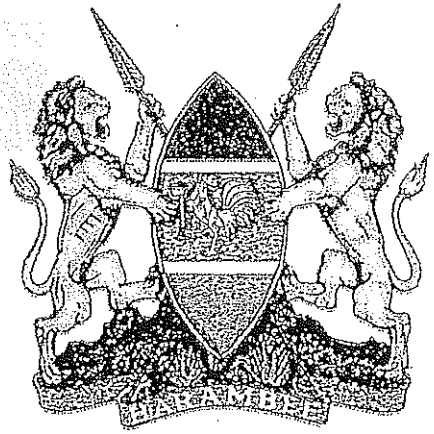
Republic of Kenya



THE PRESIDENCY
MINISTRY OF INTERIOR AND CO-ORDINATION OF NATIONAL GOVERNMENT

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Glossary of Terms

The following definitions will apply for the purposes of this Sessional Paper.

Civil society: Refers to the political space between the state and the family. This space is occupied by a range of institutions, groups and organizations, separate from the state and the private sector, which freely group together according to their own diverse interests. These include Non-Governmental Organizations (NGOs), Community Based Organizations (CBOs), Faith Based Organizations (FBOs), Media Organizations, Professional Associations, Trade Unions, Student Groups, Cultural Societies, Groups and Institutions.

Conflict cycle: This refers to the distinct phases a conflict goes through from its onset to termination. These include pre-conflict, confrontation, crisis, crisis outcome and the post conflict stage.

Conflict early warning: Early warning is the act of alerting a competent authority about the threat of new (or renewed) conflict sufficiently in advance for preventive action.

Conflict early warning mechanisms: Processes and structures that collect, analyse data on conflict indicators and provide advance warning information on conflict risks and vulnerabilities.

Conflict management: Refers to actions undertaken to prevent the vertical (intensification of violence) or horizontal (territorial spread) escalation of existing violent conflicts

Conflict mapping: Conflict mapping is a graphical technique used for conflict analysis to project the parties to a conflict, their relations, interests and depth of perceptions based on experiences in the context of the conflict.

Conflict prevention: Measures taken to avert the escalation of conflict into violence.

Conflict resolution: A comprehensive terminology used in conflict management, to imply that the deep-rooted sources of conflict are addressed and resolved. This implies that the behaviour is no longer violent, attitudes are no longer hostile, and the structure of the conflict has been changed.

Conflict sensitivity: Understanding the interaction between your intervention and context and act upon this interaction to avoid negative impacts and maximize positive impacts.

Cross-border conflict: Conflicts between groups traversing or separated by international borders, in which there is no state-support of any of the groups.

Crime: Activities amounting to breach of law as described in the penal code and are punishable under the criminal justice system through the criminal procedure act.

Development: Long-term efforts aimed at bringing improvements in the technology, economic, political and social status, environmental stability and the quality of life.

Disaster: A disaster is a natural or human-made occurrence resulting from an impact of a hazard, causing widespread human suffering, injury, loss of life and livelihoods, damage of infrastructure and environmental degradation, rendering the affected community incapable to cope without external interventions.

Ethnicity: Fact of belonging to a particular tribe, race.

Gender: Socially construed norms defining one to be a man or woman as prescribed by the reproductive, productive and communal roles they have in the society.

Human security: Refers to two aspects: 'freedom from fear' (referring to the threat of violence, crime, and war); and, 'freedom from want' (referring to economic, health, environment and other threats to peoples' wellbeing).

Internally displaced persons (IDPs): Are "persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border." (Guiding Principles on Internal Displacement, Introduction, para. 2; also see the AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa).

Karamoja and Somali Clusters: The term " Karamoja Cluster " is in common use and has been employed for many years to describe the pastoral and agro-pastoral ethnic groups, most of whom share a common language, culture, ecological and

geographical zones encompassing North Eastern Uganda, North Western Kenya, South-Eastern Sudan and South-Western Ethiopia. Many of these ethnic groups live in what was the old Karamoja District in North-Eastern Uganda.

The term "Somali cluster" comprises that area in Eastern Kenya (including Upper Eastern, North Eastern and Tana River), South-Eastern Ethiopia and Western Somalia mainly occupied by the six Somali sub-clans. By extension, this is also referred to as the Oromia and Ogaden Region.

Mitigation: These are measures undertaken to limit adverse effects that may result from a conflict.

National Policy: A broad set of principles, guidelines and objectives that inform the authoritative allocation of resources, values, practices, norms and strategies to the society. It is a broad purposeful course of action to be followed by a concrete operational/implementation planned action.

National security: In line with Article 238 (1) of The New Constitution of Kenya, this Policy defines National Security as protection against internal and external threats to Kenya's territorial integrity and sovereignty, its people, their rights, freedoms, property, peace, stability and prosperity, and other national interests.

Non-State actors: These include civil society organizations, and private sector actors involved in processes of peace-building and conflict management.

Peace: A state of harmony characterized by the absence of violent conflict and where people feel free of fear of violence. Peace is not just the absence of armed conflict/violent conflict: it presupposes the existence of healthy inter-personal and inter-community relations, socio-economic prosperity, a working political order and the enjoyment of fundamental rights by all. These rights include those relating to physical integrity of individuals but also those relating to their social and economic welfare.

Peace-building: This is the implementation of measures to consolidate peaceful relations and create an environment which deters the emergence or escalation of tensions which may lead to conflict. Peacebuilding is used as 'an umbrella concept that encompasses not only long-term transformative efforts associated with capacity building, reconciliation, and societal transformation, but also peacemaking and peacekeeping.

Poverty: State of being poor, inability to access the basic things for survival.

Region: A geo-politically defined area at the inter-state level, for example, Kenya-Uganda; East African Community; Inter-Governmental authority on Development (IGAD); Great Lakes Region and The Horn of Africa.

State actors: These include state institutions/agencies and structures as well as regional and international organizations to which the state is a partner or signatory, which are engaged with processes to enhance peace and human security.

Sustainable development: Sustainable development is that type which meets the needs of today's generation without compromising those of future generations.

Violence: Act or behaviour that is intended to hurt or kill.

List of Acronyms and Abbreviations

ADR	Alternative Dispute Resolution
AU	Africa Union
CEWERU	Conflict Early Warning and Response Unit
CEWARN	Conflict Early Warning and Response Mechanism
CIPEV	Commission of Inquiry into the Post-Election Violence
CSO	Community Based Organisation
EAC	East African Community
EAPCCO	East Africa Police Commissioners Co-operation Organization
FBO	Faith Based Organisation
IGAD	Intergovernmental Development Authority and Development
ICGLR	International Conference on Great Lakes Region
IIBRC	Interim Independent Boundaries Review Commission
IIEC	Interim Independent Electoral Commission
IREC	Independent Review Commission
KNDR	Kenya National Dialogue and Reconciliation
NARA	National Accord and Reconciliation Act
NCIC	National Cohesion and Integration Commission
NSC PBCM	National Steering Committee on Peacebuilding and Conflict Management
RECSA	Regional Centre on Small Arms
SALW	Small Arms and Light Weapons.
TJRC	Truth Justice and Reconciliation Commission

Foreword

Over the years, the Ministry of Interior and Coordination of National Government through the National Steering Committee on Peacebuilding and Conflict Management has undertaken the peacebuilding and conflict management function aimed at promoting peace among Kenyans. Immense work has also been done at the cross border and regional levels. This is because of the need to promote a peaceful environment for development.

