

Country/entity	Kenya
Region	Africa (excl MENA)
Agreement name	Sotik and Borabu Social Contract
Date	21 Nov 2008
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/local conflict

Kenyan Post-Electoral Violence (2007 - 2008)

The conflict emerged as post-election violence. After the incumbent President Kibaki was declared the winner of the Kenyan presidential elections in December 2007, complaints of fraud and a structural disadvantage affecting his competitor Raila Odinga lead to outbreaks of severe ethno-political violence. After the first incidents in the Rift Valley region, mainly directed against the Kikuyu ethnic group – the traditional powerbase of Kibaki – the fighting spread to the cities of Nairobi and Mombasa. After two months, Kibaki and Odinga agreed on a power-sharing agreement that granted Odinga the post as a Prime Minister and ended the violence.

Close
Kenyan Post-Electoral Violence (2007 - 2008)

Stage	Framework/substantive - partial
Conflict nature	Inter-group
Peace process	Kenya Local Agreements
Parties	Representatives of Kisii and Kipsigis communities
Third parties	Agency for Co-operation and Research in Development (ACORD) The Cereal Growers Association (CGA)
Description	Agreement between community leaders with a view to ending cattle rustling and associated inter-community violence. The document deals with the issue of cattle rustling by also containing provisions against tribalism and negative politics.

Agreement document [KE_081121_Sotik and Borabu Social Contract.pdf \(opens in new tab\)](#) | [Download PDF](#)

Groups

Children/youth	No specific mention.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/ national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/displaced persons	No specific mention.
Social class	No specific mention.

Gender

Women, girls and gender	<p>Page 1, Untitled Preamble ...</p> <p>We, the communities, rose against each and committed atrocities such as: burning houses, carrying out killings, looting, raping girls and women, and tribal hatred has since deepened.</p> <p>Page 3, Conclusion To oversee the implementation of our social contract, a Social Watch Committee of 6 representatives from each area has been established: 2 men, 2 women and 2 young people</p>
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society No specific mention.

Traditional/religious leaders Page 2, Historical Land Issues
...
2) We also recognize the sensitivity of land issues linked to inheritance at the family level. We call upon elders together with their sons and daughters to seek for suitable solutions through dialogue.

Public administration No specific mention.

Constitution No specific mention.

Power sharing

Political power sharing No specific mention.

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship	Rights related issues→Citizenship→Citizen, general Page 2, Tribalism ... 3) Instill in our children patriotic values and respect of people from other tribes ... Page 2: Negative Politics As far as Negative politics is concerned, we shall: 1) Invite Electoral Commission of Kenya (ECK) and other facilitators to conduct civic education in our communities.
Democracy	No specific mention.
Detention procedures	No specific mention.
Media and communication	No specific mention.
Mobility/access	No specific mention.
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law	No specific mention.
State of emergency provisions	No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Page 3: Poverty /unemployment/idleness
...
1) We shall establish youth associations that shall liaise with the Ministry of Youth affairs and engage in constructive initiatives such as income generating activities along our border. We believe that access to economic opportunities shall help our youth disengage from unhealthy involvements.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights Land, property and environment→Land reform/rights→Land reform and management
Page 2: Historical land issues
...
1) We shall therefore respect existing boundaries and persons' property within those boundaries.

Pastoralist/nomadism rights No specific mention.

Cultural heritage Land, property and environment→Cultural heritage→Tangible
Page 2, Negative Politics
...
2) Mobilize our community members to engage the youth in social activities such as sports(football),games and eventually economic activities.

Environment No specific mention.

Water or riparian rights or access No specific mention.

Security sector

Security Guarantees No specific mention.

Ceasefire No specific mention.

Police No specific mention.

Armed forces No specific mention.

DDR No specific mention.

Intelligence services No specific mention.

Parastatal/rebel and opposition group forces No specific mention.

Withdrawal of foreign forces No specific mention.

Corruption No specific mention.

Crime/organised crime Page 2: Rampant cattle rustling
 As far as cattle rustling are concerned, we shall
 1) Cooperate and collaborate in tracking and recovering stolen animals through joint patrol committee and community policing.
 2) Liaise with the Anti Stock Theft Unit (ASTU) and the provincial administration in case of suspected cattle theft instead of taking the law in our own hands.
 3) Report any suspected cattle theft to the ASTU through the Assistant Chief or Chief.
 4) Ensure security and protection to those who reportsuspect cattle robbers.

...

Page 2:Poverty /unemployment/idleness
 We recognize that significant number of our youth have no income, no job and no farming land. They are easily drawn into self-destructive behaviours such as alcohol and drug consumption, criminal activities such as cattle rustling, robbery, rape, etc.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory The Agency for Co-operation and Research in Development (ACORD)

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism Page 3: Conclusion
To oversee the implementation of our social contract, a Social Watch Committee of 6 representatives from each area has been established: 2 men, 2 women and 2 young people.

The committee shall carry out the following tasks:

- Hold monthly meeting to assess the situation
- Liaise with Provincial administration on matters threatening community peace
- Monitor the implementation of the signed social contract
- Disseminate the signed social contract among neighboring communities
- Participate in community conflict resolution
- Chair community peace building and consolidation sessions
- Submit quarterly reports to ACORD and CGA.

Related cases No specific mention.

Source Agency for Co-operation and Research in Development, UN Development Programme, (2011), Community Peace Recovery and Reconciliation Handbook: A Handbook for Generating Leadership for Sustainable Peace and Recovery Among Divided Communities, pp.62,https://reliefweb.int/sites/reliefweb.int/files/resources/A39530FC51E66EC18525785B0071E5B7-Full_report.pdf
