

Johannes Michael Nebe (Ed.)

Peace Building and Conflict Management



**“We have
to forgive them,
and we will”**

The cover image shows an utterly devastated woman sitting on the ground in one of the slums of Nairobi, in deep despair because she believes that her future has been irreparably destroyed. The photographer, Boniface Mwangi, expresses the affliction of many people during the post-election violence. The phrase placed in the photo originates from Mwangi Njoroge, an IDP returning to Kondoo Farm outside Burnt Forest. He was a victim of this violence and declares ‘*We have to forgive them, and we will*’¹. The image and the statement are a reflection of the two “faces” of Kenya during this period: Despair on the one side and hope for a new beginning on the other.

¹ Quotation taken from a collection of photos in “Kenya burning” (2009), page 133.

Project

**Civil Conflict Management of the Post-
Election Violence 2007/2008 in Kenya**
Lessons Learnt and the Way Forward

Carried out by students from the Kenyatta University
Nairobi/Kenya and the University of Trier/Germany
(February - June 2012)

Edited by
Johannes Michael Nebe

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Dr. Johannes Michael Nebe (Ed.)
University of Trier/Germany

Cover:

Designed by Anke Stock
Idea by Thomas Klöckner

Layout:

Thomas Klöckner, Markus Streng

Postal address:

University of Trier
Faculty of Political Science
Campus I
54286 Trier/Germany

Dedicated to all the people in Kenya who strive for peace,
democracy and the rule of law. Those who vow to never give
up to achieve these goals

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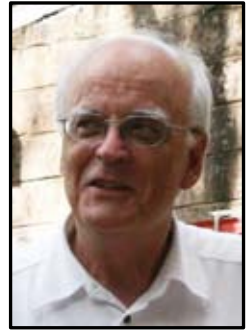
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Foreword

Johannes Michael Nebe



It is with pleasure that I present the final report of the project “Civil Conflict Management of the Post-Election Violence 2007/2008 in Kenya – Lessons Learnt and the Way forward” which we carried out from 24th February to 24th March 2012 in the Rift Valley and Nairobi, some of the most affected areas during the violence.

I sincerely hope that some of the ideas discussed during the two-day workshop in Nairobi on 23rd and 24th March can be put into practice. Not only Civil Society Organisations (CSOs) were invited to the workshop to discuss and share the findings of the project. An integrated approach has to bring together different stakeholders working on the ground as well as on a higher political and administrative level of responsibility. This might give an important impact of creating ways to persuade the voices in declaring what should be done in future to enhance and encourage others to strengthen their political will and endeavours to give Kenya a better way of a multi-ethnic state. It is also my hope that the findings of this project will provoke a new way of thinking and actions aimed at improving the situation of peace-building and conflict management in the whole Kenyan society.

Everybody has a role to play in handling this serious issue. We were astonished to learn about the creative ideas and strategies of CSOs we were working with and their commitment to do what is necessary to improve peace-building and conflict management. We will agree that peace, reconciliation and healing are the most fundamental cornerstones for social stability and democracy. Individuals have varied perceptions, beliefs and values. Peace however, unites all humankind. It is the individual members of the society who can build or destroy peace.

The students of the University of Trier and Kenyatta University have put immense effort and dedication in their work. I would like to pay gratitude to the excellent work of the students. For both sides it was a unique intercultural experience they will never forget. This project is an exceptional example of young academics impacting on positive change

and I hope that this outstanding collaboration between the two universities will bear many more fruits.

The idea to undertake this project was originated in March 2011 during a discussion I had with the German Embassy in Nairobi. After my three-week stay in July/August 2011 in Kenya, I felt very encouraged due to the discussions I had with a quite big number of CSOs working on grass-root level. I was very much impressed by what these organisations are doing in areas of tension in preventing crisis, resolving conflicts and developing strategies for a more peaceful Kenya. Their objectives are always to mitigate the potential for conflict, enable conflicting parties to interact with one another peacefully and to reduce the likelihood of violent conflicts being rekindled. They have a strong view to establishing their visions and missions to overcome conflicts.

Non-violent transformation and the consolidation of lasting peace require prolific, varied, innovative and often creative approaches to building cultures of dialogue. Dialogue and exchange are necessary for the parties concerned to process and change the overall perception of a dispute. Striving to find creative solution strategies necessitates interaction between the parties to allow them to follow common and consistent paths. Moreover, flexible and adequate forms of action are needed.

I am quite sure that with this project we can make some contribution, no matter how small, towards enabling the understanding that peace is the main cornerstone of a free and personal development, not only for the individual, but also for the state. It is therefore important to foster this process through an intensive and open dialogue wherever possible, even though the ideas and strategies towards achieving the goal might vary. It is however imperative that the dialogue be held in an atmosphere of mutual respect for each other's opinion.

Our motto TUUNGANE TUJENGE AMANI have given us strength and encouragement to carry out this ambitious and challenging project.

Acknowledgement

A successful project cannot be built on the shoulders of one single person. Rather it becomes possible by the joint effort of a group of individuals working towards the same goal. We would like to thank at least some of the helping hands that contributed to the realization of our project.

First and foremost of course we express our deep gratitude to Dr. Johannes Michael Nebe who made all this possible. With tireless effort, wholeheartedly and deeply committed Dr. Nebe planned, organized and realized our project studies about Post-Election Violence (PEV) in Kenya. He was the one who linked us with local NGOs and who supported us in every circumstance with words and deeds regardless whether the issue dealt with empirical methods or a broken toe. He gave us the chance to benefit from his experience and knowledge and created the unique opportunity for every single one of us to broaden our horizon, to experience and feel a completely different world and to be infected with the “Africa-virus” that always makes you want to come back as he says. Dr. Nebe, thank you for your patience, your engagement and for showing us that the saying “Where there’s a will, there’s a way” is far more than a mere expression.

Furthermore we want to thank Dr. C. Kayi, Geography Department, and Dr. L.K. Ngari, Political Science Department, from Kenyatta University Nairobi who selected the Kenyan students to work with us in this project. And of course our special thanks go to your students, to our friends from Kenyatta University who took their time to support our project although it fell right into their most busy phase of exams. We want to thank you for sharing not only valuable knowledge about your country with us but also for making us feel welcome and receiving us with a warmth that probably nobody of us had expected beforehand. It has been an exciting inter-cultural experience we will never forget that gave us the unique opportunity of benefitting from each other’s knowledge and different cultural backgrounds. Without you we would not have achieved our goals the way we have.

We would like to express our gratitude to the German Embassy Nairobi who initiated the idea for this project. Special thanks go out to Her Excellency Margit Hellwig-Bötte who gave us moral support and made us feel acknowledged not only by receiving us in the Embassy but also giving us the honour of her presence and welcome remarks at our final workshop. Furthermore we want to thank Hon. Abdikadir Mohammed MP and Chairman of the Parliamentary Constitution Implementation and Oversight Committee for his memorable and motivating key note speech presented at our workshop. We are also very grateful for the impressive presentations which were given by Kipchoge Keino (Chairman of the Olympic Committee Kenya), Dickson Magotsi (National Steering Committee on Peace-building and Conflict Management), Millicent Otieno (Local

Capacities for Peace International), Dr. Helmut Danner (former Hanns-Seidel-Foundation) and Dr. Jutta Bakonyi (Civil Peace Service, GIZ). These speeches gave us the right impulse to a broader understanding that peace-building and conflict management are playing a key role in development of a country.

We also have to thank the photographer, film-maker and political activist Boniface Mwangi for presenting us his documentary ‘Heal the Nation’ which reflects many touching stories of the tragedy that befell Kenyans after the 2007 December elections. It is a plea for justice and reconciliation and predicts the severe consequences if no healing happens before the next election.

A big Thank You to GADO from Daily Nation who let us have some of his meaningful cartoons, to Boniface Mwangi and to Alexander Glodzinski who let us have several of their moving images. Our thanks go also to Dr. Heidi Rombouts from GIZ Nairobi for giving us a presentation on the project “Social Justice, Reconciliation & National Cohesion” and to Hanna Carlsson from Konrad-Adenauer-Foundation for her valuable advice concerning our project. Alexander Glodzinski and Hereen Ingwe deserve some special thanks as they made us understand the effect of the Post-Election Violence on Kenyan souls in a seminar prior to our studies. Both were an eyewitness of bitter and painful PEV. The impressions they gave helped us to prepare for our ambitious project in the first half of 2012 in some of the former hot spots in Kenya.

Our list of supporters we have to thank seems to be a never-ending one: Most of all collaborating Civil Society Organisations showed us their engagement and commitment working on the ground with a lot of passion to give Kenya hope of a more peaceful development in future. They are the real heroes in peace-making policy. It made us proud to see such a strong growing civil society in Kenya. Please keep up your efforts and strengths to give Kenya a change.

We are deeply indebted to Markus Streng who offered invaluable assistance in proof-reading and the layout of the final version of this publication. We cannot thank him enough for his tireless work. Milan Anton, Fabian Backes, Nelly Bubenheim, Kevin Ehmke, Michaela Friessem, Lisa Gottheil, Lena Held, Bianca Janz, Thomas Klöckner, Helen Nebe, Anna Schober and Kaja Weinandi were also involved in the process of this book. Thanks to Raphael Schaefer for his patience and commitment in the finance sector. Last but not least we express our gratitude to AStA Trier, Freundeskreis (circle of friends) of the University of Trier and ifa (Institute for Foreign Cultural Relations) for giving us financial support which makes it much easier to facilitate our project.

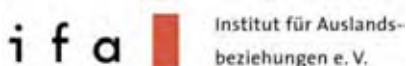
by Lena Held

Participants Project Study

University of Trier  	Kenyatta University 
Anton, Milan	Angote, Douglas
Backes, Fabian	Gitau, Alex
Becker, Sabrina	Kabaara, Charity
Bubenheim, Nelly	Kihima, Maureen
Denecke, Hanna	Kiogora, Maureen
Ehmke, Kevin	Makena, Linda
Friessem, Michaela	Mongina, Jane
Gottheil, Lisa	Muiruri W., John
Held, Lena	Muthiga W., Julia
Janz, Bianca	Muthoni M., Grace
Jung, Lisa	Ogur, Vitalis O.
Kettel, Michael	Ruraya, Peter
Klößner, Thomas	Savali, Gabriel
Leuschner, Simon	Wakasa C., Irene
Masekla, Lawreen	Waweru, Simon
Regnauer, Ruth	Wesonga M., John
Schäfer, Raphael	
Schmitt, Florian	
Schober, Anna	
Treike, Vanessa	
Walz, Friederike	
Weinandi, Kaja	
Zelzer, Manuel	

Guided by: Dr. Johannes Michael Nebe, University of Trier
 Dr. Calvin Kayi, Kenyatta University

In cooperation with:



Acronyms

ACA	Amani Communities Africa
ADR	Alternative Dispute Resolution
AI	Appreciate Inquiry
ANV	Active Non-Violence
A-STEP	African Sports and Talents Empowerment Programme
AU	African Union
CBO	Community Based Organization
CDF	Constituency Development Fund
CHRD	Centre for Human Rights and Democracy
CEWARN	Conflict Early Warning and Response Mechanism
CEWERU	Conflict Early Warning and Response Unit
CIPEV	Commission of Inquiry on Post-Election Violence
CIPK	Council of Imams and Preachers of Kenya
CJPC	Catholic Justice & Peace Commission
CKRC	Constitution of Kenya Review Commission
CMCM	Community Mediators and Conflict Monitors
CMD	Centre for Multiparty Democracy Kenya
COPA	Coalition for Peace in Africa
COPEN	Coalition for Peace in the North Rift Valley
CPS	Civil Peace Service
CPMR	Conflict Prevention, Management and Resolution Strategies
CRE-CO	Constitution and Reform Education Consortium
CRS	Catholic Relief Service
CSO	Civil Society Organizations
CYU	ChemChemi Ya Ukweli (in Kiswahili ‘wellspring of truth’)
DiPaD	Daima Initiatives for Peace and Development
DFID	Department for International Development
DPCs	District Peace Committees
DRC	Democratic Republic of Congo
ECAS	European Conference on African Studies
ECK	Electoral Commission of Kenya
EED	Evangelischer Entwicklungsdienst (Protestant Agency for Diakonia and Development)
EIU	Economic Intelligence Unit
ELCK	Evangelical Lutheran Church in Kenya
EUEOM	European Union Election Observation Mission
EVRI	Electoral Violence Response Initiatives

FBOs	Faith Based Organizations
FECCLHA	Fellowship of Christian Churches in the Great Lakes and the Horn of Africa
GEMA	Gikuyu, Embu, and Meru Association
GIZ	Gesellschaft für international Zusammenarbeit (German Agency for International Cooperation)
GoK	Government of Kenya
HDI	Human Development Index
HRW	Human Rights Watch
ICC	International Criminal Court
ICG	International Crisis Group
IDPs	Internally Displaced Persons
IFA	Institut für Auslandsbeziehungen (Institute for Foreign Cultural Relations)
IFAPA	Inter-Faith Action for Peace in Africa
IGAD	Intergovernmental Authority on Development
IEBC	Independent Electoral Boundary Commission
IPT	Institute for Peace and Transitions
IREC	Independent Review Commission of Inquiry
KADU	Kenya African Democratic Union
KAMATUSA	Kalenjin, Maasai, Turkana and Samburu
KAU	Kenya African Union
KANU	Kenya African National Union
KCBONet	Kamukunji Community Based Organizations Network
KEPSA	Kenya Private Sector Alliance
KNDR	Kenya National Dialogue and Reconciliation
KLA	Kenya Land Alliance
KNFP	Kenya's National Focal Point on Small Arms and Light Weapons
KNHRC	Kenya National Commission on Human Rights
K-NICE	Kenya National Integrated Civic Education Programme
KPU	Kenya People's Union
KWPF	Kibera Women for Peace and Fairness
LCPI	Local Capacities for Peace International
LDP	Liberal Democratic Party
MCK	Media Council of Kenya
MoU	Memorandum of Understanding
MP	Member of Parliament
MRC	Mombasa Republican Council
MYSA	Mathare Youth Sports Association
NAK	National Alliance Party of Kenya