The National Government is committed to strengthen its capability to effectively address peace at local, County, national and regional level, while collaborating with global actors towards the attainment of international peace and security. This is because, Kenya, despite being peaceful in a relatively volatile region of the Great Lakes and Horn of Africa, has experienced violent conflicts relating to natural resources, livestock rustling, banditry, organised gangs, cross-border conflicts, agro-pastoralist, land conflicts, electoral conflicts, institutional, religious, human-wildlife, religious, socio-cultural and environmental conflicts. With a devolved system of governance under the new Constitutional dispensation, most of these threats and challenges to peace and security are likely to increase. In view of the fact that conflicts and tensions are inevitable in ongoing transitional and development processes.

This Peacebuilding and Conflict Management Sessional Paper is a culmination of the consultative process which commenced in 2005 in an effort to strengthen, co-ordinate, and integrate various conflict management initiatives by the state and non state actors. It included a review of relevant literature that included relevant research, policies, strategies, legislations, reports, protocols and publications. This review informed the collection of views from the wider public at various levels ranging from the community level, through the then District, Provincial and national levels targeting a broad array of stakeholders including Government ministries/departments, academia, development partners, regional organizations, CSOs, women and youth groups, communities, private sector and local authorities. Its provisions are in line with the spirit in our Constitution.

The vision of the policy is to enhance coordination in prevention, mitigation and management of conflicts as well as sustained peacebuilding processes in the most participatory, cultural sensitive, inclusive, transparent and accountable manner. This policy framework is the Government's deliberate effort towards developing a comprehensive, legal and administrative mechanism to govern peacebuilding and conflict management processes in the country.

The policy's aims and aspirations expressed in this paper will however remain elusive if the identified policies and strategies among others, are not put in practice by respective players.

We thank all Government departments, Non-Governmental Organizations and development partners especially UNDP Kenya for their invaluable support in the development of this comprehensive policy. We look forward to enhanced partnership and cooperation with the County Governments and all other partners and stakeholders in ensuring implementation of this policy.

JOSEPH OLE LENKU
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CHAPTER 1: BACKGROUND INFORMATION

1.1 Introduction

1.1.1 Conflicts in the contemporary world are not limited to interstate wars, but include intra-state conflicts. A renowned diplomat and conflict analyst, John McDonald[1] observes that in 1987, for example, only 4 of the world's major armed conflicts were cross-border wars while 32 of the 36 major armed conflicts fought in 1987 were civil wars or intra-state wars of independence. However, acts of terrorism and radicalization have increasingly become drivers of conflict the world-over.

1.1.2 Adedeji[2] observes that during the four decades between the 1960s and the 1990s, there were about 80 violent changes of governments in sub-Saharan Africa. These conflicts have divided the continent along ethnic, cultural, political, social and economic lines as well as retarded development and caused wanton destruction to the existing infrastructure. Crocker further notes that intra-state conflicts are exemplified in civil or ethnic wars, independence struggles, religious conflicts, wars over regime legitimacy, wars to overthrow repressive systems, wars of governmental and territorial fragmentation such as cessation, among others.

1.1.3 Scholars[3] assert that several factors act to internationalize conflict including, neighbourliness of fragile states, ethnicity, ethnic relations and kinship' universality of human rights, refugees, media and the "CNN Effect".

1.1.4 Most African countries have gone through trying moments with regard to conflicts. Kofi Annan[4] notes that the sources of conflicts in Africa reflect and result from the continental diversity and complexity. While some sources are purely internal, some reflect the dynamics of particular sub-regions, and some are reflective of underlying international dynamics.

1.1.5 In Great Lakes and Horn of Africa Region, Kenya stood out as an Island of peace in spite of the threats and challenges to its national security and stability. These challenges have become increasingly sophisticated and complex. The resulting conflicts

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[1] See J.W. McDonald, 'Further Exploration of Track Two Diplomacy,' in Kriesberg,L & Thompson,S.J (eds) *Timing the De-Escalation of International Conflicts*, (New York: Syracuse University Press, 1991) pp. 201 – 220.

[2] A. Adedeji (ed), *Comprehending and mastering African conflicts* (London: Zed Books, 1999) p.3.

[3] Such as M. Mwagiru, *Conflict in Africa. Theory, Processes and Institutions of Management* (Nairobi: CCR Publications, 2006) pp.61-67.

[4] See K. Annan. 'The Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa.' Secretary-General's Report to the United Nations Security Council, 16 April 1998. Also available at http://www.un.org/ecosocdev/geninfo/afrec/sgreport/main.htm accessed on 09/12/2013.

are either violent or non-violent, ranging from internal disputes between and within different groups, to cross-border conflicts with groups from neighbouring countries.

1.1.6 Factors such as poor governance, poverty, competition for scarce resources and identity-based rivalries are recorded as push factors for conflict. The violent conflicts are further complicated by easy access to illicit small arms and light weapons (SALW) along the porous borders.

1.1.7 The contested December 2007 elections marked the climax in Kenya's conflict history. The violence experienced during this election led to over 1000 deaths, damage to property, and displacement of populations either as refugees, internally displaced persons (IDPs) or besieged populations (BP). Beyond the material impact, the Post-Election Violence (PEV) had psychological, physical and emotional repercussions mainly on women, children, youth and the elderly. For a stable country like Kenya, this demonstrated that peace and security cannot be taken for granted.

1.1.8 This policy framework takes cognizance of Article 238[5] of the Constitution of Kenya, on National Security, among other relevant provisions. It underscores the need for not only national security but also enhanced human security, through sustained linkage between institutions charged with peace building and conflict management and state security organs

1.2 Kenya's infrastructure for peace

1.2.1 The concern to promote peace and stability in Kenya has been with policy makers and stakeholders for decades. This is reflected in active and continuous engagements with local and national peace initiatives over the years.

1.2.2 In an effort to strengthen, co-ordinate, and integrate various conflict management initiatives, the government and civil society organizations (CSOs) jointly established the National Steering Committee on Peacebuilding and Conflict Management (NSC). NSC was established in 2001 within the Office of the President, Ministry of State for Provincial Administration and Internal Security and became operational in November 2002 with the placement of a Secretariat. It brings together representatives from relevant Government Ministries and Departments, umbrella civil society organizations, development partners, and UN agencies. As a multi-agency organization, NSC was mandated to co-ordinate all peace related activities in Kenya. It also doubles up as Kenya's Conflict Early Warning and Response Unit (CEWERU) for the implementation of the CEWARN Protocol acceded to by IGAD Member States.

[5] The New Constitution of Kenya, 27th August 2010. The Government Printer, Nairobi.

1.2.3 To fully realise the country's peace building potential, there is a consensus on the need for a comprehensive and viable strategy on peace building and conflict management. The need for a policy framework that articulates the country's vision and strategy in this regard is critical.

