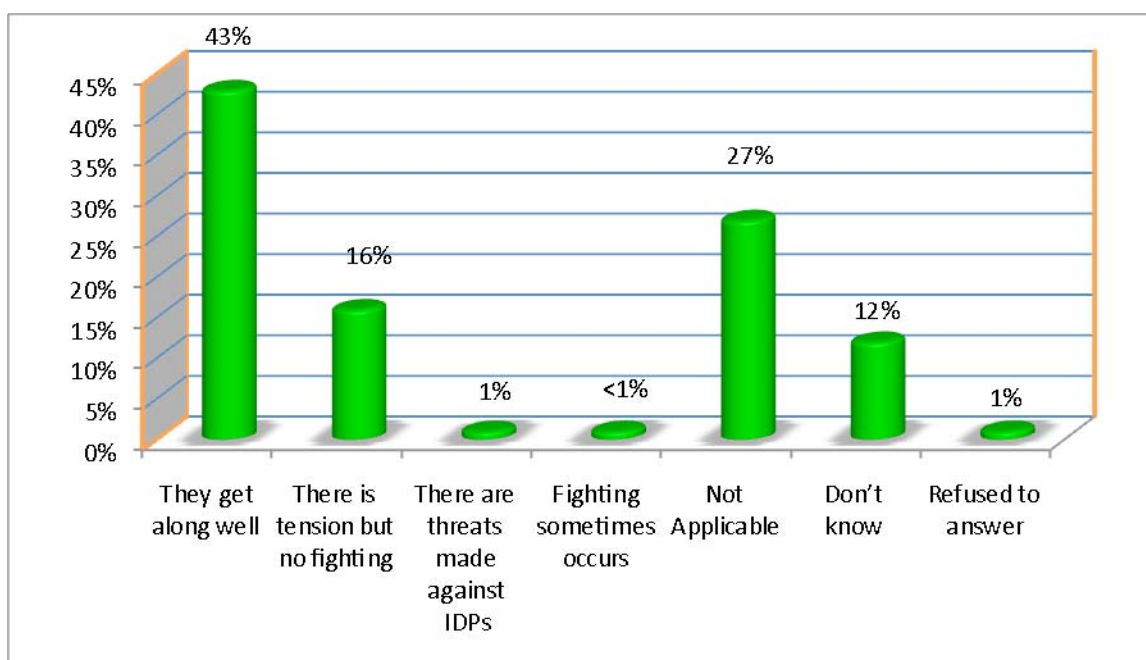
Table 5: What is the most important thing the government can do to address the problem of people displaced by post-election violence in Kenya?

Give financial assistance	37%
Resettle them here	17%
Take them back to their ancestral districts	15%
Promoting peace and reconciliation	10%
Increase security	9%
Other	8%
Don't know	2%
Refused to answer	2%

44. By and large, the public in PEV areas remain supportive of IDPs, saying that the government should give them financial assistance (37%), resettle them locally (17%), promote peace and reconciliation (10%) and increase security (9%). However, results from this question show some level of antagonism towards IDPs, as 15% think the government should take them back to their ancestral districts. This demonstrates a level—albeit small—of tension between some IDPs and other people within PEV areas. 8% of respondents provide other responses, while 2% don't know and 2% refused to answer.

Graph 3 shows a subsequent question that allows us to gain better leverage on the perceived relationship between the public and IDPs.

Graph 3: What is the nature of the relationship between IDPs and the other people in your area?



45. Graph 3 also supports the general view that IDPs and others generally get along (43%), but with low levels of tension (16%), threats (1%), or fighting (<1%). 12% don't know and 1% refused to answer. For 27% of respondents, the question was not applicable.

IDP Survey

46. As explained in the methodology section above, we include on the survey a special section for IDP respondents. 72 of these respondents appeared in the normal survey sample (N=1,500) through normal selection procedure; we also sampled 200 IDPs from IDP camps. We present the data from questions that were asked specifically to these IDPs but not others. We include responses from the 72 IDPs in the normal sample and the 200 IDPs in the IDP sample.

Table 6: In the last three months, did any of the following give you assistance?

	IDP Sample			Normal Sample		
	Yes	No	RTA	Yes	No	RTA
Government	24%	67%	9%	15%	74%	11%
Kenya Red Cross	75%	20%	5%	38%	50%	12%
NGOs	35%	55%	10%	21%	67%	12%
Religious groups	56%	36%	8%	35%	53%	12%
UNHCR	38%	51%	11%	14%	69%	17%
Individuals	47%	44%	9%	57%	26%	17%
Private Sector	21%	64%	15%	14%	69%	17%

47. Table 6 shows that for IDPs still in camps, if they have received assistance, it is most likely to have come from Kenya Red Cross (75%) or religious groups (56%). IDPs not in camps are most likely to have received assistance from other individuals (57%) and Kenya Red Cross (38%).
48. With respect to funds provided by the government, 83% of IDPs sampled in camps have received money from the government, while only 21% of IDPs in the normal sample have. For those IDPS in camps who answered that they have received money; 81% have received the amount of 10,000 Kshs, 6% have received 25,000 Kshs, and 13% have received both. 64% report that there were problems with the disbursement of the money. Conversely for the normal sample, 87% have received 10,000 Kshs, 7% have received 25,000 Kshs, and another 6% have received both. 43% report that there were problems with disbursement of this money.
49. Table 7 reports the problems that each sample had with the disbursements. By and large these relate to the administration of the program, including names missing from lists, incorrect government records, and inadequate and/or contradictory information. IDPs also report problems of corruption, including money being given to non-IDPs and reports of officials asking for bribes.