NAMLEF	National Muslim Leaders Forum
NARA	National Accord and Reconciliation Agreement
NARC	National Alliance of Rainbow Coalition
NBSAP	National Biodiversity strategy and action plan
NCIC	National Cohesion and Integration Commission
NCS	National Steering Committee on Peace Building and Conflict Management
NDWF	Nairobi Developed Funds watchdog
NSAC	National Security Advisory Council
NSC	National Secretariat on Peace Building and Conflict Management
NGO	Non-Governmental Organization
NPEC	National Peace Education Campaign
NPI	Nairobi Peace Initiative
ODM	Orange Democratic Party
PCA	Programme Cooperation Agreement
PEV	Post-Election Violence
PNU	Party of National Unity
REPARED	Regional Partnership Resource Development
RPP	Reflecting on Peace Practice Project
RWPL	Rural Women Peace Link
SALW	Small arms and light weapons
SOPA	Seeds of Peace in Africa
SRR	Social Restorative Reconciliation
SUPKEM	Supreme Council of Kenyan Muslims
TISA	The Institute for Social Accountability
TJRC	Truth Justice and Reconciliation Commission
UFCA	UNDUGU Family Culture Association
UFK	UNDUGU Family Kibera
UN	United Nations
UNDP	United Nations Development Programme
USAID	United States Agency for International Development
WEL	Women's Empowerment Link
WiWoG	Winners Women Group

Summary

The objective of our research was the assessment of the work of 22 Civil Society Organisations (CSOs) in Kenya dealing especially with the effects of the Post-Election Violence 2007/2008. Within the period of four weeks, German and Kenyan students were interviewing CSOs, talking to victims and structuring their findings to be presented in a two-day workshop in Nairobi in March 2012 and in this final report.

The workshop held in Nairobi provided a unique opportunity for an exchange of views and ideas, not only among the CSOs present, but also with representatives of government-affiliated organisations. In this way, participants learnt very much from each other. It became apparent that a strong networking among the various actors, which had thus far not been in place, was essential. It would be helpful to share similar ideas and strategies with other organisations, in order to create a more peaceful development in Kenya. Appropriate networking and cooperation could trigger significant synergy effects. This potential must be exploited at all costs in order to determine practicable solutions in the broad areas of peace-building.

All in all, our project yielded fruitful results. We had a trustful cooperation with most of the Kenyan CSOs with which we worked. This had a positive influence on the final results. We established that there was a wide range of very creative ideas and strategies on peace-building approaches, some of which had already been tested and can be considered best practices. The organisation “Kamukunji Community Based”, for example, uses their cartoons for the purpose of civic education. Organisations such as “Rural Women Peace Link” and “Miss Koch” among others focus on women’s rights and question the traditional role women play in the Kenyan society. Additionally, they work to empower women to be self-determined and recognize the importance of gender equality for Kenya’s future development.

But it is important to mention that many of the roots causes of the Post-Election Violence remain unchanged five years later. This particularly refers to issues which have not been solved up to day, such as inequitable land distribution and the problem of IDPs who still reside in deplorable camps and fear to return to their traditional homes. The ICC process is a subject of much controversial debate in Kenya. This is not conducive to boosting confidence that the next General Election in March 2013 will be conducted peacefully.

The Kenya media needs to assume a more proactive role in promoting peace, by capturing committed and noteworthy ideas and strategies of CSOs (bottom-up approach). This could enhance the consciousness of individuals to personally advocate for a

peaceful development in Kenya. The graffiti movement of young artists is of decisive importance. They are an expression of a novel culture of protest which aims at bringing about positive political change through a “ballot revolution”.

The organisation “Faces of Peace” founded by students from Kenyatta University in May 2012 also deserves much respect, as they strive to include other young students in the peace-building process.

Last but not least, the numerous contributions of various authors give a broad overview which facilitates understanding the pending problems which urgently need to be addressed in Kenya.

Introduction

Much has been said and written about the bitter and painful lessons learnt from the post-election violence of 2007/2008 in Kenya. Nevertheless the lives and emotions of hundreds of thousands of people are still determined by the traumatic events of the time. People frequently relive again and again the horrific events - with the accompanying feelings of fear and terror - for their entire lives. The horrific self-destruction of a multi-ethnic state as it occurred here must never happen again. This should be clear, both to ordinary people and to the politicians responsible. Tribalism is a destructive force which should be nipped in the bud. The diversity of these cultures is extremely valuable and should be protected and preserved as the different groups gradually grow together to become one nation.

A lot of work has been done on this in the last five years. Here I am thinking only of the reports reappraising the conflicts by the International Crisis Group, Kenya in Crisis, Africa Report, No. 17 of 21st February 2008, the report from the OHCHR fact-finding Mission to Kenya of February 2008 and the Waki Report, which also appeared in 2008. All this work contains detailed research and recommendations as to what has to be done in future so that Kenya's development is a peaceful one. It is not only the politicians and the media in Kenya who are confronted with the challenge of actively shaping a critical reappraisal process, the Kenyan civil societies also have to contribute.

It was both the task and aim of our project, "Civil Conflict Management of the Post-Election Violence 2007/2008 in Kenya – Lessons Learnt and the Way Forward", carried out between February and June 2012 to devote ourselves to this topic and thus make a small contribution to the reappraisal process. The study carried out between the University of Trier in Germany and Kenyatta University in close co-operation with a number of Kenyan non-government organisations has produced results and insights which might provide a basis for discussion and which this volume now makes available to a wider, politically aware public.

In 2002 the election victory of Mwai Kibaki ended almost 40-years of single-party rule. This triggered an encouraging – and encouragingly large - wave of enthusiasm in the Kenyan population and undoubtedly in other places, too, because this victory was associated with hopes for democracy, which were soon dashed. Kibaki's "National Alliance Party of Kenya" (NAK) and Raila Odinga's 'Liberal Democratic Party' (LDP) were to participate equally in the government. However, after the election Kibaki failed to keep his promise. Ethnicity continued to be the decisive factor in the distribution of power. The reforms Kibaki promised prior to the elections, such as to initiate a new constitution within the first 100 days of his government which would limit the powers of the hitherto omnipotent president and make Kenya a democracy did not take place.

There was no referendum on the new constitution until 2005. And then the government bill ignored the agreements which had been made with the opposition. Under the new constitution the president was to remain all-powerful. Consequently, Odinga boycotted the government and with leading politicians from other ethnic groups founded the "Orange Democratic Movement" (ODM). The referendum turned out to be a debacle for Kibaki's government. More than 58% rejected the new constitution, a clear indication of the instability of the cross-tribe "National Rainbow Coalition" (NARC), which had been constituted at the beginning of 2003 from frequently relatively small parties and organisations. The failure of the referendum was at the same time the beginning of the increasing polarization in the run-up to the presidential elections in December 2007. In Kibaki's government the influence of the Kikuyu, the president's tribe, was predominant. On account of the increasing dissatisfaction with Kibaki, more and more ministers from other groups left the NARC-government and turned to the party of Odinga, who was a member of the Luo tribe. The end of the Kibaki government seemed to be inevitable.

With high expectations, the population went to cast their votes on 27th December 2007. Hours before the polling stations opened, long queues of people wanting to vote had started to form. In the end more than 70% of the population took part. The lasting mood of euphoria in the population who, after the first projections thought that Odinga had won, changed to one of horror when the vote-counting, which was being broadcast on television and on the radio, was interrupted, and shortly afterwards Kibaki was declared the winner. A storm of protest was unleashed. There was very soon talk of large-scale electoral fraud, which was confirmed by the EU and Commonwealth election observers. Alarming pictures were transmitted round the world. Kenya was on the verge of total collapse, and civil war threatened to break out.

The "Party of National Unity" (PNU), which was established by Kibaki shortly before the elections and Odinga's ODM were now the main protagonists. The disputes, which were reduced to questions of tribal affiliation, showed up lines of conflict which could be manipulated and provided simple enemy stereotypes. Kenya, once considered to be the model country in Africa's development, was now about to collapse. In a lightning manoeuvre before the final vote-count Kibaki had himself sworn in as re-elected president.

In the course of the post-election violence more than 1,000 people lost their lives and in a process of ethnic cleansing more than 600,000 were driven out of their homes (mainly in the slums) and housed in refugee camps, where most of them still live today, as they are afraid to return home.

The former UN General Secretary Kofi Annan among others – intervened and managed to achieve a kind of cease-fire in the shape of a “Grand Coalition” between Kibaki and Odinga. The latter now acts as Prime Minister, an office which does not actually exist. In August 2010 a new draft constitution was passed with 67% in favour. This constitution is viewed not only in Kenya itself but also beyond as a model worthy of imitation, even if its implementation will cause a fair amount of friction in the political debate. Despite this gleam of hope, it must not be forgotten that the election campaign for the office of president has been under way for years. President Kibaki announced his withdrawal from politics some time ago. And now the race is well and truly on. More than thirty parties, most of which formed only recently, are hoping for some kind of share of power. And not least there are candidates applying for the office of president who have charges to fear of crimes against humanity in the International Court of Justice in The Hague: William Ruto (Kalenjin) and Uhuru Kenyatta (Kikuyu). Almost every day new coalitions are formed, but these only last a few days. Morals, leadership and integrity are currently the terms most frequently employed in the discussion - qualities which the majority of the population demands of the politicians now standing for election.

In Kenya there is little sign of a reappraisal of the post-election violence as the government has done too little to discuss and find solutions to the still unsolved question of the distribution of land or a resettlement of the IDP. In addition there are problems with the coastal region. Here a Mombasa Republic Council movement has formed, which wants independence from Kenya and the gap between “rich” and “poor” has not shrunk. High unemployment and a lack of prospects, especially among young people, should all be seen as a warning that the next presidential election, which has been postponed until 4th March 2013, will give rise to renewed political unrest.

The Crisis Group Africa Report No.137 of 21st February 2008 urgently warns of a repetition of the post-election violence when it says, “The current uneasy calm in Kenya should not be misunderstood as a return to normalcy. The protracted political crisis has deep roots and could easily lead to renewed extreme violence. (...) The quicker a comprehensive solution to the crisis in Kenya is found, the better the prospects will be for the entire region. The alternative – a collapsed economy, the evisceration of the democratic process and ethnic and territorial conflict – would have severe consequences for the whole of Africa, and well beyond” (p.29).

This warning has to be taken seriously. Hence everyone should have an interest in a peaceful and prospering Kenya, both the ordinary man in the street and at the same time Kenya’s political elite, whose decisions are becoming further and further removed from the needs of the great majority of the people.

Johannes Michael Nebe

Methodology

During our study project "Civil Conflict Management of the Post-Election Violence 2007/08 in Kenya - Lessons Learnt and the Way Forward", we used the qualitative research methods. The expert interviews were deliberately decided to be done with the help of structured communication guidelines. The advantage of this is that the interviewer is able to commit himself to the respondent in a better way and therefore is more room to spontaneously engage in the conversation and ask further questions. Consequently, the intensive interview is a significant method for gaining insights into an individual's and an organisation's thoughts and actions. Although interviews of this kind take time, they have a higher cognitive value.

Like in our project and as typical for qualitative research, one acts on the assumption of case studies. Hereby, work is done with samples that are considerably smaller than in a quantitative social research. Instead, it is attempted to achieve an in-depth research by giving the interviewees a chance to speak freely. Due to this open and often trustful atmosphere in the conversation, we were able to get information that concerned the interviewees' evaluation of our goals. Those were again of high interest for us and increased our understanding of the topic.

Besides the qualitative approach, also quantitative data was gathered from participating Kenyan civil societies in order to acquire statistical data for comparison. The mixture of various types of survey was crucial for our research. In this context, the indispensable method of observation must not be disregarded. It enables further and detailed insights into the object of study. With this are meant all the observed actions of actors in both public and internal discussions and talks on "peace-building" and "conflict prevention". The more the participants of a project are aware of the various methods of an empirical approach before the actual study, such as its advantages and disadvantages, the more committed the survey is likely to be. This again makes the results of the research more reliable and meaningful. Furthermore, it can be hoped that the study includes practical implications for further necessary debates in the Kenyan society.

During the project flexibility and trust were crucial elements of work. The adaptability of the participants was necessary, especially in changing conditions and requirements during the survey and in view of unforeseeable circumstances. The influence of both emotional and cultural factors always required rationality and objectivity. The intercultural learning experiences between the Kenyan and German students have influenced the outcome of the study significantly. Especially stories about personal, sometimes even traumatic experiences during the Post-Election Violence made an important contribution to the work, so that a realistic research process and a meaningful analysis were favoured.