1.3 Policy development process

1.3.1 The development of the national policy on Peacebuilding and Conflict Management commenced in 2004. The process was highly procedural, consultative and participatory. It involved review of relevant literature including policies, strategies, legislations, reports, protocols and publications. In addition there were stakeholders' consultation and validation fora targeting Government ministries/departments, academia, development partners, regional organizations, CSOs, elders, women, youth groups, communities, private sector, local authorities and differently-abled persons. Other modes of consultations included review meetings, engagement with the political leadership including members of parliament. The draft policy was also uploaded on the Ministry's website and also advertised in the local daily newspapers with wider circulation for input. The general public also submitted memoranda for consideration.

1.4 The problem

1.4.1 The lack of policy guidelines to co-ordinate peace building and conflict management approaches is a fundamental problem in Kenya. As a result, most actors engage on *ad hoc* basis that are reactionary in nature, duplicate interventions resulting to competition, wastage of resources that have minimal impact whenever conflicts arise. In addition, sufficient resources have not been mobilized to prevent latent conflicts and enable rapid response when conflicts occur

1.5 Policy Rationale

1.5.1 The policy paper seeks to enhance the prevention, mitigation and management of conflicts. It provides a mechanism for coordination, resource mobilisation and synergy among stakeholders involved in peacebuilding and conflict management (PBCM). The policy paper is intended to enhance the consistency and efficiency with which the government and stakeholders design and implement appropriate interventions aimed at promoting peacebuilding and conflict management. It will guide all stakeholders in realizing synergies and achieving the desired changes.

1.6 Scope of the policy

1.6.1 The peacebuilding and conflict management policy paper applies to regional, cross border, national and local conflicts in line with internationalisation of conflicts as discussed ealier in this chapter.In addition, the paper is intended to address international level conflicts taking cognisance of international, regional and subregional treaties, conventions, protocols, declarations, strategies and mechanisms. This will involve state and non-state actors at all levels.

1.6.2 This policy paper will address political, socio, economic, environmental and cultural conflicts including resource-based conflicts, livestock rustling, cross border conflicts, agro pastoralist, land conflics, electoral, institutional, religious, class, human-wildlife conflicts, sectarian, banditry and organised gangs.

1.6.3 In the policy paper peacebuilding and conflict management is used as 'an umbrella concept that encompasses short term, mid-term and long-term transformative efforts of capacity building, early warning, early response, mediation, reconciliation, peace dividends, consolidating peaceful relations and societal transformation. In peacekeeping, peacebuilding applies to stabilization measures employed in conflict situations.

1.7 Strategic focus

1.7.1 The strategic focus for the policy paper largely builds from the national blue print -Kenya Vision 2030 that aims at making Kenya a just and cohesive society with equitable social development, clean and a secure environment.

1.8 Vision of policy

1.8.1 The PBCM policy's vision is *"A peaceful, secure and prosperous Kenya".* This vision will be achieved through enhanced coordination in prevention, mitigation and management of conflicts as well as sustained peacebuilding processes.

1.9 Mission of policy

1.9.1 The PBCM policy's mission is *"...To promote sustainable peace through a collaborative institutional framework between state, non-state actors and Kenyan Communities"*

1.10 Values of Policy

1.10.1 The values espoused by the policy paper are hinged on The Constitution of Kenya, with special emphasis on the following:

a. National unity and nationhood;
b. Equality before the law and application of the Rule of Law;
c. Integrity, honesty and accountability;
d. Adherence to democratic principles;
e. Inviolability of international borders.

1.11 Principles of the Policy

1.11.1 The policy paper on Peacebuilding and Conflict Management embraces the following principles:

a. Proactivity
b. Cultural Sensitivity
c. Human Rights
d. Conflict Sensitivity
e. Participation and Inclusivity
f. Gender Sensitivity
g. Equity
h. Collaboration and Co-operation
i. Transparency and Accountability

1.12 Objectives of the Policy

1.12.1 The objectives of the policy are:

i. To develop conflict prevention strategies and structures to address root causes of internal and cross-border conflicts.
ii. To propose policy options to regulate, transform and strengthen relationships between actors in different sectors and levels of society for sustainable peace.
iii. To promote application of conflict early warning and response to prevent violent conflict in collaboration with Regional Bodies e.g. IGAD-Conflict Early Warning and Early Response Mechanism, EAC – Early Warning and Early Response System.
iv. To develop peace-building and conflict prevention management and resolution strategies, structures guidelines that promote sustainable conflict sensitive planning, implementation, monitoring and evaluation.
v. To mainstream gender issues in conflict management with emphasis on the empowerment of women towards long-term conflict mitigation and peacemaking.

vi. To promote and establish an institutional framework for peace-building and conflict management that fosters strong collaborative partnerships between the government, the private sector, the civil society, development partners, grass roots communities and regional organizations for sustainable Peace, Conflict transformation and national development.

vii. To establish a Mediation Support Unit to provide and coordinate mediation and preventive diplomacy capacity to Kenya and its neighbouring states.

viii. To propose strategic options for resource mobilization to initiate, establish and sustain proactive peacebuilding and conflict management interventions.

ix. To formulate strategies for research, bench marking and documentation, including best-practice and dissemination in collaboration with stakeholders.

x. To establish mechanisms for regular monitoring and review of the policy implementation.

CHAPTER 2: SITUATIONAL ANALYSIS

2.0 Conflicts experienced in Kenya have international, regional and national dimensions. This results from spill-over of conflicts from the neighbouring countries which have an effect on the country. The policy paper framework contextualises conflict with regard to social, economic, political and environmental dimensions.

2.1 Economic Context

2.1.1 Conflicts in Kenya have an economic dimension that the policy paper seeks to address. There is an interconnection between poverty and conflict. Poverty is a major cause of structural conflicts resulting from unemployment, class struggles, landlessness, marginalisation, underdevelopment, inequitable distribution of resources among others. The policy paper underscores the need to address economic related factors with a view to minimize conflicts.

2.2 Socio-Political Context

2.2.1 The Socio-Political factors that breed conflict in Kenya include negative ethnicity; social marginalisation of communities; non-issue based politics; inequitable distribution of resources; disregard for the rule of law, culture of impunity and high levels of unemployment particularly among the youth. Administrative and electoral boundaries are a major source of conflicts in many parts of the country. Among the resultant effects of these, are the recently witnessed 2007/2008 election related violence, radicalization of youth and emergence of organised criminal gangs and ethnic militias.

2.3 Environmental Context

2.3.1 Unsustainable utilisation of environmental resources leading to depletion is a source of conflict across the world. In Kenya scarce natural resources, increased populations and worsening environmental conditions have resulted to stiffer competition for land, pasture, water, fish, minerals and forest resources in areas of Karamoja and Somali cluster, the Mau Forest, Embobut Forest and Migingo Islands, to mention but a few. This scenario has precipitated conflicts over access, control and ownership frequently degenerating into violent conflicts within and among communities such as those in the ASAL communities. In addition, climate change which is both an environmental and developmental issue has had adverse effects leading to conflicts.

2.4 Nature of conflicts

2.4.1 Resource-based Conflicts

2.4.1.1 The policy paper recognises that the most frequent and often violent conflicts in Kenya occur in the pastoralist environment and cross-border regions in North Rift, North Eastern, and parts of Eastern and Coast provinces. These areas are characterized by unpredictable climatic conditions leading to periods of drought and famine, migration in search of pasture and water, which increases competition between host and migrant communities. These conflicts are aggravated by social and political alienation, economic marginalization and the proliferation of illicit small arms and light weapons in the region.