Table 7: What were the problems with the disbursement of this money?

	IDP Sample	Normal Sample
Names missing from lists	34%	22%
Incorrect government records	17%	14%
Money given to non-IDPs	16%	16%
Asked for bribes	13%	16%
Lack of ID documents	11%	9%
Inadequate/contradictory information	10%	16%
Other	1%	7%

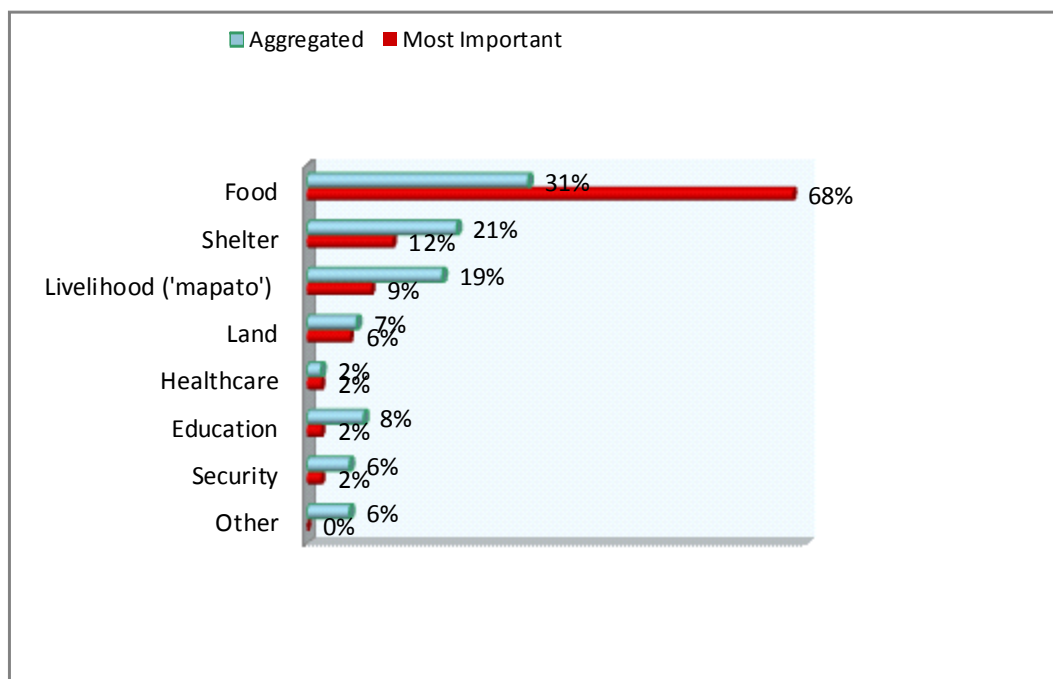
50. We follow-up by asking both sets of IDPs how they think disbursement can be improved in Table 8. The results here echo the problems identified above, relating to both the administration of the program and levels of corruption, where respondents are calling for better accountability, transparency, and oversight.

Table 8: How do you think the disbursement of money can be improved?

	IDP Sample	Normal Sample
Transparency through their records	23%	12%
Identify and give money fairly to the genuine IDPs	16%	15%
Avoid corrupt officials	12%	10%
IDPs should be involved	9%	8%
Involvement of a neutral body	9%	8%
None	9%	16%
Involvement of local authorities	5%	14%
They should be given cheques	4%	7%
Accountability through follow ups from the government	2%	3%
Other	11%	7%

51. We asked the IDPs in the camps the most important challenges they face as an IDP, and allowed for up to three responses. Graph 4 shows what they first responded as the single most important challenge (the light blue bar), as well as the aggregated responses they gave for all challenges (the red bar).

Graph 4: Most important challenges facing IDPs (most important and aggregated responses)



52. Unsurprisingly, the concerns of IDPs who remain in camps revolve around basic necessities, including food and shelter. Table 9 compares responses from the IDPs and the general public from PEV areas on the most important challenges facing IDPs. Responses from both mostly accord, demonstrating consensus of both IDPs and non-IDPs about the problems facing IDPs.

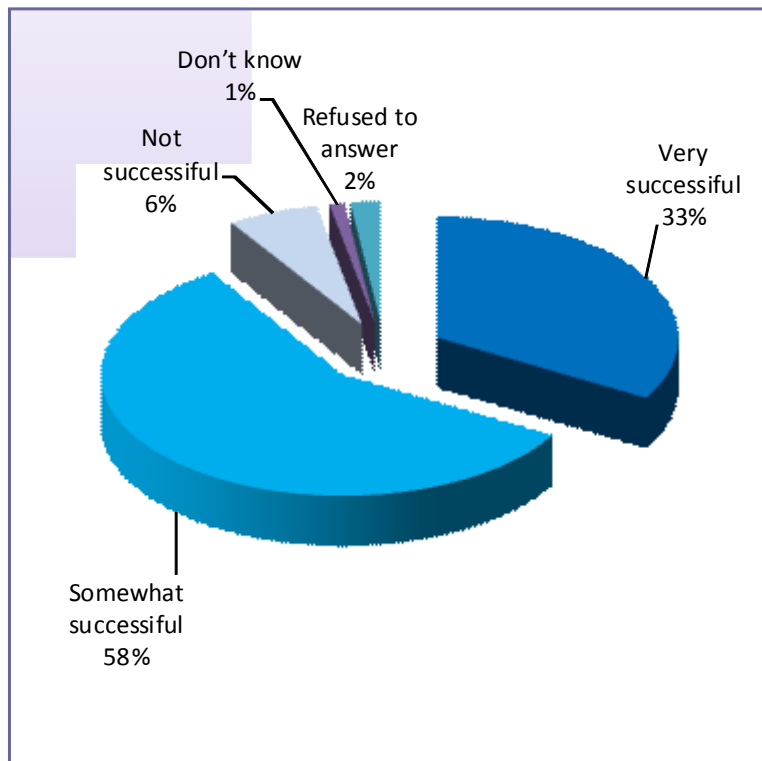
Table 9: Comparison of responses from IDPs and PEV public regarding most important issue facing IDPs