Preparation of the project

The idea of implementing this challenging and ambitious project topic evolved in March 2011 during a discussion in the German Embassy in Nairobi. During the discussion, we obtained the first references on peace-building civil society organisations which are committed to help ensure that an escalation of violence such as was experienced during the 2007/2008 Post-Election Violence never recurs again in the future.

The German Embassy referred us to the *Institut für Auslandsbeziehungen e.V.* (Institute for Foreign Cultural Relations) in Berlin, where we could apply for support to promote our project. In April 2011 the main formal and content conditions required to make an application were clarified.

In June / July 2011 a selection of participants was made out of a group of about 50 students. 23 students from the University of Trier, mainly from the Faculties of 'Political Science' and 'Human Geography' were selected.

During a three-week stay in Kenya in July / August 2011, contact was made with a number of Kenyan civil society organisations engaged in the field of peace-building and conflict management / prevention. This finally led to the decision to implement this peace project. An application to the Institute for Foreign Cultural Relations was made in November and was granted a few weeks later.

From October 2011 to February 2012, logistic and content preparations for the project were carried out during weekly seminars at the University of Trier. These included intensive literature research in the area of conflict and peace, film and photo documentation, analyses of Kenyan press articles, methodical deliberations, communication with 16 Kenyan students selected by the Geography and Political Department of the Kenyatta University and also through collaboration with witnesses who experienced first-hand the eruption of the violence after the rigged presidential elections of 27 December 2007 (a German journalist and a Kenyan student currently studying in Mainz).

During this preparation phase, 8 working groups consisting of both Germans and Kenyans were established and assigned to several civil society organisations in Kenya. These groups made direct contact with their individual organisations in Kenya. The organisations mainly had their Headquarters in Nairobi, but some were also based in the Rift Valley (Eldoret, Nakuru, Naivasha), one of the hot spots during the Post-Election Violence. During this early project phase, the main aim was to find out the various ideas and strategies of peace-building and conflict prevention measures the organisations envisaged and had perhaps even already implemented.

Schedule I

- Study field trip to some hot spots in the Rift Valley from February 24 to March 2, 2012.
- Visit to different Civil Society Organisations with the aim of obtaining information on their activities in the area of ‘peace-building’ and ‘conflict management / prevention’. These included the ‘Kenya Land Alliance’ and the ‘Institute for Peace and Transitions’ in Nakuru and ‘The Centre for Human Rights and Democracy’ and ‘Rural Women Peace Link’ in Eldoret.
- These initial contacts as well as our visits to the IDP camps in the Rift Valley which were set up as a result of ethnic cleansing in the first months of 2008 and still exist today, were a vivid indication to us, of how difficult the tasks Kenya has ahead of bringing about a peaceful solution to the deep wounds which the Post-Election Violence left behind. We became aware of the many underlying causes of Kenya’s devastating times, such as competition over land, tribal differences, chronic poverty, widespread unemployment, youth alienation and political manipulation of existing grievances. Patience and political will are required to develop and implement creative ideas and strategies towards a sustainable reconciliation.
- After we returned to Nairobi from this informative and at the same time shocking experience in the Rift Valley, intensive discussions were held with Kenyan students on the methodical and content issues of the project.
- On 8 March we held intensive discussions on the objectives of our project in Nairobi with H.E. the German Ambassador, Ms Margit Hellwig-Botte. We were very much encouraged by this discussion. The Ambassador especially welcomed the Kenyan-German intercultural nature of the project and confirmed that she would participate in the planned workshop at the end of the project.
- On 9 March a final brainstorming took place with representatives of UN-Habitat and UNDP in Gigiri / Nairobi. It was especially emphasized that this project took place at the right time – one year before the next presidential election and also that it had an interdisciplinary and intercultural approach. It was particularly pointed out that every analytical script should be treated with careful reservation as this project handles a very controversial and sensitive topic.

Schedule II

- From March 10, onwards, we worked intensively in smaller Kenyan-German groups. Appointments with the individual Civil Society Organisations had been earlier arranged. Attached is the list of participating organisations and group members. Clarification had been made on which quantitative data should be collected on the organisations. It however needs to be determined which actors should in future be selected for qualitative expert interviews, with the help of precise communication guidelines.
- The decision to invite not only initiatives on the ground, but also those which work closely with the Government was made at short notice. This was done in order to encourage the exchange of potentially varying views and ideas among the stakeholders. From the outset, it had been considered that the mixed project group should only assume the role of moderation.
- The workshop took place from March 23 to 24, in the conference facilities of the YMCA in Nairobi. The programme (see attached) was much appreciated. There were over 100 participants. The contributions of the guest speakers were dynamic and the exchange of ideas and thoughts among participants fruitful. Unfortunately, the media which had been invited was hardly present, which was surprising, considering the remarkable programme. We had hoped to present the research results to a politically interested and wider audience. It only can be hoped that our report will enable continuation and advancement of a dialogue on a peaceful development in Kenya.

Civil Society Organisations

	Organisation	Location	Group
1.	Amani Communities Africa (ACA)	Ngong	Fabian Backes, Sabrina Becker, Hanna Denecke, Linda Makena, John Wesonga Mang'eni
2.	Kenya Land Alliance	Nakuru	
3.	Regional Partnership Resource Development (REPARED)	Nakuru	
4.	Coalition for Peace in Africa (COPA)	Nairobi	Milan Anton, Nelly Bubenheim, Kevin Ehmke, Jane Mong'ina Ogega, Simon Waweru Mathinji
5.	PeaceNet	Nairobi	
6.	The Usalama Reforms Forum	Nairobi	
7.	Inter-Faith Action for Peace in Africa (IFAPA)	Nairobi	Michaela Friessem, Lisa Gottheil, Lawreen Masekla, Grace Muthoni Mwangi, Gabriel Kiwa Savali
8.	Kamukunji Community Based	Nairobi	
9.	Kibera Community Justice Centre	Kibera / Nairobi	
10.	Kibera Women for Peace and Fairness	Kibera / Nairobi	
11.	Amani Kibera	Kibera / Nairobi	Lisa Jung, Vitalis Okoko Ogur, Julia Wangari Muthiga, Manuel Zelzer
12.	Seeds of Peace in Africa (SOPA)	Nairobi	

13.	Chemchemi Ya Ukweli	Nairobi	Alex Gitau, Charity N. Kabaara, Simon Leuschner, Ruth Regnauer, Thomas Klöckner
14.	Nairobi Peace Initiative (NPI)	Nairobi	
15.	Nonviolence Peace Force	Nairobi	
16.	Undugu Family Kibera	Kibera / Nairobi	
17.	African Sports and Talents Empowerment Program (A-STEP)	Eldoret	Douglas Angote, Lena Held, Raphael Schaefer, Florian Schmitt, Irene Wakasa
18.	Catholic Justice and Peace Commission	Eldoret	
19.	Centre for Human Rights and Democracy	Eldoret	
20.	Rural Women Peace Link	Eldoret	
21.	Institute for Peace and Transitions (IPT)	Nakuru	John W. Muiruri, Peter Ruraya, Anna Schober, Vanessa Treike, Friederike Walz
22.	Mathare Youth Sports Association (MYSA)	Nairobi	
23.	Women Empowerment Link	Nairobi and Naivasha	
24.	Women Winners Group	Naivasha	
25.	Daima Initiatives for Peace and Development	Nairobi	Bianca Janz, Michael Kettel, Maureen G. Kihima, Maureen Nkatha Kiogora, Kaja Weinandi
26.	Mabatini Youth Association	Mathare / Nairobi	
27.	Miss Koch	Korogocho / Nairobi	

**WORKSHOP ON CIVIL CONFLICT MANAGEMENT AND
PEACE-BUILDING IN KENYA:**

YMCA Central Hostel on 23th and 24th of March 2012

P r o g r a m m e

Friday, 23rd of March

- 9.00 a.m Arrival at YMCA Hostel and Registration
- 9.30 a.m Welcome Remarks
Dr. Michael Nebe and Dr. Calvine Kayi
- 9.45 a.m Video clip about the PEV 2007/08
by Boniface Mwangi – Picha Mtaani
(Photographer of “Kenya Burning“)
- 10.15 a.m Tea & Coffee Break
- 10.40 a.m Key Note Speech on Role of Sports in Peace-building
by Kipchoge Keino
(Chairman of the Olympic Committee Kenya)
- 10.55 a.m Theme-based group discussions e.g.
- *Women Empowerment*
 - *Peace Education*
 - *Cultural and inter-religious Diversity*
 - *Peace-building and sports*
- 1.00 p.m Lunch break
- 2.30 p.m Culture Programme
- 3.00 p.m Presentation of group reports
- 4.30 p.m Culture Programme and Participants leave at own
pleasure
-

Saturday, 24th of March

- 9.30 a.m Arrival and Registration
- 10.00 a.m Welcome Remarks
by *Her Excellency Ms Margit Hellwig-Boette*
(*German Ambassador to Kenya*)
- 10.15 a.m Key Note Speech on Youth and the Democratization Process in
Kenya: Rights and Obligations
by *Hon. Abdikadir Hussein Mohamed*
(*MP & Chairman of the Parliamentary Constitution Implementation
and Oversight Committee*)
- 10.30 a.m Presentation of the preliminary findings of the research on Conflict
Management & Peace-building Initiatives in Kenya
by *German/Kenyan students*
- 11.30 a.m Lessons Learnt - Discussions in different groups on developing
sustainable structures and partnerships in Peace-building and Conflict
Management
- 1.00 p.m Lunch Break
- 2.30 p.m Cultural Programme
- 2.45 p.m Future Perspectives for Kenya? (Part I) with Discussion
- **Dickson Magotsi** – “*The Peace Agenda for 2012*”
(*National Steering Committee on Peace-building and
Conflict Management*)
 - **Ms Millicent Otieno** – “*Conflict Sensitivity and Effective
Peace Practice in Kenya – Beyond 2012 Elections*”
(*Local Capacities for Peace International*)
- 3.45 p.m Tea & Coffee Break
- 4.15 p.m Future Perspectives for Kenya? (Part II) with Discussion
- **Dr. Helmut Danner** – “*Is there a political will to avoid
electoral Violence?*”
 - **Dr. Jutta Bakonyi** – “*Kenya and the ICC Process:
Challenges and Opportunities*”
(*Programme Manager Civil Peace Service, GiZ*)
- 5.00 p.m Conclusion and vote of thanks
-

Schedule III – Evaluation

- The evaluation was carried out in Kenya from May, 25 to June 7, 2012 by the project leader, two assistant students of the University of Trier and eight students of Kenyatta University.
- Of our initially 27 Kenyan Civil Society Organisations with which we were in contact throughout our project, only 22 remained to be named in this report and proved to be reliable and committed partner organisations. Five organisations were unfortunately not reachable when we were carrying out the evaluation.
- Altogether, a total of 17 organisations participated in the evaluation. The review was based on an evaluation questionnaire (see attached). The experiences of the evaluation described in this were incorporated into the reports of the respective organisations (see chapter 4.2). This is an exceptionally high and convincing number of about 77 per cent, which is in general not always achieved in scientific evaluations.
- We merged two CSOs “Women Empowerment” and “Women Winners Group” into one group as they work closely together and pursue common goals.

Five CSOs¹ did not seem to have adequate interest in our project, as they did not respond to our e-mails and phone calls or were not as suitable to our objectives as we first thought.

¹ Nonviolence Peace Force, Nairobi Peace Initiatives, Urban Slums Peace Network, Mabatini Youth Association and African Sports Talents Empower.

Questionnaire for the evaluation May / June 2012

Subject Area: Workshop

1. Which are the concrete impulses / lessons learnt of the workshop (23th and 24th of March) that have contributed to your future work?
2. Which are your particular expectations concerning the project? Please point out as precisely as possible!
3. Which aspects should have been mentioned in addition during the workshop?
4. Was the workshops time frame sufficient for you?
5. Have you consciously seeked for the exchange of thoughts / ideas with other CSOs during the workshop and how did this work out?
6. Are you going to maintain these connections?

Subject Area: Failed Projects

7. Did you succeed in your work? What frustrated you?
8. Are there failed projects and why did they evoke problems?

Subject Area: Current Situation in Kenya

9. Critics and wishes for the media and politics in Kenya!
10. If you take a look in the future: Are there going to be peaceful elections in 2013?

Subject Area: Projects CSOs

11. How was the exchange of thoughts between the government and CSOs respectively how could this relationship be improved or intensified?
12. Do you report on your activities on a yearly basis?
13. If you look back at your projects would you choose the same approach again?

Reconciliation and peace are fundamental elements for development and social stability

Dr. Constansia Mumma – Martinon

*Resident Reconciliation Consultant and Expert
at Truth Justice and Reconciliation Commission*



THE POST-ELECTION VIOLENCE 2007/2008 IN KENYA

WHAT IS THE WAY FORWARD FOR RECONCILIATION AND NATIONAL HEALING FOR KENYANS?

INTRODUCTION

One of the major challenges we continue to face at the close of the twentieth century is the achievement of genuine reconciliation and lasting world peace. In the past, the effects of war were limited, but today our potential for destruction is beyond imagination. In many parts of the world, local and regional conflicts are causing misery to millions, and have potentially far-reaching global consequences (Michael Henderson, 1994). Kenya, especially during the political crisis in 2007/2008 has not been an exception to the above phenomenon.