2.4.2 Livestock Rustling

2.4.2.1 Livestock rustling is a common practice among pastoral communities in Kenya and neighbouring countries and has cultural, economic and social dimensions. The practice overwhelm security operations, erode traditional conflict management mechanisms and adversely impact on pastoral mobility, trigger ethnic tensions which hamper development and exploitation of natural resources. In addition, it impacts negatively on peaceful coexistence among neighbouring communities, diverts resources meant for development to security operations and affects social services delivery.

2.4.3 Banditry, general Crime and organized criminal gangs

2.4.3.1 Banditry and organized criminal activities pose major challenges to the society. Organized crime as is known today, is now international in scope and unrestricted by geographical borders. Organized crime may be defined as systematically unlawful activity for profit on a city-wide, interstate, and even international scale. Criminal organizations often keep their illegal operations secret and discrete. Gangs sometimes become sufficiently systematic to be called "organized". In Kenya, 33 organised criminal groups have been proscribed under the Prevention of Organised Crimes Act, 2010. They take advantage of the existing security, political and socio-economic challenges. Some criminal gangs first emerge as *vigilantes* with the tendency to take law into their own hands or to deal with socio-political problems without recourse to the law. Very often, they are also known to be involved in political violence.

2.4.3.2 In a number of instances, banditry and armed criminal activities are largely characterized by waylaying of travellers and relieving the victims of their possessions, theft of livestock on transit, acts of terrorism and other forms of violence.

2.4.4 Cross-Border Conflicts

2.4.4.1 Kenyan Communities living along the borders have continued to experience conflicts with those in the neighbouring countries namely Ethiopia, Somalia, South Sudan, Tanzania and Uganda. These resource based conflicts relate to water and pasture for pastoralist communities and lake resources (fish) especially in Lake Victoria and Turkana for fishing communities. Other cross-border conflicts relate to contestation over delimitation of international borders as is the case between Kenya and her neighbours in South Sudan, Ethiopia and Uganda. Cross border raids are largely motivated by economic considerations and sometimes underpinned by cultural factors especially in Somali and Karamoja clusters. The end result of these conflicts is displacement of population, underdevelopment, and loss of property, livestock and loss of lives.

2.4.5 Agro-Pastoralist Conflicts

2.4.5.1 These conflicts occur in areas where agriculturalists and pastoralists coexist. While some are internal, others are cross-border. Their conflict environment is influenced by the differences in the social, cultural and economic practices of farmers in contrast with that of pastoralists' neighbours. The ensuing effects of these conflicts are displacement of population, underdevelopment, and loss of property, livestock and loss of lives. Cases in point are at Tana River clashes, Kajiado, Laikipia, Taita Taveta and Narok counties among others.

2.4.6 Land Conflicts

2.4.6.1 Land ownership is an emotive issue in Kenya and has been a central theme of politics. As an important resource in a largely agricultural economy, access to and ownership of land is a major source of conflict in Kenya. Land related conflicts have historically taken the form of evictions, squatter problems, non-utilisation of land by individuals, excision of forests, illegal and irregular land allocations. Conflicts over land have in the past been compounded by: politicisation of land; perceptions of historical injustices; conflicting land-tenure and land-use systems; landlessness as manifested in the squatter and IDP problem; discordance between formal law that excluded communal land tenure and community notions of ownership and access; border disputes over administrative and electoral units.

2.4.7 Electoral conflicts

2.4.7.1 These are conflicts related to matters of elections. Election processes in Kenya are riddled with tensions, conflicts and acts of violence. Causes of conflicts during elections are linked to poor governance, unemployed and poverty. Other factors are delimitation of electoral boundaries and adversarial nature of multiparty democracy in dynamic societies.

2.4.8 Human-Wildlife Conflict

2.4.8.1 The interaction between human and wildlife often results to negative impact on either side, including deaths of animals, loss of human life, damage to crops and property, and destruction of habitat. Part of the problem is that communities living next to parks and other protected areas are saddled with responsibilities and bear the brunt of wildlife misadventure. These communities are hardly consulted over management of wildlife resources. Inadequate compensation regimes for victims of attacks of wildlife on both humans and property leads to conflicts. Classic examples of these conflicts have been experienced in Taita Taveta, Kajiado, Naivasha, Nyeri, Laikipia, Meru central parks, Isiolo, Narok, Mt. Elgon and areas bordering national parks and conservancies.

2.4.9 Institutional Conflicts

2.4.9.1 Institutional conflicts are common in Kenya, between, among and/or within institutions (Universities, High schools, labour organisations); as well as between government and various institutions and organisations (labour organisations such as KNUT; COTU; KUPPET, UASU. These conflicts mainly border on management of functions, salary increments, unfair dismissals, poor working conditions and other welfare issues.

2.4.10 Religious Conflicts

2.4.10.1 Religion is not a major cause of conflict in Kenya as groups seems to develop an entrenched culture of tolerance for religious beliefs. However, in some instances, tensions with potential to trigger conflict among groups of different faiths have erupted. To some extent there is radicalization of a section of the faithful along religious lines and this has been manifested in burning of places of worship.

2.4.11 Class Conflicts

2.4.11.1 These involve groups encompassing different social strata and economic disparity. The rich-poor divide is more pronounced in urban areas thereby facilitating a state of relative deprivation. This conflict environment is evidenced by urban crime, landlord-tenant disputes, squalid conditions of slum life, emergence of organized gangs industrial and labour disputes.

2.5 Conflict Interventions Initiative

2.5.1 Peace-building and conflict management approaches in Kenya results from intermittent conflicts that affect most parts of the country. Consequently, many of such interventions exist primarily in conflict prone areas. Social, economic, political, environmental and cultural contexts have over time determined the nature of interventions which are conducted by the government and complemented by development partners through intergovernmental, state, non-state, and community driven initiatives.

2.5.2 State responses

2.5.2.1 The Government's responses to conflict vary from one conflict to another and are determined by the intensity of the conflict in question. These responses have taken the form of commission of inquiry on thematic issues, disarmament aimed at addressing the problem of illicit SALW, conflict early warning systems, judicial systems including alternative dispute resolution processes and community dialogues by local peace committees as prescribed in the national peace infrastructure.

2.5.2.2 Additionally, the government has employed community security safety in collaboration and partnerships between government security agencies and the public. Albeit mixed reactions and approaches, communities both individually and collectively have emerged to compliment government efforts. This has been evident in community based policing which is a crime prevention strategy aimed at promoting mutual trust and co-operation between the public and police through information sharing and response to crime. These responses have to some extent necessitated reforms and transformation toward peaceful coexistence, enhanced security and prosperity in Kenya.

2.5.3 Regional Initiatives

2.5.3.1 By virtue of its membership and ratification of international regional and sub-regional instrument, the government have undertaken sub-regional and regional initiatives on peace and security. These initiatives are defined in existing Conflict prevention and mitigation frameworks that exist within the Africa Union (AU), Intergovernmental Development Authority and Development (IGAD), East African Community (EAC) and the International Conference on Great Lakes region (ICGLR). Kenya is also signatory to the Nairobi Protocol that established the Regional Centre on Small Arms (RECSA), which co-ordinates sub- regional initiatives addressing the proliferation of illicit SALW with their Secretariat based in Nairobi.