	IDPs	General Public
Food	68%	40%
Shelter	12%	8%
Livelihood	9%	14%
Land	6%	7%
Healthcare	2%	0%
Education	2%	0%
Security	2%	13%
Healing and reconciliation	0%	9%
Other	0%	2%
Don't know	0%	1%
Refused to answer	0%	6%

Healing and Reconciliation

53. A majority of Kenyans living in PEV areas report that there have been local activities to promote healing and reconciliation. 37% say peace meetings, committees, and workshops have taken place, while another 14% reply religious crusades, 8% awareness creation, sports and games (7%), counselling services (6%), and women’s initiatives (4%) occurred. 21% report that no activities have been pursued in their area, while 2% don’t know and 1% gave other replies.
54. Kenyans in PEV areas also remain cautiously optimistic about the success of the promotion of healing and reconciliation among communities in their areas. Chart 4 presents these results.

Chart 4: How successful are the efforts at promoting healing and reconciliation among communities in your area?

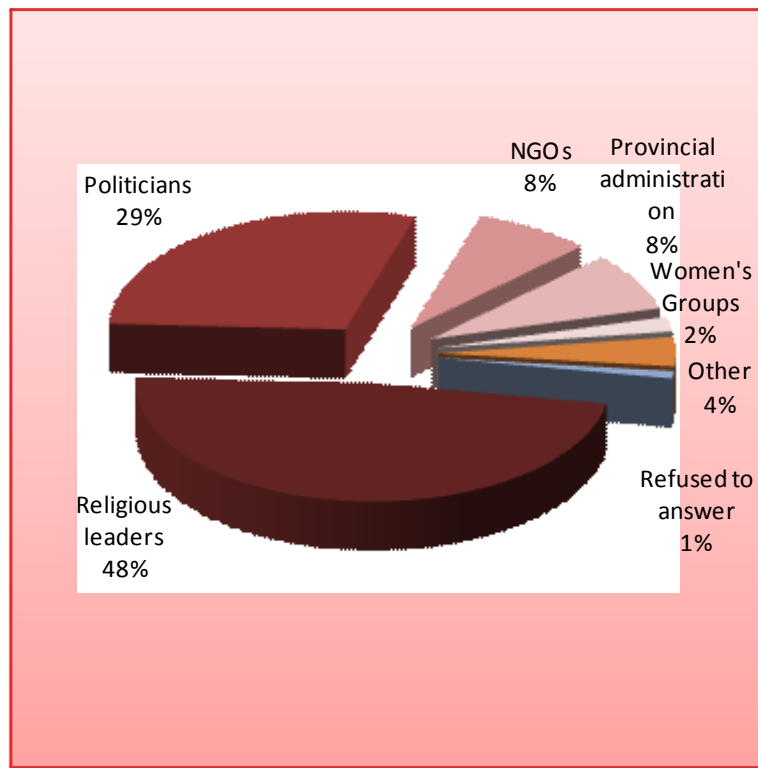


55. The perceptions of Kenyans in the sample show that efforts at reconciliation are making important progress. However, with 58% saying they are somewhat successful and 6% not successful, there is room for improvement. 33% think they are very successful, while 1% aren’t sure and 2% refused to answer. But once again, because the survey is limited to PEV areas, we expect these locations to have the most difficulty with healing; yet improvements are being felt by the communities in these places.
56. We asked a follow-up question regarding what respondents perceive to be the most important challenges to healing and reconciliation efforts in their areas. 21% reply “tribalism” while 18% say “mistrust between ethnic groups.” Taken together, this shows that inter-communal tensions do remain. 15% blame political statements, 13% land

disputes, 11% no involvement by residents, and 7% criminals who committed acts of violence are still free. 6% reply that people are too traumatized, 5% don't know, and 4% gave other responses. These answers provide important implications for the actions of the Coalition government in making progress on Agenda Item 2. Problems such as political incitement and land disputes are at the source of numerous challenges that remain, including with respect towards the promotion of reconciliation.