In conflict situations, victims and survivors do not forget what has happened to them. If their experiences remain unaddressed and are allowed to fester, they will have catastrophic consequences in the future. Attempts to evade the reality of those who have suffered hideously in the past set the stage for those memories to boil over in violent response to the immediate present; even worse, the memory of these grotesque realities are passed on to succeeding generations and become a mythology which will support equally hideous reaction in the future.¹

¹ Heidi Grunebaum-Ralph, http://www.gppac.net/documents/pbp/11/2_intro.htm

Unless conflicts are faced as a part of a complete reality, sooner or later memories are acted upon. As the Final Report of the South African Truth Reconciliation Commission (TRC) points out, ‘Reconciliation is a process which is never-ending, costly, and often painful. For the process to develop, it is imperative that democracy and a human rights culture be consolidated. Reconciliation is centered on the call for a more decent, more caring, and more just society. It is therefore, a responsibility of each one of us in the society to respond by committing ourselves to concrete ways of easing the burden of the oppressed and empowering the poor to play their rightful part in society.’²

RECONCILIATION DEFINED

The construct of social reconciliation undoubtedly remains controversial. The word *reconciliation* derives from the Latin expression *conciliatus*, which means “coming together.” Strictly speaking, reconciliation implies a process, of restoring the shattered relationship between two actors. The adjective *social* simply indicates that the emphasis is on group, and not on individual, reconciliation.³ This is very different from social reconciliation - a process that begins with the adversaries’ acceptance of each other’s right to coexist in war-torn societies. Social reconciliation does not presuppose tolerance; it seeks to promote it. In some circumstances, it may culminate in the beginnings of mutual trust.

Reconciliation is the process of restoring relationship. After conflict, some people or communities sometimes feel the need to separate or withdraw both making it potential for the conflict to recur at some point. Examples are the Somalis⁴, Sabaot⁵ and the Mombasa Republican Council (MRC)⁶.

² Final Report of South Africa TRC

³ Krishna Kumar (1999), Promoting Social Reconciliation In Post conflict Societies. Centre for Development Information and Evaluation United States Agency for International Development. USAID Program and Operations. Assessment Report No. 24.

⁴ Kenya’s North Eastern Province is home to the country’s Somali tribe, a Cushitic tribe that also resides in larger numbers in the neighbouring Republic of Somalia and Ethiopia. Kenyan Somalis number about half a million people, and are the largest among all of Kenya’s Cushitic tribes. Their territory, formerly known as the Northern Frontier Districts, is characterized by a harsh, dry climate with some desert areas. Other *Cushitic* tribes in Kenya include the Borana, Rendile, Gabbra and the Galla.

⁵ *Sabaot* drew its members from the *Sabaot* people, who are a sub-tribe of the *Kalenjin*, an ethnic group which forms less than 11% of the Kenyan population, but a much larger percentage in the Rift Valley region and Western Uganda. The *Sabaot* people live on or near the slopes of Mount Elgon.

⁶ The Mombasa Republican Council is a group based in the Kenyan Coast that was formed with the intention of righting what they believe to be wrongs done to the coastal people. Since its formation in the mid to late 90s, the MRC has had one clear agenda – ‘Secession’. They state that they formed the movement to liberate the coastal region due to decades of alleged marginalization by successive governments. They make eerily similar claims to those brought forward by the *shifita* (Somali militia) who wanted to secede parts of North Eastern Province in the 1960s to be part of a ‘Greater Somalia’ – the *shifita* were eventually stamped out in a deadly confrontation that left several people dead.



People waiting hours for a peaceful election (Photo: Alexander Glodzinski)



Whereas the Government is showing its real face (Photo: Alexander Glodzinski)

Reconciliation therefore, should be understood as complex and which includes several relationships, levels and actors where people are brought together and reunited, through a mutual compromise and understanding.

As a philosophy, reconciliation is a metaphysical process that is spiritual, social and cultural that deeply touches on emotional and physical being. It can be fully realized when the needs of the two are met and safety and liberty in future assured. Reconciliation should be understood as a process about healing. Violent conflict damage relationships between people, communities and groups; it damages the sense of wholeness, which a community or a nation needs. Therefore, the conflicting parties themselves (*protagonists and antagonists*) are the core and fundamental parties to any reconciliation process. External parties can only facilitate and provide support. Parties to each issue must be identified and acknowledged. For meaningful reconciliation to take place, all parties to the conflict must be central in all efforts to make and sustain peace situating implementation of peace agreement in the personal and social lives of people, and transforming social relationships which have been characterized by conflict, injustice and violence. Acknowledgement is about collectivizing, the sense that we were all responsible in our different ways and to other different degrees.

The various levels or ‘types’ of reconciliation are understood to be: intra-personal reconciliation;⁷ inter-personal reconciliation;⁸ inter-community reconciliation;⁹ and national reconciliation. Reconciliation is both a goal and a process. As a goal, it is a long term goal.

RATIONALE FOR RECONCILIATION IN KENYA

In virtue of reconciliation, nations long at war have again found peace, citizens whose lives have been ruined by civil war have rebuilt unity; individuals or communities seeking or granting pardon have healed their memories; divided families once again live in harmony. Reconciliation overcomes crises, restores dignity to people, and opens the way for development and lasting peace among people at all levels. Reconciliation takes

⁷ Intra-personal reconciliation refers to the situation where an individual arrives at a decision to accommodation with their situation and circumstances after the violation. For a victim, knowing the truth can bring closure, and in some cases, the understanding that they find themselves with a new situation that they have to cope with and move forward (e.g. disability brought about by a violation).

⁸ Interpersonal reconciliation relates to reconciliation between specific victims and perpetrators. Knowing the truth about who did what, the whereabouts of bodies etc. can be a critical first step to reconciliation.

⁹ In a context where inter-ethnic rancour and disharmony triggered by the struggles for power, resources, identity etc. has underpinned or facilitated some gross violations of human rights, the mending of social relations is an important goal for the Commission. Communities include ethnic, religious groups and other groups. The Commission will facilitate dialogues and other activities that commence the process of inter-community reconciliation.

the concern for justice a step further and is preoccupied with how to rebuild a more livable and psychologically healthy environment between former enemies where the vicious cycle of hate, deep suspicion, resentment, and revenge does not continue to fester. It leads to 'healing' which is the mending of deep emotional wounds (generated by the conflict) that follow the reconciliation process.

It could be said that the need for Reconciliation in Kenya today is much greater than at any other time in the past. Kenya is in need of unity of hearts and life in common after all the historical injustices and the resultant effects of the post-election crisis in 2007/2008.

Kenyan most terrible political impasse was broken on the 28th of February when President Kibaki and Honorable Raila Odinga took the tough decision to sign a deal which would allow the Kenyan people to move forward from the post-election tragedy. This was a positive step towards resolving the stalemate. However, five years later, the journey is far from over. It is the beginning. The main challenge remains where the leaders have to take the responsibility to heal the nation and bring reconciliation to Kenyans.

The tragedy triggered by the 2007 – disputed presidential election brought to the surface deep-rooted and long-standing divisions within Kenyan society which have been experienced since 1963. Many questions have come to the fore: How do people come to terms with a legacy of past atrocities, abuses, and criminal acts? How can the wounds caused by ethnicity, division and conflict be healed? How can people recover from collective individual and trauma? How can Kenyans be healed and get reconciled with one another? What is the way forward, what solutions for our beloved country?

CAUSES OF CONFLICT IN KENYA

In Kenya, there have been unresolved conflicts in since colonial time and the situation has been getting worse overtime following the five years electoral cycle 1991/1992/1997/1998, all which culminated to the Post-Election Violence (PEV) in 2007-2008. These conflicts have been due to many reasons including: political repression to multiparty participation, impunity, ethnicity and polarization, the erosion of exiting mechanisms for conflict management, long standing land and identity disputes, administrative and boundary units related to resources and ineffective mechanisms for political and social dialogue¹⁰

¹⁰ Uwiano Platform for Peace: A Conflict Prevention and response Initiative: Strategic Leadership and Peace Agenda for 2012, and Beyond: Strengthening Coordination and Leadership Towards Peaceful Elections and Successful Political Transition in Kenya, 2012/2013 A joint Initiative of United Nations Development

Generally, issues of ownership, access and use of land in relation to violence, poverty and economic instability are experienced in many regions of Kenya. There are also concerns over irregular and illegal acquisition of individual and public land, lack of title deeds and classification of land that originally belonged to communities. Kenya being an agriculturally dependent country, economic strength squarely lies in land. Consequently, land is the chief means of generating income and accumulating wealth for majority of Kenyans.

In most regions, the issues of land go back to pre-colonial days. During Kenya's colonial period, the British occupiers deprived communities of legal ownership and user rights to their customary lands leading to disenfranchisement and dispossession of communities. Post-colonial arrangements facilitated taking over of land by the government. However, such arrangements introduced skewed patterns of land distribution in favor of a few elites leaving the majority landless. Land which belonged to communities was either sold to individuals or designated Trust-land implying that such land was held in trust by the government for the communities.

Such land was politically distributed to reward politically correct individuals and/or communities. In Kenya politics of land have been a means of rewarding loyalists and punishing opponents. For instance, post-colonial government leaders set up resettlement schemes for members of their communities in foreign ancestries, as well as in public and trust land regardless of the original purpose for such lands. These dynamics have led ethnic conflicts as native land owners attempt to evict the foreign occupants during and after every electioneering year as was the case in 1992, 1997, 2002 and 2008¹¹.

The issue of land had rendered some people in Kenya squatters on their own ancestral land. In regions like North Eastern the pastoral communities understood Trust land to mean that such land is not owned by anyone. Therefore, they are unable to prevent anyone from intruding on their land. Consequently, foreigners (Somalis and neighboring communities) graze their animals anywhere at will occasioning frequent armed conflicts over grazing land. Moreover, lack of Title Deed means that the people cannot secure loans to advance themselves or to invite investors. In addition, the rich bring private surveyors and demarcate land of their choice and acquire Title Deeds especially in towns at the expense of the poor locals.

Programme (UNDP), National Steering Committee (NSC), National Cohesion and Integration Commission (NCIC) and Peacenet-Kenya.

¹¹ The views contained herein are borrowed from "Kenyan Land Disputes in the Context of Social Conflict Theories by William Kalande.

http://www.fig.net/commission7/verona_am_2008/papers/13_sept/kalande_paper.pdf



Tribalism is a leading source of violence... (Photo: Boniface Mwangi)



...and ended in chaos (Photo: Boniface Mwangi)

THE IMPACTS OF CONFLICTS IN KENYA

The main effects of the conflicts in Kenya include:

- divided and a polarized society along ethnic and regional identities as opposed to shared national identities, common values and aspirations;
- exclusion and marginalization of certain sections of the society from state governance and economic development especially ethnic minorities, women and youth;
- slow economic growth and opportunities for meaningful employment of large sections of the population especially the youth; proliferation of armed gangs and militia.¹²

EFFORTS TOWARDS RECONCILIATION AND NATIONAL HEALING

Over the years, there have been several attempts made to address some of the conflicts in Kenya. The establishment of the National Steering Committee on Peace building and Conflict Management,¹³ Commissions such as the National Cohesion and Integration Commission (NCIC), Independent Electoral Boundary Commission (IEBC), Civil Society Organizations (CSOs), Religious Leaders and Faith Based Organizations (FBOs), Non- Governmental Organizations (NGOs), private sector, regional organisations and development partners among others has led to collaborative efforts being undertaken by both the state and non-state actors.

Reconciliation efforts have also been made in various parts of the country but many of them have had no impact and without the capacity to inform national political discourse. A time has reached that Kenya cannot afford to split further into smaller states caused by discontented people, the fragile states around it and bring the hope of many in Africa and the world, reconciliation is a panacea to this end.

THE REALITIES AND CHALLENGES OF RECONCILIATION IN KENYA

In Kenya, bringing national healing and reconciliation will probably be the most difficult condition because it calls for a deep cognitive change, a real change of beliefs, ideology, and emotions not only among the ruling party, but also among most, if not all the

¹² *ibid.*

¹³ This is a multi-agency Committee hosed within the Office of the President, Ministry of the State for Provincial Administration and Internal Security for the purposes of coordinating peace building and conflict management programmes countrywide.

Kenyans. This is because for any genuine reconciliation to take place, the material, emotional and social aspects have to be dealt with. For the Commission therefore, reconciliation is a process and not an event.

Many Kenyans are demanding for justice before any reconciliation can take place in Kenya. It is therefore, important that we understand what truth, justice and reconciliation entail as three important pillars of the Commission.

The three are part of a larger process. Reconciliation without truth or justice would mean we are not taking the suffering of victims seriously. Truth and Justice without reconciliation can narrow justice to retribution or even mistake it for vengeance. The rhetoric question always is whose truth and whose justice. Reconciliation is a harmonious ingredient that satisfies all.

It should be noted however, that there can never be complete justice in this world: We cannot bring back the dead, completely rebuild what has been destroyed or recover completely what has been lost.

Yet that cannot keep us from experiencing some measure of reconciliation especially when we accept forgiveness. To say that no reconciliation can happen until there is complete justice keeps us in a certain state of paralysis and harm, in the long run, denying us our pursuit of justice itself. They are both part of a larger process. Justice is a necessary but not sufficient condition for reconciliation. Retributive justice also means the wrong doers are often prosecuted in the criminal courts. Victims of violence have recourse to the civil courts to seek redress in form of damages, compensation and restitution. In the context of conflict involving members of the same community, families, clans or inter-community conflicts, factors such as cultural values and norms, kinship ties, means of livelihood, affordability of accessing retributive justice and appropriate compensation should be considered. Courts are viewed as time consuming and very high in costs.