2.5.3.2 The Kenya National Dialogue and Reconciliation (KNDR) process resulted from disputed presidential election results in December 2007, which saw an unprecedented wave of violence erupted in several parts of the country leading to loss of lives, displacements and destruction of millions of property. Under the 4 agenda items, the parties agreed to enact the National Accord and Reconciliation Act 2008 that led to power sharing aimed at ending the political crises.

2.5.3.3 The process laid the foundation for institutional reforms and framework to deal with different kinds of crises. Among the frameworks that were established are the Commission of Inquiry into the Post-Election Violence in Kenya (CIPEV) and famously referred to as the Waki Commission; the Independent Review Commission (IREC) famously known as Kriegler Commission, famously known as the Kriegler Commission; Interim Independent Electoral Commission (IIEC), the Interim Independent Boundaries Review Commission (IIBRC), also known as the Ligale Commission; the National Cohesion and Integration Commission (NCIC), and the Truth Justice and Reconciliation Commission (TJRC). These institutions played an important role in addressing the issues related to their respective mandates and hence contributing to peace and reconciliation in Kenya.

2.5.4 Non-Governmental Initiatives

2.5.4.1 Non-Governmental initiatives in Kenya, have mainly involved CSOs, CBOs, faith-based, media, private sector, and other Non-Governmental organizations.

2.5.4.2 Civil society interventions have focused on reconciliation and building new relationships amongst the warring communities through dialogue, negotiations, and

problem solving workshops, information, education and communication. Further contribution is on strengthening existing structures and facilitation of traditional conflict handling processes.

2.5.4.3 Despite forming a basis upon which local conflicts have been addressed by both the government and communities. However, owing to poor co-ordination, civil societies often engage in duplication of efforts.

2.5.4.4 The media is another critical actor whose operation and approach can mitigate and or trigger conflicts. Media highlights conflicts and insecurity in the country as well as the plight of the affected. This is done through print and electronic media. This has been central to advocacy and sensitisation approaches where in some instances the media has conducted research, investigations, and highlighted gaps in policy, legislations and enforcement measures. While social media has a big role to play in peacebuilding and conflict management. There is need for conflict sensitive reporting.

2.5.4.5 The private sector in discharging their corporate –social responsibility plays a vital role in conflict management. Business communities in violent conflict-prone fund some of the peace and conflict initiatives through peace dividends including sports, beauty shows, launching peace campaigns and supporting dialogue processes at local level. This is premised on the underlying stake the sector has on peace, security and development of Kenya.

2.5.5 Collaborative and humanitarian responses

2.5.5.1 In situations of conflict, the first intervention is usually in the form of relief supplies for the affected people. This takes the form of food and non-food items to make living conditions bearable prior to the commencement of conflict resolution process. In Kenya, these efforts are co-ordinated by the Ministry incharge of special programmes and humanitarian assistance in collaboration with the Kenya Red Cross whose mandate is coordinating humanitarian response in the country through a conflict sensitive approach.

2.5.6 Interstate initiatives

2.5.6.1 Interstate initiatives are at the core of peace and security interventions in Kenya. This is attributed to the proximity and porosity of the borders in the region as well as spill over effects in the fragile region. Interstate initiatives occur at security and administrative level within existing regional, sub-regional instruments as well as bilateral arrangements.

2.5.6.2 Including these initiatives are; The CEWARN Mechanism: of IGAD Member States – Kenya, Sudan, Ethiopia, Eritrea, Djibouti, Somalia and Uganda have formalized this understanding in the "Protocol on the Establishment of Conflict Early Warning and Response Mechanism" (referred to here as the "CEWARN Protocol". The signatory states undertake, among other things, to establish national conflict early warning and response units (CEWERUs) under the auspices of the by national conflict steering committees in the respective countries. East African Community Peace and Security Protocol for EAC member states aimed at consolidating efforts for sustained peace and enhanced security in the Region.

2.5.6.3 Also, there are Joint Cross-Border Committees: consisting of Commissioners/Administrators committees between Ethiopia and Kenya; Kenya and Uganda and plans are underway to create others for Kenya and Southern Sudan and Kenya /Somalia. The joint Cross border committees hold meetings regularly and have been instrumental in addressing conflict issues of cross- border nature.

2.5.6.4 East Africa Police Commissioners Co-operation Organization (EAPCCO) is a regional initiative by the East African states governed via a Protocol on the Prevention, Combating and Eradication of Cattle Rustling in Eastern Africa. The Protocol acknowledges cattle rustling as a major impediment to security and development in the Region. The National Policy on Peacebuilding and Conflict Management also acknowledges the effects of cattle rustling and underscores the need for a holistic approach to address this issue.

2.5.6.5 Regional Centre on Small Arms (RECSA): Is an institutional framework aimed at addressing the Problem of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa .It focuses on coordinating joint efforts by National Focal Points to prevent, combat and eradicate stockpiling and illicit trafficking in small arms and light weapons in the Great Lakes Region and Horn of Africa. Kenya's National Focal

Point on Small Arms and Light Weapons has developed a Draft National Policy on Small Arms and Light Weapons.

2.5.6.6The Policy on Peacebuilding and Conflict Management appreciates these initiatives and takes cognisance of underlying challenges towards sustainable peace, coexistence, security and prosperity for Kenyans. These include legislative, institutional, structural and programmatic such as; lack of legal framework, limited understanding of the factors which breed conflict, Inadequate mainstreaming of conflict sensitivity in development planning, Inadequate consultation on governance issues; Inadequate capacity building for peace; Weak State response mechanisms; Inadequate gender mainstreaming and analysis; Limited research and analysis of conflict; Poor information flow between the community and security agencies; Weak reconciliation and healing initiatives; Absence of Standard Operating Procedures and Code of Conduct for peace actors; Inadequate resources; Increased number of illicit SALW; Ineffective mechanisms to address cross-border conflicts; Weak value systems including erosion of our national values;

CHAPTER 3: PILLARS OF THE POLICY

3.0 The National Policy on Peacebuilding and Conflict Management has six pillars critical to the achievement of sustainable peace and stability. It emphasises the need for conflict sensitive planning and programming at regional, sub-regional, national, county and community level. These pillars are institutional framework, capacity building, conflict prevention and response, mediation and preventive diplomacy, traditional conflict prevention and mitigation, post-conflict recovery and stabilization.

3.1 Institutional Framework

3.1.1 The government acknowledges that an appropriate institutional framework is critical to achieving the policy objectives of this policy. The framework underpins the structure, processes, functions, mandate, roles and responsibilities of different actors and institutional components. The established institutions are points of reference for peaceful resolution and non-violent approaches to conflict. The framework which is discussed in Chapter 4 proposes a legal basis for the operationalization of the structure, processes, functions, mandate, roles and responsibilities of the various actors.

3.2 Capacity Building

3.2.1 Capacity building is important for sustainable implementation of this policy. Training of various stakeholders in relevant areas of peace building, conflict prevention, early warning, conflict sensitivity, and alternative dispute resolution and resource mobilization.