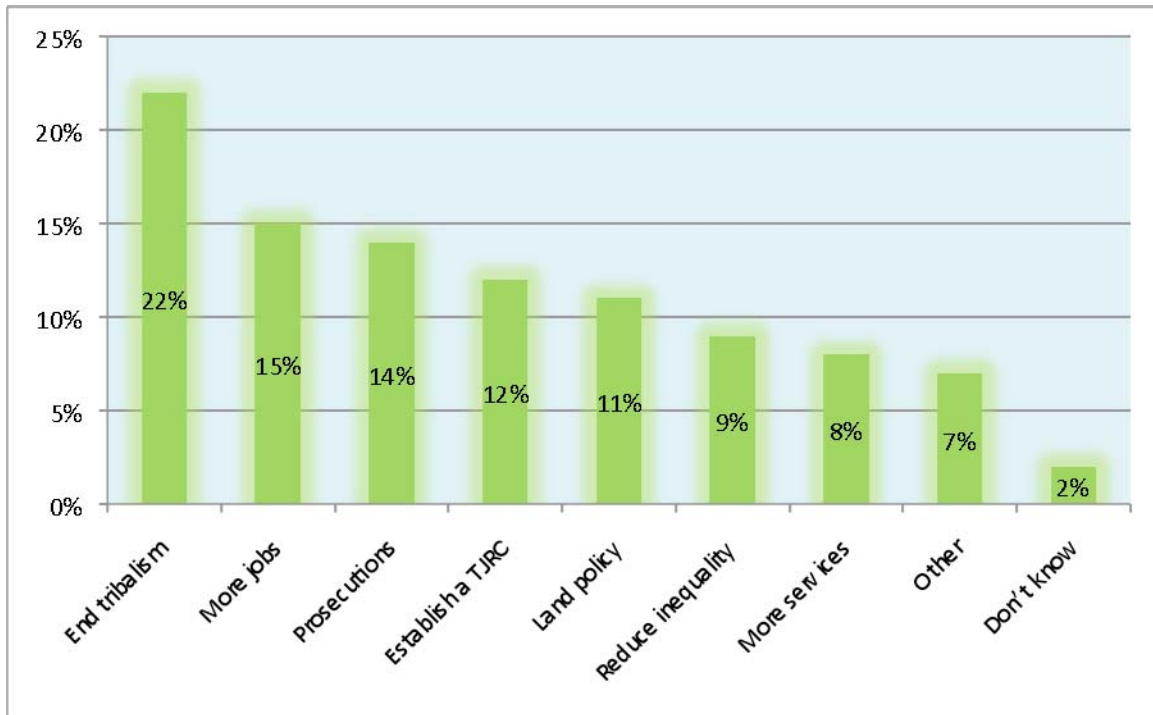
- 57. Interestingly, Kenyans in PEV areas do not view all political and religious leaders equally likely towards affecting positive change to promote healing and reconciliation.

Chart 5: Which of the following do you think has the greatest influence at promoting healing and reconciliation among groups in Kenya?



- 58. The results from Chart 5 demonstrate an important point with who the public perceive is likely to impact the healing and reconciliation efforts. There may be a larger role for civil society than policy-makers appreciate. A full 58% of the public perceive non-state actors are likely agents of change, including 48% for religious leaders, 8% for NGOs, and 2% for women's groups. Only 37% rely on state actors, including 29% for politicians and 8% for the provincial administrations. These results could reflect the perceived inefficiencies of governmental actors towards attempting change, and/or a concomitant perceived strength attributed to civil society leaders and groups.
- 59. Graph 5 gauges the public's suggestions at promoting reconciliation in their own communities. We allowed for and then aggregate three open-ended responses.

Graph 5: Regardless of what has been tried already, please tell me the three best ways to pursue reconciliation in your community?



60. Once again, ending tribalism (22%) remains a central concern with respect to healing and reconciliation. But the results also provide clear guidance for the Coalition government. More jobs (15%), prosecuting those guilty for PEV (14%), establishing a Truth, Justice, and Reconciliation Commission (12%), enacting a land policy (11%), reducing inequality (9%), and providing more services (8%) all remain important paths towards promoting healing and reconciliation, and fall under the purview of other agenda items and require government action. 7% had other responses, while 2% don't know.

Agenda Item 3: Resolving the Political Crisis (Power Sharing)

61. Given the contested nature of politics in PEV areas, citizens in these locales remain sensitive to how well the Coalition government shares power, as well as sharing a similar concern to all Kenyans as to how the government performs.

Power-Sharing

62. Only 21% of the PEV population thinks that they Coalition government works well together; a full 77% think it does not work well together. 2% is unsure. Table 10 shows the ways that the public think the Coalition government can work well together.

Table 10: What is the most important thing that the Coalition government can do to work well together

Unity within political parties	20%
Solve differences	11%
Fight corruption	7%
Focus on the interests of the public	6%
Create more jobs	5%
Renegotiate power-sharing	4%
Reconciliation	4%
Reduce the price of goods	4%
Other	34%
No response	5%

63. The diversity of responses provided, as well as their relatively low magnitude, suggest that there is little consensus among the sampled population on the most important thing the Coalition government can do to work better. A plurality (20%) blames a lack of unity within political parties. The rest of the responses focus on the ability of the Coalition members to solve their differences (11%), fight corruption (7%), focus on the interest of the public (6%), and livelihood issues such as creating more jobs (5%) and reducing the price of goods (4%). Surprisingly, only 4% mentioned a renegotiation of power-sharing as the most important component of working better together. 34% gave other responses, while 5% gave no response.
64. Residents also remain sceptical about the working relationship between the two main principals to the Coalition government, President Kibaki and Prime Minister Odinga. Only 7% of the public in PEV areas are satisfied with the working relationship. 32% are somewhat satisfied with the relationship, for a combined satisfaction level of 39%. 29% prove somewhat dissatisfied, while 30% are very dissatisfied for a combined dissatisfaction level of 59%. 1% don't know and 1% refused to answer. These findings are not surprising in light of continued tensions between the two leaders in government, including the lack of clarification on roles and responsibilities as specified in the National Accord.
65. With respect to whether Prime Minister Odinga is exercising his powers of office, 33% think that yes he is; while 53% say no, he is not and 12% are unsure. 2% refused to

answer. For those who answered yes or no, we asked a follow-up question as to why respondents thought so.

Table 11: Why do you think Prime Minister Odinga is/is not exercising his powers of office?