Refugees in their own country (Photo: Boniface Mwangi)



In IDP camps hope and confidence are lost (Photo: Alexander Glodzinski)

WHY RESTORATIVE JUSTICE FOR KENYA?

Restorative Justice deals with truth, acknowledgement, dialogue, rebuilding and restoring relationships, which are sustainable, building consensus, compensation through mutual agreements, dealing with effects like trauma, dehumanization, putting structures in place that would ultimately lead to healing both emotionally and physically, continuous engagement with both the victims and perpetrators and perpetual encouragement for both to join willingly in the reconciliation process, in order for it to be long lasting and sustainable etc.

The situation in Kenya also calls for Social Restorative Reconciliation (SRR) interventions which are specifically designed to foster intergroup understanding, strengthen nonviolent conflict resolution mechanisms, and heal the wounds of war. They differ from conventional projects and programs in that their primary objective is to promote social reconciliation, and not to provide services or advance economic, social, or political development.

A social reconciliation intervention is supposed to achieve one or more of the following objectives:

- To prevent or resolve the occurrence of violent conflict by facilitating communication and by developing peace structure,
- to reduce deep-seated anger, prejudices, and misunderstandings among the conflicting groups through reciprocal Dialogue, cooperative action, and acknowledgment of the past,
- to establish or reestablish positive relationships among conflicting parties through communication and cooperative activities.

In Kenya, restorative Justice therefore, becomes imperative for the reconciliation process to take place since for *victims*, it offers a voice in the process, an opportunity to ask questions and seek answers, a role in decision-making and avenues for healing, restitution and emotional support. For *Wrongdoers*, it enables them to be accountable for their conduct; affords opportunities to make amends and express remorse; offers constructive ways to repair harm; supports making responsible choices; and creates forums for forgiveness, reconciliation and reintegration. For *Communities*, it re-invests citizens with the power to contribute meaningfully to the resolution of community problems; allows citizens to articulate and affirm the moral standards of the community; provides a forum for addressing the underlying conditions which generate harm; and contributes towards the building of safe, thriving and peaceful communities.

WHAT SHOULD BE DONE FOR GENUINE RECONCILIATION AND NATIONAL HEALING TO TAKE PLACE?

1. Involvement of all Kenyans in the process of reconciliation

Efforts must be made towards forming partnerships with various stake-holders in the peace-building and conflict resolution field in order to see how to work together towards bringing reconciliation and healing for Kenya. All Kenyans and each individual must be involved and contribute actively in the process of reconciliation and national healing. As Kenyans learn lessons from other countries on healing and reconciliation, Kenyans must start making use of the specific, unique opportunities that exist in each region locally and at the grassroots level, complementing both indigenous and modern methods towards achieving healing and reconciliation in Kenya. Kenyans should also take advantage of the many opportunities that exist at the national level including: the new constitution, the many ongoing initiatives towards peaceful elections, the Youth Policy, the Land Policy, the Gender and Development Policy, the Education Policy and the Presence of the United Nations, among others. Kenyans are highly spiritual and religious and this is a platform that if taken advantage of will be important for national healing and reconciliation for this country.

2. Aiming at positive outcomes in reconciliation

Any reconciliation activities or efforts towards reconciliation and national healing should aim at the following:

- The promotion of restorative justice and social reconciliation for all Kenyans.
- The promotion of natural justice to those victims who in one way or the other were accused and their cases not yet determined up to date.
- The empowerment of victims to survive and in the end become victors being able to contribute effectively towards their development, that of their families, communities and Kenya at large and being able to take their destiny and lives in their hands.
- The encouragement of victims to forgive and move on with his lives with or without the presence of the offenders.
- To assistance of victims to forgive and be set free physically, psychologically, emotionally and spiritually, ultimately having the freedom and liberty to lead a normal life free of dependence on any entity in this country.
- The use and maximization of the existing structures at the community level towards reconciliation.
- The encouragement of wrongdoers to join in the process, thus making reconciliation in Kenya genuine, meaningful, long-lasting and sustainable.



A cry for justice and reconciliation (Photo: Boniface Mwangi)



Fear and despair in her eyes... (Photo: Boniface Mwangi)

3. *Attending to both physical and emotional needs*

For true reconciliation and healing to take place in Kenya, the process must attend to the physical, psychological, familial, communal, interpersonal and spiritual and social elements of all the direct and indirect players and must engage all Kenyans: individuals, community groups from all sides of the conflict, the highest level of national leadership locally, communally, regionally, nationally or politically.

4. *The Kenyan leaders must take the lead*

The leaders must emphasize trust, present their most important values, highlighting the importance of reconciliation and showing their commitment towards it. Above all, it is essential to meet basic needs in education and health for children and provide equal opportunities for women. Reconciliation and national healing cannot take place while such phenomena as poverty, social exclusion and crime persist are still eroding the foundations of the society and hampering the process of development. Whatever solution will be agreed upon by the political leaders, there should be development of the concrete social conditions necessary for reconciliation and national healing to become a reality on the ground so that people, especially the poor who have suffered terrible atrocities and human-rights violations, like in the different slums and different rural areas can see that justice is being done

5. *Religious leaders must honestly evaluate their role in ethnic divisions*

The truth is many Kenyans have lost faith in their church leaders¹⁴, especially during the political crises when they were considered to be partisan. Therefore, if genuine reconciliation and national healing is to take place, the religious leaders must honestly re-evaluate their role and be ready to walk with Kenyans in the process of reconciliation.

6. *People must respect the Rule of Law*

Without the respect of Rule of Law, nothing will be done to the truth which has been found and many people who are innocent will end up being prosecuted for crimes or atrocities they did not commit and end up suffering, while innocent.

7. *Proper investigations must be done in each allegations and truth found based on very specific facts*

Thorough investigation should be done of each allegation; absolute truth must be found and the authenticity of all facts verified before anyone conclusions are made on any cases.

¹⁴ Church leaders comprise the different religious groups like Catholics, Protestants, Muslims, Pentecostal churches etc.

8. *Devotion of resources towards reconciliation and national healing*

As a long term solution, significant resources (both human and financial) must be devoted towards research and study on questions of conflict and ethnicity in all institutions all dealing with peace and conflict related issues. They should work in collaboration with the other government institutions, non-government institutions and civil societies that focus on peace related issues

9. *The use of both traditional and modern mechanisms towards reconciliation and national healing.*

In consideration to the ordinary population, the traditional African perspectives and values should be used as complementary to the modern methods of conflict resolution. Traditional cultures are based on diversity. And we can use some of these models in co-ordination with religious leaders to directly and collectively empower different communities to seek reconciliation and healing.

CONCLUSION

In trying to bring reconciliation and national healing for Kenya, we cannot ignore the fact that it will be very difficult to call upon people to reconcile with their enemies in Kenya, but if we try to reconcile and co-exist peacefully, indeed there might be a way of regaining trust with our neighbors, friends, workmates, who have every right to remain different. What is important is to have a non-violent co-existence.

Refraining people from discussing their identities or tragedies which have befallen Kenya since independence and in different ways is not a solution. People should talk, they should share their feelings, and they have a reason to be angry at home or in different places where they work. This is the only way we can actually know what the other person (s) is thinking. We might be very surprised that by talking, listening and discussing some issues which have seemed impossible since 1963, all these recommendations might be beginning to a genuine reconciliation and national for this country.

“We would all agree – peace, reconciliation and healing are the most fundamental elements for social stability. Society is made of individuals with varied perceptions, beliefs and values. Peace however, unites all humankind. Everybody desires peace, within oneself and their environment. It is the individual member of the society who can build or deconstruct peace.”

(Joseph Owuondo, COPA)

THE ROOTS OF THE POST-ELECTION CRISIS IN KENYA

WAS THE CRISIS FORESEEABLE & INEVITABLE?²

INTRODUCTION

The Kenyan elections of 27 December 2007 resulted in a political crisis that caught the majority of the Kenyan people as well as the international community unprepared. The crisis drove the country onto the edge of civil war and near to becoming ungovernable. At least 1,133 people were killed and between 350,000 and 600,000 people displaced. Neither the country's institutions nor the political stakeholders proved capable of solving the crisis. It needed an international mediation led by former UN Secretary General Kofi Annan to break the deadlock between the conflicting parties and to arrive at a power sharing formula that in its key elements (Kibaki as President and Odinga as Prime Minister) mirrored the initial Memorandum of Understanding (MoU) between Kibaki's NAK (National Alliance Party of Kenya) and Odinga's LDP (Liberal Democratic Party) before the 2002 elections. This MoU was, however, never implemented.

Thus, was the crisis foreseeable? The answer is a clear 'yes'. Was the crisis then unavoidable? The answer is an equally clear and strong 'no'.

The main focus of this paper is to discuss the following points:

- what are the root causes of the crisis, and
- which factors could have mitigated the escalation and why did they not materialize?

This article looks at the structural roots of the post-election crisis. It does not focus on the immediate or situational factors that led to the escalation of the post-election situation. The clear correlation between the violence on the one hand and the mismanagement of the result aggregation process by the ECK and the manipulation of

¹ Ralph-Michael Peters observed the last three Kenyan elections (1997, 2002 & 2007). He has intermittently worked in Kenya and about the country's democratisation process over the past 20 years. He currently lives in Kenya and works as a consultant for the "Drivers of Accountability Programme", designed and financed by DFID, DANIDA and CIDA (Department for International Development", UK) and managed by DAI.

² An earlier version of this paper was presented at the the 3rd European Conference on African Studies (ECAS), Leipzig, 4 – 7 June 2009. I would like to thank Dorothee von Brentano and Nic Cheeseman for very fruitful comments on an earlier draft of this paper.

the election result in favour of PNU³ on the other hand has been beyond the scope of this article.

The two main purposes of this paper are to show that

- there have been several opportunities since early 2002 to start a process of resolving long standing conflicts and disputes that had shaped Kenya's colonial and post-colonial history – as well as opportunities to start a process of reconciling the different ethnic communities and to further Kenya's nation building process; and
- the 2007 elections led to a crisis threatening Kenya's coherence as a nation because of the very presence of the past: Particularly two lines of ethno-political conflict – between the Kikuyu and the Luo on the one hand and the Kikuyu and the Kalenjin on the hand – date back to the 1960s, resurfaced and combined into a cluster.

In order to address these issues I will first briefly describe and characterize the political situation and its general perception in the election year. I will then address the different conflicts and their roots thereby also highlighting the opportunities missed to initiate a resolution of the various conflicts. In a fourth step both the escalating and the absence of mitigating factors during the election period 2007/08 are discussed.

KENYA IN THE ELECTION YEAR 2007 – THE POLITICAL LANDSCAPE AND THE GENERAL PERCEPTION

When Kenya geared up for the 2007 elections and the political alliances were shifting, the general perception – national and international – was that Kenya's democracy was on a good and sustainable path (Human Rights Watch 2008: 1). The 2002 elections had seen the first change in government through the ballot boxes in the country's history.⁴ The presumably most difficult step – to peacefully unseat a long ruling President and party – appeared to have been successfully taken.

The eventual official split of President Kibaki's coalition in 2005 raised concerns about the survival of his government until the elections in 2007, but his acceptance of defeat in a national referendum that same year was in most donor quarters interpreted as an indication of the maturing of Kenya's democratic system. It was overlooked that Kibaki was winning the referendum even if he lost it: The government had presented a draft constitution at the referendum that did not reduce the vast presidential powers and also

³ I concur with Nic Cheeseman's assessment that there has been rigging by both sides, ODM and PNU, but "that electoral manipulation was most extensive in locations loyal to the PNU" (Cheeseman 2008, 177).

⁴ For detailed analysis of the 2002 elections and its implications, see the compendia edited by Oyugi/Wanyande/Mbai (2003) and Maupeau/Katumba/Mitullah (2006), and Peters (2003).

maintained the centralized form of government in contrast to the opposition favoured so-called Bomas Draft Constitution⁵ which advocated for a wide ranging devolution. The Referendum did not present the electorate with a choice between the two drafts, but only put forward the government draft. Its rejection by the voters resulted in maintaining the old constitution with strong presidential powers. Thus, Kibaki and his allies could well live with the defeat at the referendum.

When the 2007 election period started several donors through their Nairobi embassies considered a European Union Election Observation Mission to Kenya dispensable. The US ambassador Michael Ranneberger on several occasions before the elections expressed his belief that the elections would be free and fair. When conflict analysis and mapping were done for Africa almost no donor or international organisation had Kenya on the radar. The Economic Intelligence Unit/EIU e.g. – with its monthly country reports supposedly with fingers on the pulse of the events – summing up the general expectations in its 2007 November Report: “Inter-party and inter-ethnic tension will inevitably rise in the run-up to the polls, but the Economic Intelligence Unit does not expect any major violence, given that the last poll in 2002 (which was potentially more divisive, being the end of the KANU era) was largely peaceful” (EIU 2007: 7, 8). Within the German Development Cooperation civil peace projects were considered unnecessary in Kenya.

There were undeniably good reasons for an optimistic outlook: With only three presidents since independence Kenya has been a haven of stability in an otherwise very volatile regional context. The country survived the assassinations of leading politicians (Tom Mboya/1969, J.J. Kariuki/1974 and Robert Ouko/1990) as well as an aborted coup attempt (1982), severe ethnic clashes in the 1990s with about 1,500 people killed and more than 500,000 displaced and the autocratic and repressive reign of Daniel arap Moi. It survived all that without being pushed on the brink of a civil war. The social fabric seemed strong enough. The acceptance of the state’s monopoly of power appeared beneficial to the main stakeholders.

