

Country/entity	Kenya
Region	Africa (excl MENA)
Agreement name	Resolutions of the Conflict Mitigation Strategy between Elders from Garissa (Lagdera Sub-County) and Isiolo (Garbatulla Sub-County) Counties attended by National Government Officials together with Building Bridges Initiative at Sportsman's Arms Hotel, Nanyuki
Date	1 Apr 2019
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 peace process
Parties	Witnessed by: Representative Elders from Lagdera sub-county, Garissa [signatures] Representative Elders from Garbatulla sub-county, Isiolo [signatures]

Third parties	<p>Witnessed by:</p> <p>Mr. Victor Kamonde, Deputy County Commissioner, Garbatulla sub-county, Isiolo</p> <p>Mr. Julius Koima, Deputy County Commissioner, Lagdera Sub-County</p> <p>Mr. Peter K. Thuku, EBS - Secretary/Peace Building and Distaster Response, State Department of Interior</p> <p>Mr. Joseph Kaguthi, EBS - Former Provincial Commissioner</p> <p>Mr. James Matundura, HSC - Building Bridges Initiative</p> <p>Bishop (rtd.) Peter Njenga - Building Bridges Initiative</p> <p>Major (rtd.) John Seii - Building Bridges Initiative</p>
Description	Agreement to resolve the inter-community conflict between the Borana and Auliyen of Isiolo and Garissa Counties respectively.

Agreement document [KE_190401_Resolutions of the Conflict Mitigation Strategy between Elders from Garissa \(Lagdera Sub-County\) and Isiolo \(Garbatulla Sub-County\) Countie.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	<p>Groups→Refugees/displaced persons→Rhetorical</p> <p>Page 5, 6. Key resolutions, 1.6 On Attacks and Retaliatory Attacks and Compensation:</p> <p>...</p> <p>(i) Resettlement of Displaced Persons</p> <p>Concerted efforts be made to facilitate persons displaced by the conflict.</p>
Social class	No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family Page 3, 6. Key resolutions
The Elders condoled with the families for the loss of lives in the recent skirmishes. They also promised to embrace peace and ensure there is no further theft of livestock and destruction of property.

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, 3. Mandate of the Arbitrating Committee

The Committee was mandated to:-

(a) Receive the Acceptance of both warring communities to arbitrate between them and receive a commitment signed by the representing elders to that effect.

Page 2, 4. Pre-forum inter-community agreements:

(a) Acceptance of peace to end the current impasse, ethnic tensions, and use dialogue including ADR mechanisms to end the conflict.

(b) Each of the two communities to nominate 10 elders each to represent them in the meeting.

Page 4, 6. Key resolutions, 1.5 On Illegal Settlement:

The Regional Coordinators from both North Eastern and Eastern regions to create a special committee comprising of elders, religious leaders, chiefs, national government officials, political leaders from both counties to look into the issue of illegal settlements as stipulated in 1.2

Page 4, 6. key resolutions, 1.6 On Attacks and Retaliatory Attacks and Compensation:

Existing tradition dispute resolution mechanisms like the Modogashe Declaration 2011 to be reviewed and enforced when addressing compensation of loss of lives, stolen livestock and destruction of property.

...

Leaders from both communities to engage in inter-communal dialogues to reduce existing tensions and avert further attacks and counter-attacks

Security agencies to act on Early Warning information given by the community and the political leaders to make follow-ups/implement recommendations made thereof.

...

There is need to engage with the final decision making organs of the warring communities in Hayu (Borana) and Ugasi (Auliyan) on review and follow-up on implementation of Nanyuki I and II Declarations. This should include input from National and County governments security officers, peace committees, elders, politicians and other stakeholders on undertaking of PBCM/CPRM initiatives earlier agreed upon.

Page 5, 6. Key resolutions, 1.6 On Attacks and Retaliatory Attacks and Compensation:

(f) Facilitation of Peace Committees and Elders:

Mechanisms be put in place to facilitate/support peace committees and elders in undertaking of quarterly (1/4) PBCM/CPMR initiatives at the grassroots levels. This will go a long way in reducing the current tensions and avert future attacks and retaliatory attacks.

...

(h) Quarterly joint Meetings/Barazas and Peace Caravans

Both national and county government officials including security officers from affected areas to participate in quarterly joint meetings/barazas and peace caravans targeting the two communities - Borana and Auliyan in Lagdera and Garbatulla sub-counties.

Page 6, 6. Key resolutions, 1.6 On Attacks and Retaliatory Attacks and Compensation: (k)

Communication amongst Elders:

Elders to enhance information sharing and communication amongst themselves on issues regarding peace and security regularly. They should ensure they have telephone contacts including those of their respective Chiefs and Assistant Chiefs.

Finally, all present at this forum commit ourselves on issues regarding peace and security regularly. They should ensure they have telephone contacts including those of their respective Chiefs and Assistant Chiefs.

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 No specific mention.