He has not fulfilled pledges	10%
He has brought development	10%
He has no powers	9%
There are other influential people in the government	8%
Kibaki is still very powerful	8%
He is uniting Kenyans	4%
He supervises government ministries	3%
Reduced Corruption	3%
Other	34%
Don't know	11%

66. The large number of “other” categories (34%), in addition to small proportions for all other answers, demonstrate a low level of agreement with respect to Prime Minister Odinga’s exercise of powers. Some are willing to blame Odinga, saying “he has not fulfilled pledges” (10%). Others blame other aspects of the Coalition, saying “he has no powers” (9%), “there are other influential people in the government” (8%), and “Kibaki is still very powerful” (8%). Others provide more sanguine views of Odinga’s exercise of power, mentioning that “he has brought development” (10%), “he is uniting Kenyans” (4%), “he supervises government ministries” (3%), and “reduced corruption” (3%).

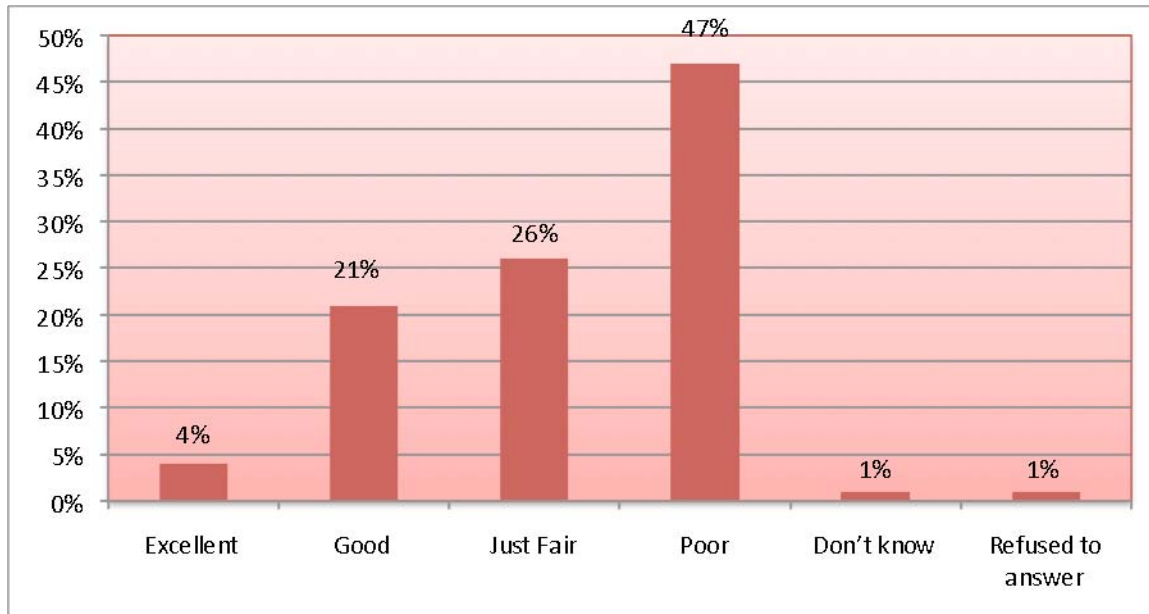
Future of the Coalition Government

67. While the Coalition government received initial support from much of the Kenyan public, the population within PEV areas provides perceptions as to how they think people in their communities will react if the Coalition breaks up before the next election. The results are not encouraging for stability and achieving peace. 33% comment that people within their communities will support a break-up, 25% say people will demonstrate, and 22% say they will attack other communities. These results show at the very least plurality support for ending the Coalition government, as well as the real likelihood that such an event would reignite violence. 7% reply that community members will ask for another general election, while 8% remain unsure. 4% provided other responses.

Performance of the Police

68. Given the recent release of information regarding police brutality and extra-judicial killings, as highlighted in the Waki Report, the report by UN rapporteur Philip Alston, and ongoing problems between the outlawed Mungiki sect and police; we probed respondents for their views of recent police performance.

Graph 6: How do you rate the performance of the police in protecting the rights of Kenyans within the last three months?



69. Indeed, citizens remain sensitive to the performance of the police, who are not performing well. Only 25% gave them a positive rating, with 4% saying “excellent” and 21% “good.” A quarter (26%) replied “just fair” and nearly half, 47%, says “poor.” The police therefore earned a largely negative (73%) performance rating, suggesting needed improvements in their ability to provide population security while upholding the law and maintaining standard of justice. 1% don’t know and 1% refused to answer.

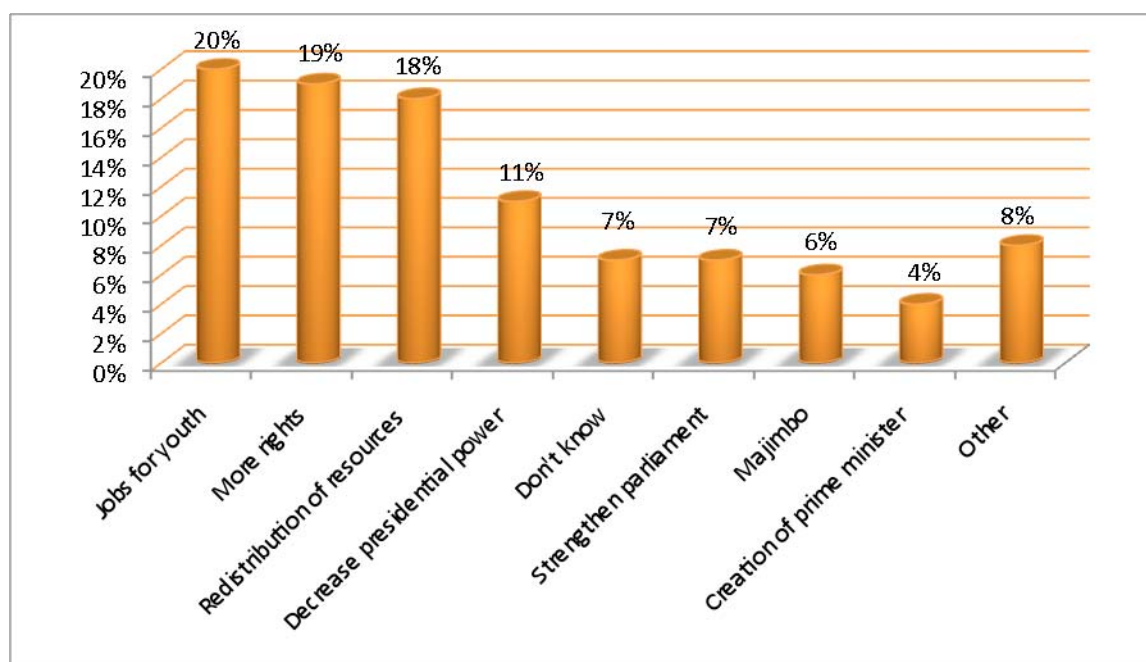
Agenda Item 4: Long-Standing Issues and Solutions