However, the signs could have also been read differently: neither one of the root causes for the ethnic clashes – the contentious land distribution – was addressed nor were those responsible for the clashes brought to justice, which in turn almost worked as an incentive to instrumentalize the land question and ethnicity afresh politically when it deemed opportune for the interested parties.

What was overlooked in donor quarters was that the 2007 political situation was fundamentally different from the unique situation at the 2002 elections. In 2002 each of the two main contesting blocs, organized in the newly created NARC and the old KANU, consisted of regional political leaders from almost all major ethnic groups.

⁵ The Draft was named after the venue where the three constitutional conferences in 2003 and 2004 took place.

NARC was an alliance of leaders from the Kikuyu, Luhya, Luo, Kamba, Maasai and coastal communities. So was KANU. With the exception that NARC was lacking prominent Kalenjin leaders and that KANU did not comprise of Luo leaders the leadership in both parties represented the same ethnic groups. Above all, the two main presidential candidates were both Kikuyu. And given the neo-patrimonial logic of Kenyan politics with major leaders from almost all of the main ethnic communities in both camps the ethnic communities felt that whichever side will win they would be in the winning camp. This clearly mediated against any major polarisation. Particularly the Kikuyu were able to accept any result as in any case the new President would be Kikuyu. The only major ethnic community losing out were the Kalenjin, who were backing Uhuru Kenyatta's presidential bid for KANU, thus their initial hesitation to accept Kibaki's victory (Peters 2002, 347).

The constellation at the 2007 election was entirely different: Here, the allies from 2002, Mwai Kibaki and Raila Odinga, stood both as presidential candidates, pitting the Kikuyu and the Luo communities against each other.

Odinga's ODM was the broader alliance with main leaders from the Luhya (Musalia Mudavadi), the Kalenjin (William Ruto), the Kamba (Charity Ngilu) and the coast (Najib Balala, mainly targeting the Muslim vote countrywide)⁶, while PNU had a more limited base with second category regional leaders as flag bearers outside the Kikuyu, Embu and Meru home turf: Moi for the Kalenjin and Simeon Nyachae for the Kisii were the most prominent amongst them, but both had lost clout on their home turf since the 2002 elections. The most daring question in 2002, when during the election campaign the NARC victory became more and more likely, was, if Moi and Kenyatta would accept the vote of the electorate and relinquish power. The key question in 2007 was if the national fabric would be resilient enough to cope with the growing ethno-political tension and if the political leaders would abstain from escalating the ethno-political tension for their own political gains. The mediating elements of the 2002 elections – the all-inclusive ethno-political alliances – were no longer in place. The new power configuration facilitated to open up the Pandora's Box that had been kept more or less closed ever since.

⁶ ODM's leadership structure reflected ethnic alliance character through its main decision making body, the Pentagon. It initially included the main five ethno-regional leaders, Ruto, Nyagah (for Kikuyu, Embu & Meru), Balala, Mudavadi, and Odinga. It also was to signal that Odinga is just *primus inter pares* and that the others play an almost as significant role as Odinga. When Ngilu with NARC joined the alliance the body was expanded, but kept the name Pentagon.

THE LINES OF CONFLICT

During the election period 2007/08 several long standing unresolved conflicts resurfaced. The backbone of all these conflicts is the question of distribution of power, land and the fruits of uhuru (Swahili for Freedom).

Two main lines of conflict can be distinguished, both of them taking the shape of ethno-regional-political conflicts.

In order to understand why ethnic clashes after the 2007 elections occurred in those sub-regions and cities where several ethnic communities live alongside each other it is important to focus on the way political interests in Kenya are organised and have been managed since independence.

Politics in Kenya has been organised mainly along ethnic lines; ideologies played only a secondary or tertiary role, and only at certain points in time (like when Kibaki and Kenneth Matiba were competing for the Kikuyu vote in 1992, Kibaki representing the elite, Matiba the poor). The political relevance of ethnicity was strengthened by the fact that provincial or sub-regional boundaries coincide to a large extent with the boundaries of settlement and living areas of the main ethnic communities.⁷ Thus, ethnicity became the most easily available tool to gather and consolidate political following in the run up to independence and afterwards. The distribution of the fruits of uhuru (Swahili for freedom) was negotiated at the political centre, in Nairobi and in London at the Lancaster House conferences in the late 1950s and early 1960s. At those meetings it was vital for aspiring Kenyan politicians to represent as many people as possible in order to gain as much bargaining power as possible to secure as big a share of the national cake as possible for the communities they represented (and themselves). Thus, in those times ethnic engineering took place in most of the main communities. So from the 1940s onwards the at best loosely connected groups (Marakwet, Pokot, Tugen, Keyio, Nandi, Kipsigis) were getting under one umbrella to become the Kalenjin. At the onset of independence the leaders of the Kikuyu community, the single largest ethnic community, was in the best bargaining position: The Kikuyu were the ethnic group most strongly integrated into the colonial system. The lines of conflict that are analyzed in the following have to be seen against this background.

⁷ Though members of most ethnic groups work or have settled in many parts of the country most ethnic communities live within fairly clearly defined boundaries, i.e. the Kikuyu in Central Province, plus some considerable clusters in parts of the Rift Valley; the Luhya in Western Province and parts of neighbouring districts in Rift Valley Province; the Luo in Nyanza Province around Lake Victoria; the Kisii (ca 6% of the population) in the more southern parts of Nyanza Province; the Kamba in the Ukambani region of Eastern Province; and the Kalenjin groups in Rift Valley Province.

The Luo-Kikuyu divide

This conflict dates back to the 1960s and has a strong family element to it. In the aftermath of the Mau-Mau upheaval of the 1950s the roadmap to independence was being negotiated. The political landscape of Kenya was broadening after the ban on political parties was lifted in 1959. Steered by Tom Mboya and Oginga Odinga, both Luos, the Kenya African National Union (KANU) was formed. While still under house arrest for wrongly being seen as Mau-Mau leader the factual leader of the party, Jomo Kenyatta, a Kikuyu from Central Province, was elected President of KANU. At independence in 1963 Kenyatta first assumed the Position of Prime Minister under a federal, the so called *majimbo* (*jimbo*=Swahili for region) constitution (see 4.3) and a year later, in December 1964, after the federal elements of the constitution were eliminated became President of the new Republic.

Clearly, Kenyatta was the undisputed national leader, while at the same time he had the full backing of his Kikuyu community. The unanimous support of one's ethnic group has been a general *conditio sine qua none* in Kenya for every politician aspiring to national leadership. However, as Kenya is made up of about 40 ethnic groups with none of them in a majority position the danger of political ethnic fragmentation has been eminent ever since. As has the drive/urge for building ethno-regional alliances to construct majoritarian coalitions, coalitions that have always been strongly dominated by the ethnic group from which the President hailed, i.e. the Kikuyu (Kenyatta 1963-1978; Kibaki since 2003) and the Kalenjin (Moi 1978-2002). Leaders of other ethnic groups were lured into informal coalitions (Kenyatta and Moi) and formal ones (Kibaki), benefitted from the patronage networks into which they were included as a result of joining the coalition, and from factual protection against prosecution for corruption or any other crime. For most political players the benefits of being part of a coalition outweighed the costs of rocking the boat by violent means.

During Kenyatta's imprisonment Tom Mboya and Oginga Odinga together with some Kenyatta confidants orchestrated the reconstruction and renewing of KAU, which in the late 1940s was the first movement to try to bridge the ethnic divide. Both Odinga and Mboya desisted from trying to fill the factual power vacuum caused by Kenyatta's detention, using the call for Kenyatta's release in the fight for independence as a rallying point of furthering the national support for their independence agenda. With the campaign for Kenyatta's release being spearheaded by two Luo politicians the links between the two communities were strengthened.

As Kenyatta became President Odinga was appointed Vice-President, largely considered as a reward for the support and at the same time an indication of the government's

alliance character. Odinga, however, enjoyed the position for only two years.⁸ When he was ousted, he formed the Kenya People's Union (KPU). In the 1967 so-called mini general election⁹ Odinga's power could not spread beyond his home turf in Nyanza Province. This reduced KPU factually to a regional ethnic-based party.

Mboya, the Secretary General of KANU and during the 1960s government Minister in different portfolios, was in his mid-thirties and apart from the ageing Kenyatta (born in 1891) the only politician with a national standing. Unlike Odinga with his ethno-regional power base in Luo Nyanza Mboya represented the multiethnic Nairobi Central constituency (today Kamukunji) in parliament.¹⁰ His assassination in July 1969 remains unresolved until today and is beclouded with many speculations. What is relevant in our context is the perception by the Luo community that Kenyatta and/or his inner circle were responsible for the murder. It is generally acknowledged that Mboya was seen as a potential presidential contender, possibly the only one that could have posed a real challenge to Kenyatta. In the reading of the Luo community this was the reason for his killing. The eventual ban of Odinga's party and his detention in the aftermath of riots during Kenyatta's visit to Nyanza Province for Mboya's burial served as a confirmation of this perceived marginalisation of the Luo community by the Kikuyu dominated government of Kenyatta.¹¹

In the eyes of the Luos their political leaders and – based on the patronage system – in extension the entire community was betrayed by Kenyatta and the Kikuyu. While Odinga and Mboya had waited for the return of the detained Kenyatta since the 1950s and prepared the political organisation and structure he was to spearhead, Kenyatta in the long run – so the Luo reading - did not honour the loyalty.

Never again – until the formation of the grand coalition with Raila Odinga as Prime Minister – rose a representative of the Luo community to such key power positions, the only one who came somewhat close, Robert Ouko as Foreign Minister, was assassinated

⁸ By 1965 the Luo faction of KANU had become divided into an urban and conservative' wing, led by Mboya, and a "radical" and more rural group, led by Odinga. This division on the one hand weakened KANU and on the other hand made the Luo a softer target, as an alliance with Moi's Kalenjin (see next sub-chapter) became strategically more important for Kenyatta and the Kikuyu elite.

⁹ When Odinga left KANU and formed KPU Kenyatta rushed a constitutional amendment through parliament requiring a by-election if an MP defects to another party or dies. Odinga and his allies, mainly in Luo-Nyanza and the Kikuyu diasporas in the Rift Valley, left KANU, necessitating altogether 29 by-elections of which KPU only won 9.

¹⁰ Tom Mboya pursued a 'non-tribalist' approach and did not depend on a specific ethnic following. Having been brought up on the border between today's Central and Eastern Provinces he spoke both Gikuyu and Kikamba. His multiethnic constituency in Nairobi and his trade union background from the 1950s allowed him to successfully reach out for support from diverse ethnic groups.

¹¹ A discussion of the events and different theories around and behind Odinga's dismissal, Mboya's assassination, Odinga's detention and the ban of KPU is beyond the scope of this article. What is relevant for the unfolding argument is how these events were seen and judged by the Luo community.

during the Moi-Regime in 1990.¹² The feeling, the sense of being marginalised – not only on the political level but also in terms of economic developments, and the provision of infrastructure and medical services – is supported by data on the prevalence of poverty and other socio-economic indicators (see Poverty Atlas).

Thus, the break between the two communities bore even more significance for the Luo community as it marked the beginning of their perceived marginalisation and was never compensated for or corrected in future governments. It constituted a general distrust on the side of the Luo community towards the Kikuyu and was one of the main reasons why the political leaders of these two ethnic groups did not agree on a common presidential candidate against incumbent Daniel arap Moi for the 1992 and the 1997 elections, which Moi then went on to win with simple majorities.

The opportunities missed

By 2002 Raila Odinga – after his unsuccessful bid for the presidency in 1997 – had merged his Liberal Democratic Party (LDP) with Moi's KANU and become Minister in Moi's cabinet. In preparation of his retirement Moi had gathered around himself a group of younger, aspiring politicians, among them – apart from Odinga – William Ruto as the new rising star of the Kalenjin in the Rift Valley and Uhuru Kenyatta, the country's first president's son. With bringing Kenyatta in as a supposedly new main player in Central Province Moi intended to mend fences with the Kikuyu, long sidelined during his rule. The expectation of this group together with those of another group of younger, already established KANU leaders (Musalia Mudavadi, Kalonzo Musyoka, George Saitoti) was kept well in a fragile balance by Moi for several months during the election year 2002.

It was, when Moi decided to opt for Kenyatta as his successor that the whole construction collapsed. Moi demanded Odinga to accept the role of a junior partner to Uhuru Kenyatta, a request that Odinga could hardly meet: Not only was Kenyatta rather new to politics, having started his career only in 1996 as KANU chairman of Thika district. He then even failed to get elected to parliament on a KANU ticket in 1997 for Gatundu South in Central Province. Thus, for Odinga accepting a junior-partnership to Kenyatta would have meant a repetition of history of the 1960s. Odinga has been the undisputed leader of Luo Nyanza, not only because he inherited the leadership position from his father Oginga Odinga, but also because of his own merits as a longstanding opposition activist during the one-party-state (constitutionally from 1982-1991). It was a delicate balance: Accepting to be second to Kenyatta may have well endangered

¹² The Ouko murder was never solved. The government invited Scotland Yard to conduct the investigation. It acted, however, only on one suspect, who was according to Scotland Yard also the least likely of the three and as District Commissioner the least senior one. The other two, among them Moi's close aide, Nicholas Biwott, have never been charged.