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 Justice sector reform→Criminal justice and emergency law→Criminal Justice System reform
Page 5, Page 5, 6. Key resolutions, 1.6 On Attacks and Retaliatory Attacks and Compensation:...
(e) Apprehension of Individuals Engaging in Criminal Activities: Relevent authorities to expeditte aprehension of individuals engaging in criminal activities and ensure their prosecution.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws Page 4, 6. Key resolutions, 1.6 On Attacks and Retaliatory Attacks and Compensation: Existing tradition dispute resolution mechanisms like the Modogashe Declaration 2011 to be reviewed and enforced when addressing compensation of loss of lives, stolen livestock and destruction of property. The National Government to equally take action against culprits involved.
...
(c) Adherence to Customary Laws/ADR Mechanisms on Pasture Management and Access to Water Points:
Both communities to respect and adhere to customary laws and/or ADR mechanisms (Dhetha System) on pasture management.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

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 No specific mention.

Pastoralist/nomadism rights Page 3, 6. Key resolutions
The Elders condoled with the families for the loss of lives in the recent skirmishes. They also promised to embrace peace and ensure there is no further theft of livestock and destruction of property.

Page 3, 6. Key resolutions, 1.3 On Pasture and Water Sharing:
Migrating communities to liaise continuously with host communities in regard to modalities for pasture and water sharing before moving in with their animals. The communities in search of pasture and water should declare arms in their possession and they will rightfully use them to protect their livestock.

Page 4, 6. Key resolutions, 1.6 On Attacks and Retaliatory Attacks and Compensation:
Existing tradition dispute resolution mechanisms like the Modogashe Declaration 2011 to be reviewed and enforced when addressing compensation of loss of lives, stolen livestock and destruction of property. The National Government to equally take action against culprits involved.

...

(b) Return of stolen livestock:
Both communities to expedite return of stolen livestock to their respectful owners.

Cultural heritage No specific mention.

Environment Page 5, 1.6 On Attacks and Retaliatory Attacks and Compensation:
...
(d) Embracing of Environmental Conservation:
Both communities to commit to embracing environmental conservation given the diminishing natural resources and adverse weather conditions.

Water or riparian rights or access No specific mention.

Security sector

Security Guarantees Page 3, 6. Key resolutions, 1.3 On Pasture and Water Sharing:
...The communities in search of pasture and water should declare arms in their possession and they will rightfully use them to protect their livestock.

Page 4, 6. Key resolutions, 1.6 On Attacks and Retaliatory Attacks and Compensation:
...Leaders from both communities to engage in inter-communal dialogues to reduce existing tensions and avert further attacks and counter-attacks
Security agencies to act on Early Warning information given by the community and the political leaders to make follow-ups/implement recommendations made thereof...

Page 5, 6. Key resolutions, 1.6 On Attacks and Retaliatory Attacks and Compensation:
(j) Insecurity:
Highway banditry, proliferation of illicit arms are of a concern and there is need for security to be beefed up in affected areas in Lagdera and Garbatulla sub-counties. Chiefs and Assistant Chiefs to be proactive in sharing of early information on threats to peace and security for rapid response by relevant authorities.

Ceasefire Security sector→Ceasefire→General commitments
Page 3, 5. Agenda of the forum:
(a) Address cessation of hostilities and further loss of lives including destruction of property.

Police Page 3, 6. Key resolutions, 1.4 On Disarmament:
...National Police Reservists to be recruited trained and issued with firearms.

Armed forces No specific mention.

DDR Security sector→DDR→DDR programmes
Page 3, 6. Key resolutions, 1.4 On Disarmament:
Disarmament/registration exercise on illicit arms held by local communities to continue.

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 5, 6. Key resolutions, 1.6 On Attacks and Retaliatory Attacks and Compensation: (e) Apprehension of Individuals Engaging in Criminal Activities: Relevant authorities to expedite apprehension of individuals engaging in criminal activities and ensure their prosecution (j) Insecurity: Highway banditry, proliferation of illicit arms are of a concern and there is need for security to be beefed up in affected areas in Lagdera and Garbatulla sub-counties. Chiefs and Assistant Chiefs to be proactive in sharing of early information on threats to peace and security for rapid response by relevant authorities.
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	Page 4, 6. Key resolutions, 1.6 On Attacks and Retaliatory Attacks and Compensation: Existing tradition dispute resolution mechanisms like the Modogashe Declaration 2011 to be reviewed and enforced when addressing compensation of loss of lives, stolen livestock and destruction of property. The National Government to equally take action against culprits involved.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	Page 3, 6. Key resolutions The Elders condoled with the families for the loss of lives in the recent skirmishes. They also promised to embrace peace and ensure there is no further theft of livestock and destruction of property.
Missing persons	No specific mention.

Reparations Transitional justice→Reparations→Material reparations
Page 4, 6. Key resolutions, 1.6 On Attacks and Retaliatory Attacks and Compensation:
Existing tradition dispute resolution mechanisms like the Modogashe Declaration 2011 to
be reviewed and enforced when addressing compensation of loss of lives, stolen
livestock and destruction of property. The National Government to equally take action
against culprits involved.
...
(a) Compensation:
Both communities to expedite compensation of lives lost during the conflict.
(b) Return of stolen livestock:
Both communities to expedite return of stolen livestock to their respectful owners.

Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source National Steering Committee on Peace Building and Conflict Management
<https://www.nscpeace.go.ke/resources/item/10-conflict-mitigation-strategy-borana-and-aulyan-1-april-2019-nanyuki>