70. Given that violence was an outcome from many of the long-standing issues raised by Agenda Item 4, it is important to measure the views of citizens in PEV areas with respect to these needed reforms.

Constitutional Revision

71. The PEV public remains somewhat sceptical that the Coalition government will have succeeded at making a new constitution for Kenyans by March 2010. Giving a positive likelihood, 8% say it is “very likely” and 32% “somewhat likely.” Conversely, 31% respond “somewhat unlikely” and 29% “very unlikely.”
72. Even more disturbing are evaluations of the efficacy of such a constitution. We asked whether respondents thought a new constitution will be satisfactory or unsatisfactory in addressing the needs of Kenyans. The results are not hopeful: 52% reply “unsatisfactory” while only 34% say “satisfactory.” 14% remain unsure.
73. We follow this question by asking respondents what they think should be included in a new constitution to address the needs of most Kenyans (allowing for up to three responses). Note that this question specifically asks residents to think about the good of most of the country, not just their own individual or community needs. We present aggregated responses in Graph 7.

Graph 7: What do you think needs to be included in a new constitution to be satisfactory in addressing the needs of most Kenyans? (aggregate responses)



74. The PEV public provides a host of answers towards what a new constitution ought to include. First are the goods that citizens would accrue from constitutional reform, including jobs for the youth (20%), more rights (19%), and the redistribution of resources (18%). Second are the institutional reforms accompanying a new constitution, including decreasing presidential power (11%), strengthening parliament (7%), majimbo (decentralization) (6%), and the creation of a prime minister (4%). 7% don't know. Taken together, this suggests respondents desire both direct benefits from a new constitution, as well as strengthening government by providing for new institutional mechanisms.
75. Besides asking the sample what they would like to see in a new constitution, we also asked them to assess what are the most important challenges towards constitutional reform. The results suggest an important role for the Coalition government and parties to it at providing robust leadership. Half of respondents (51%) blame politicians who disagree, while 12% blame divisions within political parties, and 10% divisions within the Coalition. A further 17% blame problems in society, including 10% who say fighting between communities and 7% blame differences in opinion among other actors in society. 5% don't know, 4% gave other responses, and 1% refused to answer.

Land Reform

76. The problems over land usage rights and subsequent communal conflict centred on land remains an important issue particular to PEV locations. Therefore, responses from these areas about how best to achieve land reform ought to directly inform the path to reform.

Table 12: List three things that the Coalition government must do to address land problems in your community (aggregate responses)

Enact laws to assist in settling disputes	24%
Distribute land to the landless	23%
Ensure land grabbers have surrendered illegally owned land	20%
Prioritize land allocation to the local community	11%
Allow for both men and women to inherit land	7%
Allow communities only to own land in their ancestral homes	5%
Issue title deeds	4%
Other	4%
Don't know	2%

77. The results in Table 12 demonstrate a number of important findings. First, PEV residents prove particularly sensitive to the discord created from a clear land policy. 24% think laws must be enacted to settle land disputes and 20% say that land grabbers should be forced to surrender illegally owned land. Second, respondents by and large a more fair distribution of land, with 23% wanting distribution to the landless, 11% prioritizing land allocation to local communities, 7% arguing for gender equity where men and women can both inherit land, with 4% who mention issuing title deeds. Third, a small percentage (5%) demonstrates ethnic animosity by saying that communities should only be allowed to own land in their ancestral homes. 4% provide other responses, while 2% don't know.