Odinga's leadership role in Nyanza, as the community has still not come to peace with the fall from power in the 1960s. Thus, family and community history combined in this question and Moi must have been well aware that requesting an Odinga to follow a Kenyatta again would not work.

Moi may have expected Odinga pulling out of KANU, but he certainly underestimated Odinga's networking and alliance building skills. He was caught unprepared when Odinga succeeded in bringing Kalonzo Musyoka, George Saitoti and William ole N'timama with him to the opposition. The three main opposition leaders (Michael Wamalwa/Forum for the Restoration of Democracy-Kenya, Charity Ngilu/Social Democratic Party and Mwai Kibaki/Democratic Party) had already agreed on Kibaki as their common presidential candidate under the umbrella of the newly founded National Alliance Party of Kenya/NAK. This opposition unity was threatened with Odinga changing sides, as he might pursue his own candidacy with the backing of his new alliance. However, at a huge rally in Nairobi Odinga publicly endorsed Kibaki as the alliance's presidential candidate and thus pre-empted any feared new debate about opposition unity. An accord was struck between Kibaki's NAK and Odinga's new Liberal Democratic Party/LDP, the details of which were laid down in a Memorandum of Understanding. This spelt out that in case of election victory the constitutional reform process would be concluded and the position of Prime Ministers created a position which would go to Odinga's LDP. Thus, Odinga, despite the precarious history between the Kikuyu and the Luo communities, advanced trust to Kibaki and the Kikuyu elite. In a situation where the majority of Kenyans longed for change a deal with the Kikuyu minus the Kenyatta family dimension was somewhat easier sellable for Odinga to the Luo community.

The defection of Odinga's group and its entering into an alliance with Kibaki's NAK changed the dynamics of the 2002 elections and brought the opposition into forehand. The opposition began to set the campaign agenda, Moi, Kenyatta and KANU first lost the initiative and finally the elections.

The alliance between the Kikuyu- and the Luo-led opposition blocs and their agreement on a power sharing formula after the elections presented a historic chance to start a process of reconciliation between the two ethno-political blocs. An honouring of the agreement after the elections would have been a significant contribution to build new trust between the leaders as well as between the communities. It would also have been a major boost for the nation building process, as it would have become apparent that power is not confined to representatives from basically two ethnic communities – the Kikuyu and the Kalenjin, but open for other communities and their leaders as well.

However, that chance was not to be taken: After the election the new emerging power circle around Kibaki changed their position towards the wide ranging presidential powers: While in opposition Kibaki and his confidants were clearly in favour of clipping

presidential powers and therefore supportive of the draft prepared by the Constitution of Kenya Review Commission (CKRC) under Yash Pal Ghai. After having assumed the presidency Kibaki's perspective and those of his advisors changed. What had been considered undemocratic before appeared now more than welcome (Peters 2004).

While the change certainly had much to do with the change from opposition to government benches in parliament it also had a distinct anti-Luo attitude to it and a feeling among Kikuyu of deservedly leading the country politically and economically, which came out even more openly and directly in the election campaign 2007 and thereafter. The prejudices against the Luo include several stereotypes from cultural elements – the fact that Luos are traditionally not circumcised – to alleged economic backwardness which were all politically instrumentalized to create the image of an otherness of the Luo making any of their representatives unfit to lead the country. In addition: Especially among the Kikuyu elite was a perception of Odinga as a political radical who cannot be trusted, an image that goes back to 1982 and Odinga's involvement in the quickly aborted coup d'état attempt by middle ranking officers of the Kenyan airforce in 1982¹³ as well as to his history of opposition to the political establishment during the Moi era. Odinga's rather *middle-of-the-road* politics since he took over the political mantle from his father in 1993 only added to the negative views, portraying him as "wolf in a sheep's skin". In widely circulated propaganda adds during the 2007 campaign he was pictured as reincarnations of Idi Amin, Stalin and Hitler (Willis 2007). In another cartoon add Kalenjin and Kikuyu leaders were lining up before an execution desk, waiting to be hung by Odinga. These demonisations were complemented by a Kikuyu self-concept of being on the one hand the only community able to govern the country sensibly and on the other hand being victimised and targeted without justification by the other ethnic groups of the country and the international community, aptly described by Michela Wrong (2009: 286-290). The combination of these two factors also caused the rather uncompromising stand by the Kikuyu and related Embu and Meru towards any developments that would leave them with less or no power at all.

In summary: The Moi-succession led to a reconfiguration of alliances which offered the opportunity to open up channels for reconciling long standing animosities between the Luo and Kikuyu communities. The decision by the Kibaki wing to deny Odinga's bloc its agreed share of power as per MoU in fact aggravated the relations between both communities. This is one factor that prepared the ground for a polarized election campaign and the eventual escalation in 2007/08.

¹³ For Odinga's role in the attempted coup of 1982, see Badejo 2006, p. 93-101.

The Kalenjin-Kikuyu divide

The Kalenjin-Kikuyu conflict originates in the 1960 and is connected to the question of land redistribution particularly in and around the so-called White Highlands in the former Rift Valley Province. The control over those highlands has been subject to a hotly contested conflict at crucial points in time of Kenya's history:

- at the dawn of independence,
- at the return to a multiparty system in 1991-93, and
- in 2007/08 when the political leadership of the country was at stakes.

At each of these turns the regional conflicts between the ethnic communities corresponded with the political divide between the Kalenjin and the Kikuyu communities at the national level.

The fertile land on the escarpment west of the Rift Valley had been largely occupied by white settlers during the colonial period. The indigenous African population, basically the different Kalenjin groups, were either confined to so called native reserves and/or used as labourers on European farms; members of other ethnic communities followed, particularly the Kikuyu who initially settled in and around Central Province, but also Kisii from South Nyanza, Luhya from the West and partly Luo from around Lake Victoria.

When independence dawned land "was the most important reward that the peasantry expected from their patrons and the new African Politicians" (Throup 1987: 43). It was where all hopes and aspirations of the population across all ethnic groups were directed at. The significance of land in Africa, but Kenya in particular, goes much beyond the issue of agrarian development. Land has been at the core of all major political decisions, constitutional arrangements and debates as well as economic considerations. In Kenya the quest for land (re-)allocation has become inextricably linked with power politics and contributed majorly to the politicisation of ethnicity.

At independence land was already a scarce resource and basically only available in and around the so called White Highlands. Here on basis of willing-seller willing-buyer farms were re-bought from the white settlers. The access to and control over the White Highlands was one of the major motives of the Kikuyu dominated Mau Mau Guerilla war in the 1950s, as many of the Mau Mau fighters had been born and raised as squatters on the white farms. However, also the Kalenjin and the Luhya laid claim on the land, the two ethnic groups whose leaders played a major role in the Kenya African Democratic Union (KADU), the party founded before independence to serve the interests of smaller communities who were afraid to be marginalised by the bigger ethnic groups (Kikuyu and Luo) organised in KANU.

One key bone of contention was Nakuru in the Rift Valley. Both the wider district and the town have been dominated by the Kikuyu since the 1920 when many of them took the exit option from Central Province for a variety of reasons. Kalenjin on the other hand only started to move in from the 1950s onwards (Akiwumi Report 2002: 15), though the particular interest of Daniel arap Moi's Tugen, a Kalenjin sub-group, on the areas in northern Nakuru, goes back to the 1920s. In the 1950s Moi emerged as the compromise leader of the Kalenjin. Though the Kalenjin and the Luhya were the major forces in KADU, they were also pitted against each other over the question of control over the two key districts in the White Highlands in the Rift Valley, Uasin Gishu and Trans Nzoia, both highly fertile. The struggle remained unresolved way into the 1960s. The land conflict over the prime parts of the Rift Valley was finally decided when he struck a deal behind closed doors with Kenyatta in 1963/64. Moi agreed to abandon the Tugen's interest on Nakuru, while Kenyatta pledged to throw his support behind him and the wider Kalenjin group in the struggle for control in Trans Nzoia and Uasin Gishu.¹⁴ At the same time these developments resulted in the eventual split of the two KADU allies, the Luhya and the Kalenjin. The new cooperation between Kikuyu and Kalenjin was firmly executed when in 1964 KADU dissolved itself and the Kalenjin politicians joined KANU. The picture that developed by around the mid 1960s was that both communities that appeared most solidly unified – the Kikuyu and the Kalenjin – had entered into an alliance with each other. At the same time they either had or were in the process of abandoning their previous alliances, as both partners – the Luhya for the Kalenjin and the Luo for the Kikuyu – had been weakened by internal divisions.

The Akiwumi Report on the ethnic clashes of the 1990s had pointed out that “people in the Rift Valley Province generally tended to follow what their tribal leaders and more particularly, elected leaders, tell them” (Akiwumi Report 2002: 4). Refining this argument this point is also true when it comes to the relation between local leaders and the leaders representing the community at national level. The political history of Kenya shows that few local leaders dared to go against the will of their community's national leaders. This is important to note as it were particularly local leaders that kept the initial disgruntlement and disappointment over land access and land distribution among the Kipsigis and Nandis from the early post-colonial times onwards alive. While the members of the different Kalenjin communities got used to co-exist peacefully with neighbours from other communities in the Rift Valley, in many cases also buying and sharing cooperative farms together, the anger over the power and land deal that Moi brokered in the 1960s simmered. As long, however, as the alliance between the Kikuyu and the Kalenjin remained intact¹⁵, the issue did not resurface.

¹⁴ This was the initial deal between Kenyatta and Moi that paved the way to Moi's eventual ascendancy to Vice-Presidency in 1967.

¹⁵ The alliance was further strengthened when Kenyatta appointed Moi Vice-President in 1967, following the resignation of Oginga Odinga's successor, Joseph Zuzarte Murumbi.

In 1978 Moi – in accordance with the constitution – assumed the presidency, following the death of Kenyatta.¹⁶ On the surface he seemed to leave the Kenyatta state more or less untouched. However, certain moves began to alienate the Kikuyu elite: the banning of ‘tribal associations’ as a threat to national unity in 1980 – so the official explanation – meant the end of GEMA (Gikuyu, Embu and Meru Association), previously a key instrument of the Kikuyu elite for advancing their political and the economic interests (Matanga 2000: 25). The proscription of GEMA went hand in hand with the sidelining of Kikuyu businesses which lost out on government contracts, and with the neglect of Kikuyu in promotions in the military and the civil service (Throup/Hornsby 1998: 30f.). The Moi regime after an initial period of political liberalism had become more repressive¹⁷ and had turned the country into a de-jure one-party state, when the constitution was changed to that effect in 1982. Coupled with food shortages severe discontent was simmering among the population, particularly among Kikuyu and Luo.

Against this background in August 1982 a section of the Kenya air force attempted to overthrow the Government. The revolt was swiftly crushed by the army. An estimated 3,000 arrests followed. Until today the background of the political developments and movements of that period are not fully established. It seems, however, safe to say that at least two competing coups were planned, of which only the first one was executed: One by the Luo dominated middle ranking Air Force officers¹⁸ and one led by Kikuyu politicians and Kikuyu army & police officers (Throup/Hornsby 1998: 31). The timing of the Luo dominated coup appears to have depended to a large extent on the expectation of the Kikuyu-led coup: In order to avoid another Kikuyu presidency they wanted to preempt theirs.

After the failed coup attempt of 1982 Moi started to openly dismantle the Kenyatta state. Within a period of seven years Moi marginalised the main Kikuyu factions. When in early 1990 the call for the re-introduction of multi-party politics were voiced first from members of civil society organisations it resonated particularly well among the Kikuyu elite, most members of which had their political career ended in the one-party state.

With the call for the return to a multiparty state gaining momentum (1990-91) and finally succeeding (Dec. 1991) the huge majority of Kikuyu joined the emerging opposition parties while the Kalenjin overwhelmingly remained solidly in KANU and

¹⁶ The Constitution stipulates that in the event of the death of the President the Vice-President assumes power and has to call for fresh General Elections within 90 days.

¹⁷ Considerable numbers of university lecturers, lawyers and journalists were arrested in 1982, for details see Badejo 2006: 102-106.

¹⁸ This coup attempt – the one that was executed – was for the first time publicly discussed at some length by a series of articles in the Daily Nation and the East African Standard in 2004. There are also two books out that give accounts of the events, based on narrations of some of those involved, see Badejo 2006; and Dianga 2002. According to Badejo Raila Odinga was the most senior civilian involved in the coup plans, although he was not at the centre of planning. A systematic and comprehensive research on the subject, however, is still pending.

rallied around Moi and his associates. The ethno-political nature of the organisation of power had been disguised by the nature of building alliances and the repressive measures of the Kenyatta State and the autocratic character of the Moi rule. Now in the 1990s it powerfully took centre stage again. There were three ethnic groups that uniformly supported certain parties: the Kalenjin KANU, the Kikuyu Mwai Kibaki's Democratic Party (DP) and Kenneth Matiba's FORD-Asil, and the Luo Oginga Odingas FORD-Kenya. The other main ethnic groups (Kamba, Luhya, Kisii, coastal people) remained split between opposition and government. For the first time since independence the political leaders of the Kikuyu and the Kalenjin were at opposite sides of the political divide.