3.2.2 *In order to enhance capacity of peace practioners the government will:*

- Facilitate continuous capacity building for institutions and stakeholders to enable them promote the peace agenda;
- Enhance public-private partnerships for peacebuilding and conflict management;
- Undertake education, sensitisation and awareness raising programmes aimed at inculcating a culture of peace;
- Fundraise and allocate requisite funds for peacebuilding and conflict management
- Enhance funding for peace work at all levels;
- Facilitate gender mainstreaming in peacebuilding programmes

3.3 Conflict Prevention and Response

3.3.1 Conflict prevention, early warning and early response are central to peace-building and conflict management. Early warning and response system facilitate the analysis of conflicts and determination of appropriate response at local, national and cross border level.

3.3.2 *In order to facilitate proactive and preventive interventions to conflicts the Government will:*

- Establish a national early warning system that is linked to the sub regional mechanisms (EAC and IGAD-CEWARN and the continental early warning system;
- Facilitate timely and accurate information flow to relevant agencies for appropriate intervention;
- Undertake education and sensitisation on early warning and response for participation of stakeholders;
- Continuously support dialogue among conflicting communities and groups for prevention of latent conflicts;
- Allocate substantial contingency funds for rapid response.

3.3.3 *In order to enhance prevention and response to resource based conflicts, the Government will:*

- Regulate and institutionalise the participation of local peace committees and council of elders in PBCM;
- Apply conflict sensitive approaches to development;
- Nurture, build on success stories, frameworks and agreements on use and exploitation of natural resources by and among various communities;
- Facilitate the institutionalisation of benefit sharing mechanisms to support resolution of resource based conflict.
- Strengthen community policing initiatives.
- Instituting fair and non-discriminative disarmament drives to reduce SALW;
- Promote bilateral and regional dialogue with relevant governments and leaders in respect of cross-border incursions.
- Facilitate the implementation of the National Policy on sustainable development of Northern Kenya.
- Apply conflict sensitive approaches to development.

3.3.4 *In order to mitigate livestock rustling, the Government will;*

- Put in place comprehensive measures to end livestock rustling and stock raids and inter-communal violence, including incentives or "peace dividends" for individuals, communities or institutions which deliver positive results for peace;
- Enhance the presence and capacity of the security and justice systems;
- Strengthen traditional systems of governance and alternative dispute resolution (ADR) mechanisms;
- Facilitate implementation of related elements of the Protocol on the Prevention, Combating and Eradication of Cattle Rustling in Eastern Africa;
- Intensify disarmament and reduction of SALW through implementation of the Policy on SALW;
- Enhance security deployment in hotspots including border areas;
- Enhance recovery of stolen livestock;
- Sustain outreach/public education and sensitisation on negative impacts of livestock rustling;
- Promote bilateral and regional dialogue with relevant governments and leaders in respect of cross-border incursions.

3.3.5 *With respect to addressing crime and organized gangs for safety and protection of every Kenyan, the Government will:*

- Enhancing security in affected areas, including at the borders;
- Undertake intelligence gathering and timely response
- Enhancing community policing, including the *Nyumba Kumi Initiative*;
- Opening up marginalized areas for development;
- Empower youth to undertake income generating activities;
- Intensify disarmament and reduction of SALW through implementation of existing frameworks and agreements;
- Promote bilateral and regional dialogue with relevant governments and leaders.

3.3.6 *With respect to cross border conflicts the Government will ensure protection of the country from external aggression by:*

- Promote bilateral and regional dialogue with relevant governments and leaders;
- Enhance co-operation in implementation of regional protocols, agreements, mechanisms aimed at addressing cross border conflicts;
- Enhance cross-border cooperation in relevant spheres;
- Facilitate implementation of related elements of the Protocol on the Prevention, Combating and Eradication of Cattle Rustling in Eastern Africa as well as IGAD's CEWARN mechanism;

- Intensify disarmament and reduction of SALW through implementation of Nairobi Protocol;
- Deploy security personnel and undertake and joint border engagement in affected border areas ;
- Enhance co-operation for recovery of stolen or raided property.

3.3.7 *To address land conflicts, the Government will:*

- Facilitate the implementation of Constitutional provisions relating to Land, and the National Land Policy.
- Promote ADR mechanisms in resolving issues of land ownership, use and control;
- Facilitate dialogue among Kenyan communities on issues of land use, access and control;
- Facilitate conflict sensitive approaches in resettlement of communities.

3.3.8 *To address electoral conflicts, the Government will:*

- Institutionalise political parties and promote respect for diversity of political ideologies.
- Implement and enforce the electoral laws
- Facilitate delimitation of Inter and intra-county boundaries in line with the constitution and other statutory provisions;
- Promote dialogue and tolerance among Kenyan communities and political parties.

3.3.9 *To address human wildlife conflicts, the Government will:*

- promote community ownership and collaboration in wildlife conservation initiatives;
- Promote social service delivery and ensure communities benefit from conserved resources.
- Implement a fair compensation scheme relating to damage or injury occasioned by wildlife.

3.3.10 *To address agro-pastoralist conflicts, the Government will:*

- Promote both pastoral and agricultural livelihoods
- Promote inter community dialogues and exchanges
- Religious conflicts

3.3.11 *To address religious conflicts, the Government will:*

- Promote tolerance among people of different faith
- Encourage interfaith dialogue processes
- Facilitate an integrated approach to address intervening factors of religious conflicts.

3.3.12 *To address institutional conflicts the Government will:*

- Establish and operationalise dispute resolution mechanisms
- Facilitate peace actors in PBCM to scale up collaboration in the resolution of institutional conflicts in line with existing laws and sectoral policies.

3.4 Mediation and Preventive Diplomacy

3.4.1 Mediation and preventive diplomacy are critical to conflict transformation. These mechanisms provide avenue for community dialogue, negotiation and mediation.

3.4.2 *To enhance mediation and preventive diplomacy processes, the Government will;*

- Facilitate the establishment and functioning of mediation support unit
- Develop guidelines and criteria for mediators and mediation processes.
- Constitute a core team of rapid deployment associates who can be deployed at a short notice for interventions on conflicts within the country and cross-border areas.
- Build the capacity of the mediation team through continuous education and training.
- Co-operate with other regional mechanisms in facilitating mediation within the region.

3.5 Traditional Conflict Prevention and Mitigation

3.5.1 The policy paper recognizes the critical role of traditional conflict resolution mechanisms such as community dialogues which give rise to declarations and social contracts.

3.5.2 *In order to strengthen these mechanisms the Government will;*

- Mobilise communities to embrace traditional mechanisms for conflict resolutions that is relevant to their cultural orientation and conflict context;

- Nurture, facilitate and strengthen the institution of elders as a conflict resolution mechanism ;
- Harmonise the formal ADR processes with the traditional conflict resolution mechanisms;
- Facilitate the harmonization of the traditional conflict resolution procedures with basic international human rights standards and the Constitution.
- Promote cultural diversity and tolerance.

3.6 Post-Conflict Recovery and Stabilization

3.6.1 Post conflict recovery and stabilisation processes are central to the co-ordination of peacebuilding and conflict management. In most post conflict situations the government is faced with a myriad of challenges related to security, human rights, justice, governance, humanitarian/emergency assistance, socio-economic reconstruction and development, reconciliation, youth and gender.

