

Peace Agreement Access Tool PA-X <https://pax.peaceagreements.org/>

Country/ entity	Kenya
Region	Africa (excl MENA)
Agreement name	Al-Fatah Peace Declaration
Date	29 Sep 1993
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/local conflict (Kenyan Post-Electoral Violence (2007 - 2008))
Stage	Framework/substantive - partial
Conflict nature	Inter-group
Peace process	Kenya Local Agreements
Parties	Find appended a list of signatories to the declaration. CC. District Commissioner, Wajir Provincial Commissioner, North Eastern Province, Garissa Permanent Secretary in the Office of the President -In charge of Internal Security United Nations -UNICEF & WFP GTZ All NGOs All MPs -Northern Kenya Parliamentary Group The Mass Media
Third parties	-
Description	Agreement between major clans in the Wajir district to bring inter-clan fighting, and banditry to an end.

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	Groups→Refugees/displaced persons→Rhetorical Page 1, 6 That all those persons or families who have deserted their homes or grazing areas or watering places, should go back immediately to their areas and enjoy peace.
Social class	No specific mention.

Gender

Women, girls and gender	<p>Page 1, Untitled Preamble (a) Taking stock of the increasing intensity of inter-clan fighting between the major clans in Wajir district and especially between Degodia and the Ajuran clans which have continued to claim lives of tens of people, many of them children, women and innocent;</p> <p>Page 1, 7 That from the date of this ceasefire, the traditional law pertaining to blood leud will apply to those who commit murder namely the payment of hundred camels for a man and filtv camels for a women. In the case of stock theft, the rule of collective punishment involving whole groups of people will be applied.</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 Page 2, 14
That Wajir people will make a public demonstration on September, 1993 condemning the inter-clan conflict and the case murder of the late Jeff Buttler and to manifest there to have all humanitarian agencies back in the district.

Traditional/ religious leaders No specific mention.

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.
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Rights related issues

Citizenship	No specific mention.
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Democracy	No specific mention.
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Detention procedures	No specific mention.
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Media and communication	No specific mention.
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Mobility/access	No specific mention.
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Protection measures	No specific mention.
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Other	No specific mention.
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Rights institutions

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

Cultural
heritage No specific mention.

Environment No specific mention.

Water or
riparian
rights or
access No specific mention.

Security sector

Security
Guarantees No specific mention.

Ceasefire Security sector→Ceasefire→Ceasefire provision
Page 1, 1
That the inter clan fighting and stock theft be stopped immediately and a
cease fire be effected from the 29th day of September, 1993.

Police Page 2, 10
That the Provincial Administration being the executive arm of the
government, should instill discipline and sense of duty in the Security
personnel as well as Chiefs and District Officers, so that officers working in
areas where banditry menace will appear to increase instead of decrease
after the implementation of this peace programme will be responsible.

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	<p>Page 1, Untitled Preamble</p> <p>...</p> <p>(b) Considering one increasing insecurity in the district in which violent robberies, looting of property and highway robberies affecting them major roads connecting Wajir and Nairobi have continued to take place with alarming frequencies;</p> <p>(c) Dismayed with the recent callous murder of the late Jeff Buttler and the serious injury of Bob McCarthy both working with UNICEF and the subsequent suspension of NGO activities in the district;</p> <p>...</p> <p>Page 1, 2</p> <p>That during this cease fire, livestock stolen from Ogaden clans by Degodia and vice versa be mutually returned within seven days effective from 1st October, 1993.</p> <p>...</p> <p>Page 1,7</p> <p>That from the date of this ceasefire, the traditional law pertaining to blood leud will apply to those who commit murder namely the payment of hundred camels for a man and fiftv camels for a women. In the case of stock theft, the rule of collective punishment involving whole groups of people will be applied.</p>
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	Page 2, 11 That all NGO's namely, World Vision International, African Inland Church, Care International, Oxfam, African Muslim Agency, the United Nations especially Unicef and WFP, and Bilateral Agencies specifically GTZ be requested to come back and resume their operations in the district. The people of Wajir and the local administration will ensure that adequate security arrangements are made for the same personnel and their operations.
Referendum for agreement	No specific mention.
International mission/force/similar	No specific mention.

Enforcement mechanism Page 1, 4.
That Wajir people without distinction will work as a united people to eliminate the banditry menace in the district. To realize this, the government is urged to work closely with the various panels of peace committees from the district headquarters to the sub-location level, who will monitor the implementation of this peace agreement and advise the authorities on the best method of eliminating the banditry menace.

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Page 2, 12

That the government considers the formation of a specific force to be deployed specifically for the purpose of fighting the banditry menace. It is recommended that task force comprise mainly local officers from administration and police force.

...

Page 2, 13

That henceforth the government should take firm action against those who are found to incite people to violent fan clan clashes.

Related cases No specific mention.

Source On file with author. Also available at: ETH Zuerich Center for Security Studies (n.d.) Wajir Al Fatah Declaration 29 Sept 1993, <https://css.ethz.ch/content/dam/ethz/special-interest/gess/cis/center-for-securities-studies/pdfs/Wajir%20Al%20Fatah%20Declaration%2029%20Sept%201993.pdf> (Accessed 31 January 2020).