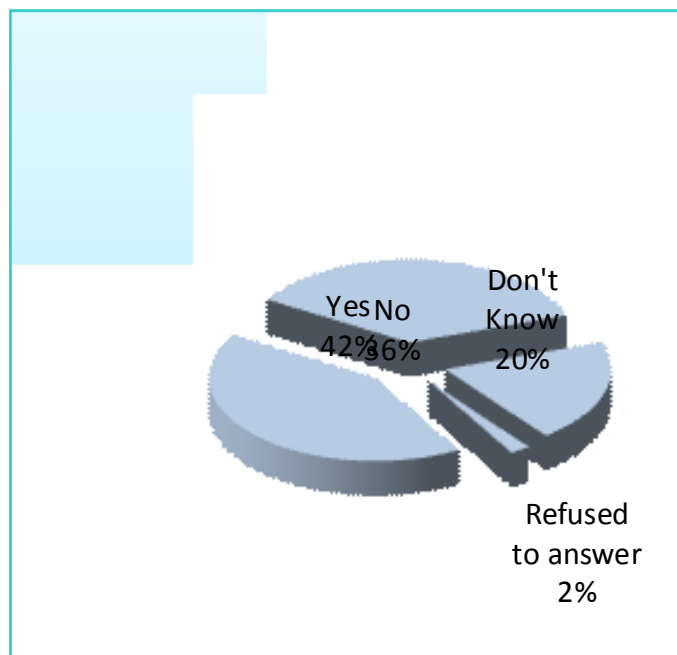
Corruption

78. A number of corruption scandals have plagued the Coalition government over the past year, and the PEV public holds straightforward ideas as to how to fight corruption. 62% suggest law and order responses, with 46% who argue for sacking and prosecuting those responsible for corruption, with 12% who want to make laws that successfully fight corruption and 4% who want to create an independent and effective anti-corruption body. Others believe the solution remains with Kenyan society, with 15% who say the public must be educated on not paying bribes. Last, some believe addressing underlying factors of poverty will help to fight corruption, with 7% who want to address unemployment and poverty. 12% replied with other responses while 4% refused to answer.

Electoral Reform

79. Given the dissolution of the Electoral Commission of Kenya (ECK) and the creation of an interim electoral body, it is important to measure how much faith respondents hold in an electoral process.

Chart 6: In your opinion, will a new electoral body be capable of holding free and fair elections?

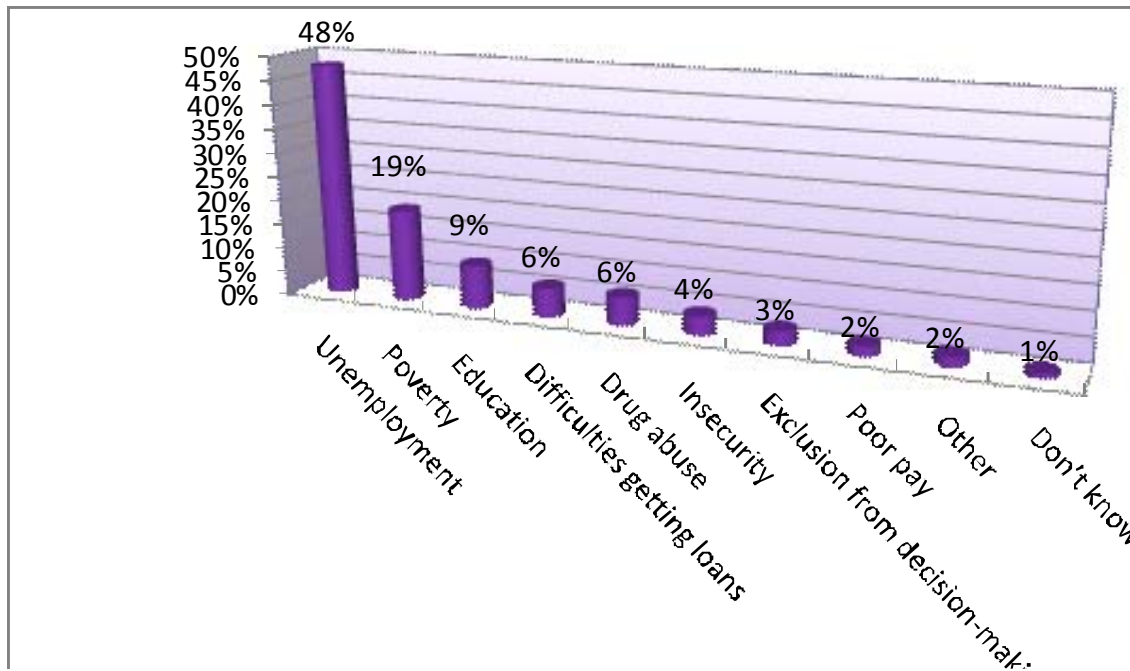


80. Results from Chart 6 show that the dissolution of the ECK may have been the right first step towards building public confidence in the electoral process again. A plurality (43%) are confident that a new electoral body will be capable of holding free and fair elections, while 37% do not and 20% remain unsure and 2% refused to answer. While a majority of PEV residents still need to be convinced, the relative balance between those with and without confidence shows that some progress has been made on this front.

Youth

81. Graph 8 mentions the concerns for youths in PEV locales.

Graph 8: What are the main issues that the youth in this area complain about? (aggregate responses)