3.6.2 *In order to address these challenges the government will:*

- Ensure a secure and safe environment;
- Ensure adherence to the rule of law and democratic principles of governance ;
- Ensure protection and respect for human rights,
- Undertake institutional reforms across all sectors of governance;
- Undertake necessary disarmament, demobilisation and reintegration;
- Facilitate socio-economic and environmental reconstruction;
- Collaborate with state, non-state actors, and regional actors in implementation of regional frameworks for post conflict recovery and development;
- Undertake reconciliation programmes including healing, trauma, and psycho-social support aimed at rebuilding relationships.
- Entrench a culture of peace and non-violence.

CHAPTER 4: INSTITUTIONAL AND LEGAL FRAMEWORK

4.0 The proposed infrastructure for peace

4.0.1 The Peace Policy proposes to adopt existing peace structures currently in place at various governance levels, albeit with some modifications. Currently the management of peace is handled through local peace committees ranging from sub-county to sub-location peace committees. All local peace structures are coordinated and guided at county level by the county peace forum. NSC is responsible for overall coordination of national peace structures.

4.0.2 The Peace Policy proposes for implementation of PBCM initiatives be undertaken by institutions as outlined.

4.1 The Institutional Framework

4.1.1 The Ministry responsible for Internal Security

4.1.1.1 The Ministry, in collaboration with relevant stakeholders, shall develop a framework for the implementation of the Peace Policy. The Ministry will be responsible for the coordination and operationalization of the policy pending establishment of the National Peace Council envisaged under the policy. Key to coordination at Ministry level will be the provision of capacity building and financing mechanisms to support implementation of the policy.

4.2 The National Peace Council

4.2.1 The Government shall establish a National Peace Council (NPC) with clear functions, roles and mandate. It will also spell out the membership of the council and its relationship with other existing bodies and institutions, and in particular the National Security Council and its attendant structures.

4.3 The Secretariat

4.3.1 There shall be established an administrative unit for the National Peace Council. Its role will be similar to the one currently discharged by the NSC secretariat.

4.3.2 The Government shall make provision for the membership of the secretariat and its relationship with the NPC and other existing bodies and institutions. It shall also specify the secretariat's functions, roles and mandate.

4.4 County Peace Secretariat

4.4.1 The NPC shall set up County Peace Secretariats in each county to provide advice and technical support to the County Government and County Peace Forum on all matters related to peace building and conflict management. The County Peace Secretariats will also provide guidance on implementation of peace building and conflict management strategies by the respective actors in the County, as well as monitor and support the work of Local Peace Committees within the County, in liaison with the County Security Committees and County Policing Authority.

4.5 Local Peace Committees

4.5.1 The peace committee model has metamorphosed from the original *ad hoc* council of elders to the present all inclusive committees which are community representative provided for at various administrative levels. They bring together traditional dispute resolution mechanisms involving elders, women, youth and inter-faith leaders on the one hand and formal mechanisms for conflict resolution including those by Government administrative and security agencies and Non-Governmental organisation on the other hand.

4.5.2 The policy seeks to formalize and institutionalize the local peace committees and provide for their establishment and operations. These shall be guided by the standard guidelines and terms of reference issued from time to time. They will adapt the devolved structure of government namely; the Sub-County, Ward, location and sub-location levels and take cognizance of any other relevant legislation.

4.6 Stakeholders' Peace Fora

4.6.1 The Infrastructure for Peace shall facilitate the convening of stakeholders' fora at National, County and Local Level. Particular emphasis shall be on National and County Peace Fora which will provide platforms for consultation, collaboration, co-operation and co-ordination of peace issues by representatives from Government, civil society and other stakeholders. They will also facilitate resource mobilization, allocation and

accountability for all actors in peace-building and conflict management, monitor and support the work of individual Peace committees within and across the Counties.

4.7 The Legal Framework

4.7.1 The policy envisages the development of legislation to facilitate the establishment and operationalization of the institutions proposed herein. The government shall develop legal framework making provision for:-

- Establishment of the National Peace Council, the Secretariat and the Peace Committees;
- Operational principles under which the NPC and related institutions will function in line with the Constitution, Acts of Parliament and international legal instruments;
- The powers, role, mandate and functions of the Council and its constituent organs;
- The sources and management of the funds of the Council and its constituent organs;
- The co-ordination and mechanisms of collaboration with government and non-governmental agencies;
- The mechanism that recognizes traditional methods and processes for resolution of conflicts.

CHAPTER 5: MONITORING & EVALUATION, FINANCING AND REVIEW

5.0 Monitoring and Evaluation

5.0.1 Monitoring and evaluation shall be an inherent component in all implementation stages of the policy. The process shall be participatory embracing the values and principles outlined in the policy.

5.1 Financing

5.1.1 The government shall finance implementation of PB&CM programmes under this policy, complemented by the development partners, private sector and civil society organizations. In particular, the policy proposes the establishment of a *national peace fund* as a depository for monies appropriated by the National Assembly and proceeds generated from resource mobilization.

5.2 Policy Review

5.2.1 The policy will be reviewed from time to time in accordance with the changing dynamics and trends of conflict in the country and evolving government policies.

6.0 KEY POLICY INTERVENTIONS

6.1 Policy issue: Lack of an Institutional Framework for PBCM	
Policy constraint	**Proposed policy intervention**
Absence of institutional and legal framework	The Government will: i. Establish an appropriate institutional framework with clear mandate, functions, roles and responsibilities to coordinate the operationalization of the policy; ii. Ensure enhanced funding for PBCM processes and programmes;
6.2 Policy issue: Inadequate capacity for peacebuilding and conflict management	
Policy constraint	**Proposed policy intervention**
Limited capacity for Peacebuilding and conflict management. Inadequate funding. Misguided conceptualization of gender in peace and security.	The Government will: i. Facilitate continuous capacity building for institutions and stakeholders to enable them promote the peace agenda; ii. Enhance public-private partnerships for peacebuilding and conflict management; iii. Undertake education, sensitisation and awareness raising programmes aimed at inculcating a culture of peace; iv. Fundraise and allocate requisite funds for peacebuilding and conflict management; v. Enhance funding for peace work at all levels; vi. Facilitate gender mainstreaming in peacebuilding programmes.
6.3 Policy issue: Weak, uncoordinated Conflict Prevention and Response	
Policy constraint	**Proposed policy intervention**
Weak information sharing Uncoordinated contingency plans Weak response mechanisms Inadequate resources	i. Establish a national early warning system that is linked to the sub regional mechanisms (EAC and IGAD-CEWARN and the continental early warning system; ii. Facilitate timely and accurate information flow to relevant agencies for appropriate intervention; iii. Undertake education and sensitisation on early warning and response for participation of stakeholders; iv. Continuously support dialogue among conflicting communities and groups for prevention of latent conflicts; v. Allocate substantial contingency funds and capacity for rapid

