



<b>Country/entity</b>	Kenya
<b>Region</b>	Africa (excl MENA)
<b>Agreement name</b>	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
<b>Date</b>	1 Apr 2019
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes
<b>Agreement/conflict level</b>	Intrastate/local conflict  <b>Kenyan Post-Electoral Violence (2007 - 2008)</b>  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)
<b>Stage</b>	Framework/substantive - partial
<b>Conflict nature</b>	Inter-group
<b>Peace process</b>	Kenya peace process
<b>Parties</b>	Witnessed by: Representative Elders from Lagdera sub-county, Garissa [signatures] Representative Elders from Garbatulla sub-county, Isiolo [signatures]

<b>Third parties</b>	<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>
<b>Description</b>	Agreement to resolve the inter-community conflict between the Borana and Auliyen of Isiolo and Garissa Counties respectively.

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<b>Agreement document</b>	<a href="#">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)</a>   <a href="#">Download PDF</a>
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## 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 5, 6. Key resolutions, 1.6 On Attacks and Retaliatory Attacks and Compensation:  
...  
(i) Resettlement of Displaced Persons  
Concerted efforts be made to facilitate persons displaced by the conflict.

**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.

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## **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.

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## **Governance**

**Political institutions (new or reformed)** No specific mention.

**Elections** No specific mention.

<b>Electoral commission</b>	No specific mention.
<b>Political parties reform</b>	No specific mention.
<b>Civil society</b>	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.

<b>Public administration</b>	No specific mention.
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<b>Constitution</b>	No specific mention.
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**Power sharing**

<b>Political power sharing</b>	No specific mention.
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<b>Territorial power sharing</b>	No specific mention.
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<b>Economic power sharing</b>	No specific mention.
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<b>Military power sharing</b>	No specific mention.
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**Human rights and equality**

<b>Human rights/RoL general</b>	No specific mention.
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<b>Bill of rights/similar</b>	No specific mention.
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<b>Treaty incorporation</b>	No specific mention.
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<b>Civil and political rights</b>	No specific mention.
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<b>Socio-economic rights</b>	No specific mention.
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**Rights related issues**

<b>Citizenship</b>	No specific mention.
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<b>Democracy</b>	No specific mention.
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<b>Detention procedures</b>	No specific mention.
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<b>Media and communication</b>	No specific mention.
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<b>Mobility/access</b>	No specific mention.
<b>Protection measures</b>	No specific mention.
<b>Other</b>	No specific mention.

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## **Rights institutions**

<b>NHRI</b>	No specific mention.
<b>Regional or international human rights institutions</b>	No specific mention.

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## **Justice sector reform**

<b>Criminal justice and emergency law</b>	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: Relevant authorities to expedite apprehension of individuals engaging in criminal activities and ensure their prosecution.
<b>State of emergency provisions</b>	No specific mention.
<b>Judiciary and courts</b>	No specific mention.
<b>Prisons and detention</b>	No specific mention.
<b>Traditional Laws</b>	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.

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## **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.

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## **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.

<b>Environment</b>	<p>Page 5, 1.6 On Attacks and Retaliatory Attacks and Compensation:</p> <p>...</p> <p>(d) Embracing of Environmental Conservation:</p> <p>Both communities to commit to embracing environmental conservation given the diminishing natural resources and adverse weather conditions.</p>
<b>Water or riparian rights or access</b>	No specific mention.
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<b>Security sector</b>	
<b>Security Guarantees</b>	<p>Page 3, 6. Key resolutions, 1.3 On Pasture and Water Sharing:</p> <p>...The communities in search of pasture and water should declare arms in their possession and they will rightfully use them to protect their livestock.</p> <p>Page 4, 6. Key resolutions, 1.6 On Attacks and Retaliatory Attacks and Compensation:</p> <p>...Leaders from both communities to engage in inter-communal dialogues to reduce existing tensions and avert further attacks and counter-attacks</p> <p>Security agencies to act on Early Warning information given by the community and the political leaders to make follow-ups/implement recommendations made thereof...</p> <p>Page 5, 6. Key resolutions, 1.6 On Attacks and Retaliatory Attacks and Compensation:</p> <p>(j) Insecurity:</p> <p>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.</p>
<b>Ceasefire</b>	<p>Security sector→Ceasefire→General commitments</p> <p>Page 3, 5. Agenda of the forum:</p> <p>(a) Address cessation of hostilities and further loss of lives including destruction of property.</p>
<b>Police</b>	<p>Page 3, 6. Key resolutions, 1.4 On Disarmament:</p> <p>...National Police Reservists to be recruited trained and issued with firearms.</p>
<b>Armed forces</b>	No specific mention.
<b>DDR</b>	<p>Security sector→DDR→DDR programmes</p> <p>Page 3, 6. Key resolutions, 1.4 On Disarmament:</p> <p>Disarmament/registration exercise on illicit arms held by local communities to continue.</p>
<b>Intelligence services</b>	No specific mention.
<b>Parastatal/rebel and opposition group forces</b>	No specific mention.

<b>Withdrawal of foreign forces</b>	No specific mention.
<b>Corruption</b>	No specific mention.
<b>Crime/organised crime</b>	<p>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</p> <p>(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.</p>
<b>Drugs</b>	No specific mention.
<b>Terrorism</b>	No specific mention.

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## **Transitional justice**

<b>Transitional justice general</b>	No specific mention.
<b>Amnesty/pardon</b>	No specific mention.
<b>Courts</b>	No specific mention.
<b>Mechanism</b>	<p>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.</p>
<b>Prisoner release</b>	No specific mention.
<b>Vetting</b>	No specific mention.
<b>Victims</b>	<p>Page 3, 6. Key resolutions</p> <p>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.</p>
<b>Missing persons</b>	No specific mention.

<b>Reparations</b>	<p>Transitional justice→Reparations→Material reparations</p> <p>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.</p> <p>...</p> <p>(a) Compensation: Both communities to expedite compensation of lives lost during the conflict.</p> <p>(b) Return of stolen livestock: Both communities to expedite return of stolen livestock to their respectful owners.</p>
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<b>Reconciliation</b>	No specific mention.
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## Implementation

<b>UN signatory</b>	No specific mention.
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<b>Other international signatory</b>	No specific mention.
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<b>Referendum for agreement</b>	No specific mention.
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<b>International mission/force/similar</b>	No specific mention.
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<b>Enforcement mechanism</b>	No specific mention.
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<b>Related cases</b>	No specific mention.
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<b>Source</b>	<p>National Steering Committee on Peace Building and Conflict Management</p> <p><a href="https://www.nscpeace.go.ke/resources/item/10-conflict-mitigation-strategy-borana-and-aulyan-1-april-2019-nanyuki">https://www.nscpeace.go.ke/resources/item/10-conflict-mitigation-strategy-borana-and-aulyan-1-april-2019-nanyuki</a></p>
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