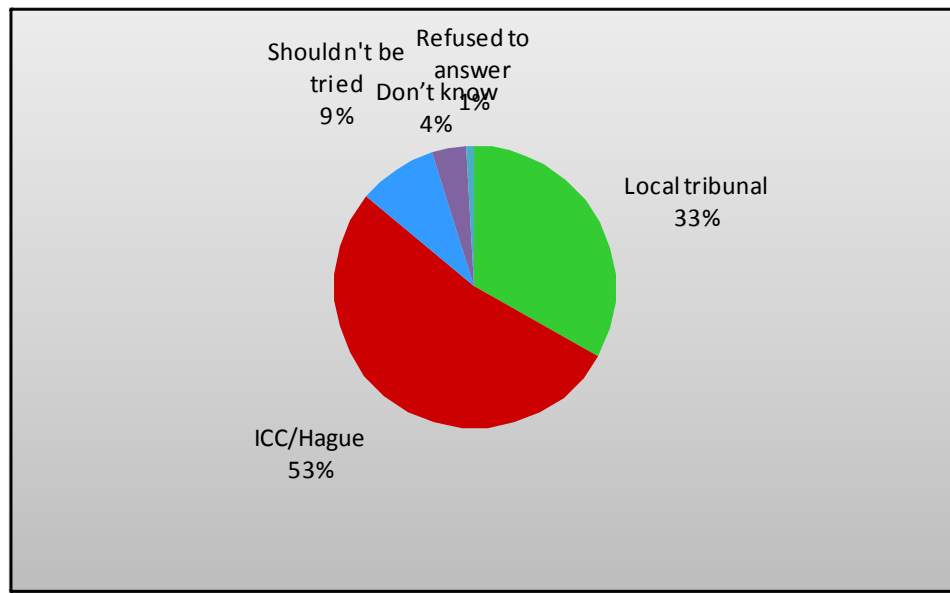


82. Responses provided in Graph 8 show that the main concerns for youths in PEV areas are by and large livelihood issues, including unemployment (48%), poverty (19%), getting loans (6%), insecurity (4%), and poor pay (2%). Other concerns are education (9%), drug abuse (6%), and exclusion from decision-making (3%). 2% provided other responses, while 1% don't know.

Prosecutions for PEV

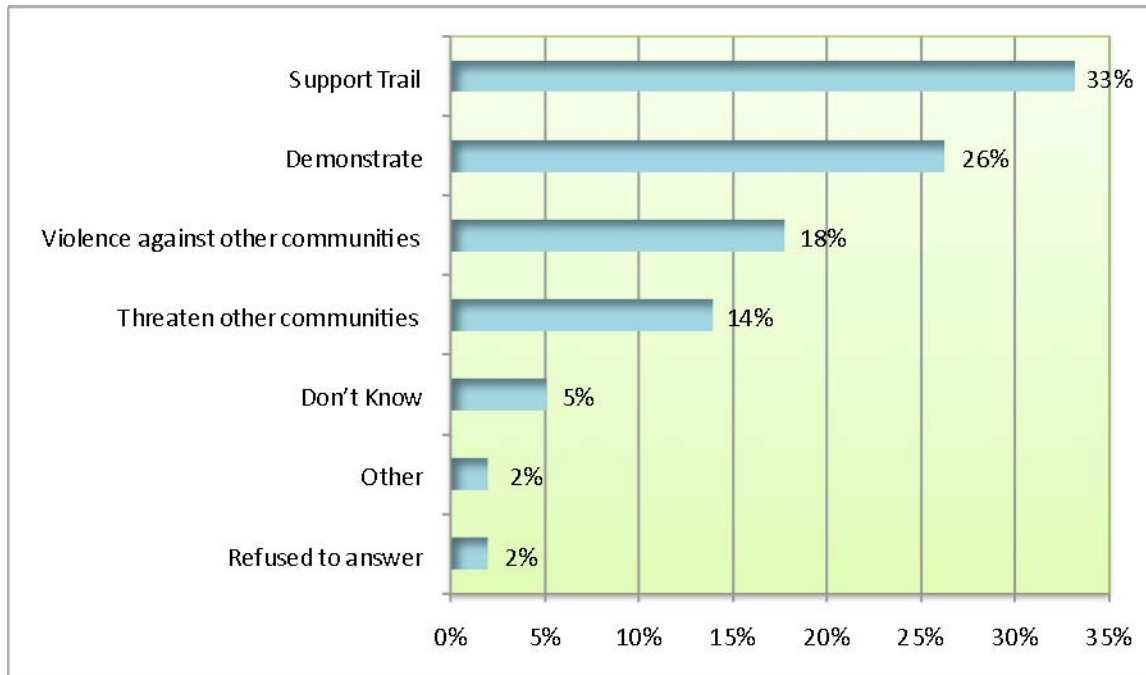
83. As the survey was conducted, the debate of whether and where to try people charged with inciting and financing PEV continued. Chart 7 shows results of whether PEV residents wanted to charge individuals responsible for violence, and if so, whether locally or internationally.

Chart 7: Should those individuals responsible for the post-election violence be tried through a local tribunal in Kenya or should they be tried by the International Criminal Court in the Hague?



84. A large majority of those citizens most affected by PEV are in favor of prosecution (86%). A majority support action taken by the international community through the Hague (53%), while a third (33%) prefer trying suspects locally. Only 9% think the accused should not be tried. 4% don't know and 1% refused to answer.
85. We asked a follow-up question probing why respondents preferred the Hague or a local tribunal. In support of the Hague, 15% think local tribunals are too corruption, 12% think there will be fair judgments for all at the ICC, 4% say there is no justice in a local tribunal while another 4% have no confidence in local courts and the same percentage think the accused would not be able to bribe their way out of the Hague. In support of local tribunals, 10% think it is a Kenyan affair, 5% believe a local tribunal has the power to prosecute, and 5% want to allow witnesses to testify. 29% gave "other" responses.
86. While respondents demonstrate in support of prosecutions, we asked what would happen in local communities if leaders from those communities were put on trail.

Graph 9: If a senior politician from your community is put on trial for inciting post-election violence, how do you think people in your community will react?



87. A third of respondents (33%) believe that their fellow community members would support such a trial, even against local political leaders. However, a majority (58%) believe that such actions could incite demonstrations (26%), violence against other communities (18%), and threats against other communities (14%). 5% don't know, 2% provided other responses, and 2% refused to answer. Overall, most citizens in PEV areas do not have good perceptions of how they think their others from their community will respond to prosecutions, even though the public remains largely in support of such prosecutions.
88. People most affected by PEV find an additional benefit towards prosecutions. When asked whether they think prosecuting individuals for PEV now will prevent violence in Kenya's next general election, 58% think it will while 36% do not. 4% are unsure, and 2% refused to answer.