Weak institutional and regulatory frameworks for resource management Infrastructure development Lack of support mechanisms for enforcement of community dialogue agreement Unharmonised policies and legislative frameworks among member-states Lack of simultaneous and joint disarmament initiatives Slow pace of ratification of the Protocol on the Prevention, Combating and Eradication of Cattle Rustling in Eastern Africa; Unabated proliferation of Small arms and light weapons Inadequate policing Poor infrastructure High rate of unemployment Societal mistrust Culture of impunity Negative ethnicity	response; **Resource based conflicts** i. Regulate and institutionalise the participation of local peace committees and council of elders in PBCM; ii. apply conflict sensitive approaches to development; iii. nurture, build on success stories, frameworks and agreements on use and exploitation of natural resources by and among various communities; iv. Facilitate the institutionalisation of benefit sharing mechanisms to support resolution of resource based conflict. v. Strengthen community policing initiatives. vi. instituting fair and non-discriminative disarmament drives to reduce SALW; vii. Promote bilateral and regional dialogue with relevant governments and leaders in respect of cross-border incursions. viii. Facilitate the implementation of the National Policy on sustainable development of Northern Kenya. **Livestock rustling** *In order to mitigate livestock rustling, the Government will ;* i. put in place comprehensive measures to end livestock rustling and stock raids and inter-communal violence, including incentives or "peace dividends" for individuals, communities or institutions which deliver positive results for peace; ii. enhance the presence and capacity of the security and justice systems; iii. Strengthen traditional systems of governance and alternative dispute resolution (ADR) mechanisms; iv. facilitate implementation of related elements of the Protocol on the Prevention, Combating and Eradication of Cattle Rustling in Eastern Africa; v. intensify disarmament and reduction of SALW through implementation of the Policy on SALW; vi. enhance security deployment in hotspots including border areas; vii. enhance recovery of stolen livestock; viii. sustain outreach/public education and sensitisation on negative impacts of livestock rustling; ix. Promote bilateral and regional dialogue with relevant governments and leaders in respect of cross-border incursions.

6.4 Policy issue:	
Policy constraint	**Proposed policy intervention**
Ethnicisation of politics Irregular demarcation of electoral boundaries Inadequate civic education Lack of appreciation/breakdown/ of national values Delayed response and compensation Inadequate civic education on human-wildlife relations	**Banditry, general crime and organised gangs** *With respect to addressing crime and organized gangs for safety and protection of every Kenyan, the Government will:* i. enhance security in affected areas, including at the borders; ii. Undertake intelligence gathering and timely response iii. enhancing community policing; iv. opening up marginalized areas for development; v. Empower youth to undertake income generating activities; vi. Intensify disarmament and reduction of SALW through implementation of existing frameworks and agreements; vii. promote bilateral and regional dialogue with relevant governments and leaders *With respect to cross border conflicts the Government will :* i. promote bilateral and regional dialogue with relevant governments and leaders; ii. Enhance co-operation in implementation of regional protocols, agreements, mechanisms aimed at addressing cross border conflicts; iii. enhance cross-border cooperation in relevant spheres; iv. facilitate implementation of related elements of the Protocol on the Prevention, Combating and Eradication of Cattle Rustling in Eastern Africa as well as IGAD's CEWARN mechanism; v. intensify disarmament and reduction of SALW through implementation of Nairobi Protocol; vi. Deploy security personnel and undertake and joint border engagement in affected border areas ; . vii. enhance co-operation for recovery of stolen or raided property; **Land Conflicts** *To address land conflicts, the Government will:* i. Facilitate the implementation of Constitutional provisions relating to Land, and the National Land Policy. ii. Promote ADR mechanisms in resolving issues of land ownership, use and control; iii. Facilitate dialogue among Kenyan communities on issues of land use, access and control; iv. Facilitate conflict sensitive approaches in resettlement of communities; **Electoral conflicts** *To address electoral conflicts, the Government will:* i. Institutionalise political parties and promote respect for diversity of

Weak capacity for dispute resolution Culture of impunity Prejudices and negative perceptions Marginalization Poor project planning and implementation Land adjudication	political ideologies. ii. Implement the electoral laws. iii. Facilitate delimitation of Inter and intra-county boundaries in line with the constitution and other statutory provisions; iv. Promote dialogue and tolerance among Kenyan communities and political parties; **Human wildlife conflicts** *To address human wildlife conflicts, the Government will:* i. Promote community ownership and collaboration in wildlife conservation initiatives; ii. Enhance social service delivery and ensure communities benefit from conserved resources; iii. Implement a fair compensation scheme relating to damage or injury occasioned by wildlife. **Institutional conflicts** *To address institutional conflicts the Government will:* i. Establish and operationalise dispute resolution mechanisms ii. Facilitate peace actors in PBCM to scale up collaboration in the resolution of institutional conflicts in line with existing laws and sectoral policies **Agro-pastoralist conflicts** *To address agro-pastoralist conflicts, the Government will:* i. Promote both pastoral and agricultural livelihoods ii. Promote inter community dialogues and exchanges **Religious conflicts** *To address religious conflicts, the Government will:* i. Promote tolerance among people of different faith ii. Encourage interfaith dialogue processes iii. Facilitate an integrated approach to address intervening factors of religious conflicts.
6.5 Policy issue: Mediation and Preventive diplomacy	
Policy constraint	**Proposed policy intervention**

Weak capacity for mediation Inadequate funding	*To enhance mediation and preventive diplomacy processes, the Government will;* i. Facilitate the establishment and functioning of mediation support unit ii. Develop guidelines and criteria for mediators and mediation processes. iii. Constitute a core team of rapid deployment associates who can be deployed at a short notice for interventions on conflicts within the country and cross-border areas. iv. Build the capacity for mediation through continuous education and training. v. Co-operate with other regional mechanisms in facilitating mediation within the region.

6.6 Policy Issue: Traditional Conflict Prevention and Mitigation

Policy constraint	Proposed policy intervention
Weakening institutions of elders Varied understanding of ADR and its application Lack of civic education on nation values Conflict between customary practices and statute law	*In order to strengthen these mechanisms the government will;* i. Mobilise communities to embrace traditional mechanisms for conflict resolutions that is relevant to their cultural orientation and conflict context; ii. Nurture, facilitate and strengthen the institution of elders as a conflict resolution mechanism ; iii. Harmonise the formal ADR processes with the traditional conflict resolution mechanisms; iv. Facilitate the harmonization of the traditional conflict resolution procedures with basic international human rights standards and the Constitution. v. Promote cultural diversity and tolerance

6.7 Policy Issues: Post-Conflict Recovery and Stabilization

Policy constraint	Proposed policy intervention
Lack of an integrated post conflict recovery and stabilization framework Unsustained implementation of post conflict stabilization processes Unpredictable regional stability	*In order to address these challenges the government will:* i. Ensure a secure and safe environment; ii. Ensure adherence to the rule of law and democratic principles of governance ; iii. Ensure protection and respect for human rights, iv. Undertake institutional reforms across all sectors of governance; v. Undertake necessary disarmament, demobilisation and reintegration; vi. Facilitate socio-economic and environmental reconstruction; vii. Collaborate with state, non-state actors, and regional actors in implementation of regional frameworks for post conflict recovery and development; viii. Undertake reconciliation programmes including healing, trauma, and psycho-social support aimed at rebuilding relationships. ix. Entrench a culture of peace and non-violence.