This was the time and moment when leaders from the Kalenjin and those of the closely related Maasai picked up the ever simmering discontent about the land distribution and re-engineered it. Cabinet Ministers like Nicholas Biwott, Kipkalia Kones and Henry Kosgey for the Kalenjin and William ole N'timama and George Saitoti for the Maasai conducted a series of rallies in the Rift Valley key districts (Nandi, Kericho, Bomet, Uasin Gishu, Nakuru, Narok), reviving the concept of *majimbo*¹⁹ as an ideological superstructure and justification for the threat to create regions confined to the "indigenous" population of those areas, thus evicting those considered to be "alien" or "foreigners" (*madoadoa*). Kenya had a *majimbo* constitution for one year, immediately after independence. This had been the compromise of KANU, KADU and the colonial government's representatives at the pre-independence Lancaster House meetings in London. The *majimbo* constitution provided for a federal governance structure, meant to safeguard the smaller communities, represented by KADU. As the Kalenjin wing of KADU joined KANU the way was free to transform Kenya into a centralized presidential system. However, what in the rallies of the early 1990s featured as *majimbo* was different from the initial *majimbo* concept. It was clearly directed against the Kikuyu and other communities who had also settled in parts of the Rift Valley.

The Akiwumi Report, named after the Presiding Judge of a Commission of Inquiry into the ethnic clashes of the 1990s and set up by President Moi in 1998, shows clearly how low and high politics interacted in the Rift Valley and along the coast, the two main centres of ethno-political violence: The KANU elite understood multiparty politics as an assault on their right to rule and the *majimbo* rallies ideologically paved the way for the ensuing ethnic cleansings. This was, however, only possible because the dissatisfaction about land distribution had been simmering among the population and kept alive by local Kalenjin leaders (see the Kiliku Report of 1992 and the Akiwumi Report of 2002):

¹⁹ For a more comprehensive discussion about *majimbo*, devolution and the political instrumentalization and redefining of the *majimbo* concept since the 1990s see Ghai 2008.

The ethnic cleansings had their peak between 1991 and 1993 around the first multiparty elections. Altogether around 1,500 people were killed and about 500,000 internally displaced.

Given these two historic lines of conflict plus the 2007 polarized constellation with two opposing ethno-regional blocs along the high potential of a violent escalation for the 2007/08 elections were well visible. The election campaign contributed considerably to this charged atmosphere, while other factors/circumstances facilitated the ensuing escalation.

WHAT FACILITATED AND TRIGGERED AND ESCALATED THE CONFLICT

Culture of Impunity

When looking at facilitating factors the culture of impunity is one of the most important and most obvious ones: Regardless which sector we focus on there has never been any successfully concluded court case against any high level politician.

The murder cases of Tom Mboya (1969), JM Kariuki (1975) and Robert Ouko (1990) have never been resolved and despite the fact that in the case of Mboya a henchman was prosecuted and sentenced, none of the real perpetrators was brought to justice. More recent unsolved killings include the one of Odhiambo Mbai in 2004, a University Professor and at that time the chairman of the Bomas devolution subcommittee, which was at the centre of controversy between the Kibaki government wing and the majority of the Bomas conference.

Furthermore, none of those implicated in major corruption scandals have been brought to court, not to mention sentenced. The Goldenberg scam of the early 1990s is the most outstanding case from the Moi era, but not much more than the tip of the iceberg. George Saitoti, the Finance Minister and Vice President, has been implicated as one of the major persons in charge of the whole operation (Peters 1994: 259), but due to his value as one of the regional strong men for the shifting alliances first of the Moi government and then of the Kibaki administration he was never put on trial. Under Kibaki three ministers (Kiraitu Murungi, Chris Murungaru and David Mwirarira) were forced to resign over their main role in this administration's main scandal, the Anglo Leasing scam, but all except for one (Murungaru) were later reappointed to the cabinet when the build up to the 2007 elections started and they were needed in their role as regional power brokers to ensure support for Kibaki's reelection campaign in and around his home turf. The fact that not only under Moi's but also under Kibaki's rule political power considerations took precedence over the rule of law not just undermined but rather eroded any trust in the legal institutions of the country.

Also, and this with particular importance for this context, none of the perpetrators and instigators of the ethnic cleansings of the 1990s were prosecuted despite mounting evidence established by the Parliamentary Select Committee under Kennedy Kiliku in 1992 and the Akiwumi Report of 1999. The Akiwumi Report recommended that several ministers (among them Biwott, N'timama and Burudi Nabwera) as well as MPs (among them Mombasa MP Emmanuel Karisa Maitha and coastal business tycoon Rashid Sajjad) be further investigated and possibly prosecuted. However, the Moi government did not act and suppressed the publication of the report until it lost a court case ordering its publication in 2002. This was just a few months before the elections. The new Kibaki administration, however, did not take up the chance and initiate any judicial action against those politicians, thereby missing a decisive chance of re-establishing the rule of law and starting a process of rebuilding public trust in the government's institutions.

The state's failure to hold the high ranking perpetrators accountable for their action has sent a clear message throughout all political corridors in Kenya: if you are high enough in the political hierarchy and politically important enough for alliance networking on the national level you can be pretty sure to get away with almost anything.

The role of criminal gangs

The state's tolerance towards terror and violence unleashed by a wide and growing variety of criminal gangs is the grassroots equivalent to the impunity of ministers and well connected MPs.

The proliferation of vigilante gangs in Kenya since the 1990s has been facilitated by a cluster of reasons:

- a corrupt and understaffed police unable to establish the state's monopoly of power in considerable parts of the country (police officer – population ratio has worsened since the early 1990s when it stood at 1:711 to 1:875 in 2001 and to 1:1,150 in 2004, while the UN recommendation is 1:400 (Commonwealth Human Rights Initiative 2005) ²⁰;
- high unemployment rates including university graduates that makes them prone to trappings from organised crime;
- political leaders who as godfathers entertain or frequently tap on vigilante gangs to carry out acts of harassment, intimidation and killings against political opponents or people of certain residential areas and/or members of ethnic groups (Anderson 2002).

²⁰ The new NARC government started a police reform process in 2003 that, however, has never been concluded.

Those criminal gangs though partly connected to politicians still act independently and are far from being controlled. They are active throughout the country and have in some places in fact replaced state institutions. “Violence trickled down into daily life and the State no longer commanded the monopoly of force it once had in a previous era.” (Waki Report 2008: 27) Through blackmailing people and service operators (like the Matatu fleets in some parts of the country by Mungiki) these groups sometimes also deliver services like connecting electricity, providing pit latrines, and applying their form of justice.

These groups were readily available for hiring and were used by political leaders in the post-election violence.

The centralized nature of government, the neglect of regions and the political instrumentalization of *majimbo*

Kenya is one of the more unequal societies in the world, with the top 20% having a share in income or consumption of 51.2%. The lack of a more equal distribution is perceived by large parts of the population as the result of an ethnic bias by the government which is expressed in uneven distribution of resources, service deliveries as well as positions in government and the civil service. In fact the Human Development Indicators (HDI) broken down to regional and district level confirm considerable regional disparities: regions which enjoy(ed) the Presidency clearly score higher than other regions, i.e. key districts in Moi’s Kalenjin Rift Valley stronghold and districts in Kenyatta’s & Kibaki’s Central Province perform better than all other regions (except the capital Nairobi) in UNDP’s Human Development Index as well as its Human Poverty Index (UNDP 2001, 2004)

Moreover, an analysis of cabinet appointments under the country’s three presidents shows that the representation of the three dominating ethnic groups (Kikuyu, Kalenjin and Luo) depended on the respective presidency (more Kikuyu under Kenyatta and to a lesser extent under Kibaki and so) and the alliance status of the ethnic bloc. This means that Luo as well as Kalenjin (under Kenyatta and Kibaki) and Kikuyu (under Moi) were only stronger represented when they were part of the governing alliance.²¹ These biases are also perceived by the public.

The consultations of the Constitution of Kenya Review Commission (CKRC) under Ghai had established during its countrywide consultations the clear demand of better

²¹ The interesting exception are the Luhya, which were since Moi’s regime represented above their population share, basically because they did not have serious contenders for the presidency, thus no threat to the incumbent, and were divided between government and opposition. The above average level of appointments was meant to lure/keep the indecisive Luhya to the government side (for statistical data on this: Stewart 2008: 2).

service delivery and more equal distribution of resources. When the NARC government assumed power it was well aware of this quest as it has been one of the underlying factors that paved the way to election victory. The fast introduction of the Constituency Development Fund (CDF) with its channelling of government funds down to the constituency level and its in-built compensatory mechanism for the least developed constituencies was the first direct answer by the then still united government.

As the government, however, became openly split over the constitutional reform process in 2005 both blocs offered different approaches of how to further address the regional imbalances. Kibaki continued Moi's policy to create ever more districts as another answer to the demand for more local participation and responsibility. From 70 (&15 not established) districts at the end of Moi's last term to apparently around 250 in 2009.²² While campaigning in the respective locations, new districts, particularly in the run-up to the referendum in 2005 (at least 45 new districts) and then to the general elections in 2007 (at least another 24) were created. Setting up new districts has been a highly popular policy ever since, as this implies the creation of new administrative jobs, of a new centre in the new district. Along with this goes the expectation of gaining some independence from the centre and control over resources, an expectation that is raised by the government irrespective of its unrealistic content given the centralized nature of government. What in our context is of particular interest and concern is that the boundaries of such new districts in many cases coincided with the living areas of (sub-)ethnic communities and/or clans (Waki Report 2008: 31). Thus, the creation of districts reinforced ethnic identities in an environment that in many places at the grassroots is already loaded and charged with animosities and prejudices reciprocally assigned by ethnic communities to each other and where political interests are organized along ethnic lines. Such policy decisions served short-term political interest, but were essentially detrimental to the cohesion of the country and the far from being concluded process of nation building.

The answer of the Odinga wing was embedded in the Bomas constitutional draft with its emphasis on devolution. The Bomas Draft was – as explained earlier – derived from a broad consensus among the participating groups on how to reform key components of the current constitution. The wide ranging consultations throughout the country by Ghai's CKRC in 2001 & 2002 established the quest of the majority of the people for exerting more control over their own affairs and at the same time raised their respective

²² The exact number of newly created districts is subject to debate. The Daily Nation in early April 2009 cites South Imenti MP, the lawyer Gitobu Imanyara, saying that since 2005 at least 140 new districts have been created by Kibaki, bringing the total number to 210, which would mean that there are as many districts as parliamentary constituencies (Opio 2009). The CDF Accountability Project website maintained that Kibaki set up 61 new districts since 2002 and had declared that another 49 would follow in the financial year 2009/2010, bringing it to a total of 195 (Radoli 2009). In July 2009 the East African Standard gave the number of districts at 247 (Obanyo 2009).

hopes and expectations. For Ghai's draft constitution in 2002 and the Bomas Draft this quest was – after broad and lengthy discussions among all stakeholders – translated into the concept of devolution²³, which was above anything else an answer to what has widely been seen as the failure of the centralized government to ensure economic and social development for and the well-being of its citizens. Interestingly enough in these countrywide consultations by the commissions there was no province that appeared happy with the centralized state in its current shape. They took, however, place before the NARC government took office and must be understood as a criticism of both, the Kenyatta and the Moi government.

The Kibaki side of government, led by the then Minister for Justice and Constitutional Affairs, Kiraitu Muringi, left the Bomas conferences, when it was becoming clear that the government's position of retaining the centralized state would not prevail. The government draft for a new constitution, presented in 2005, had then tilted the devolution approach of the Bomas draft in favour of the more or less old system of centralized government.

The ODM position on devolution reflected the opinion of the majority of Kenyans. Apart from the Prime Minister issue devolution was the most controversial part during the campaign for the referendum. Though in some places like the Rift Valley, the campaign was characterized by inflammatory and abusive language towards the other side with clear negative ethnic sentiments towards the Kibaki side (Kenya National Commission on Human Rights 2006; Andreassen/Tostensen 2006), both sides of the campaign abstained from demonizing the political goals of the other bloc. Devolution was an issue of the campaign under its very name. From all information available the term *majimbo* did not feature in the speeches of the main politicians during the Referendum campaign of 2005. However, the Waki Report suggests that in the Rift Valley at grassroots level the equation of *majimbo* and a devolved system was already consummated (Waki Report 2008: 494) with Kalenjin expecting if a devolved system is being implemented also those not 'originally' from the *jimbo* would have to pack and leave to their 'home' *jimbo*. This indicates the slowly building momentum of the antagonism between the Kalenjin and the other communities of the Central and Northern Rift Valley. It cannot have escaped the attention of the leading politicians from the ODM side that while they were trying to consolidate their support particularly in the Rift Valley they sparked the glowing flame of ethno-political hatred, the consequences of which were developing further during the 2007 campaign and led to the ethnic cleansings after the election.

²³ Devolution in the final Bomas draft – in some substantial deviations from the initial draft of the Ghai commission, the CKRC (Ghai 2008: 216) – was giving major decision making capacities to councils at the district level, while reducing the role of the provincial level. The district councils would get a saying in legislation alongside the central government through the establishment of a second chamber of the national parliament (Ghai 2008).

The new *majimbo* debate and its political instrumentalization in the election campaign 2007

The preferred system of government remained one of the major 2007 campaign issues (Waki Report 2008; Kenya National Commission on Human Rights 2008; EUEOM 2008). Being well aware of the general public request for a more even distribution of resources and services both blocs were addressing the issue by building on their positions from the referendum campaign. Odinga's ODM pledged to bring development and decision making closer to the people through devolution. In contrast, the PNU favoured the existing centralised system and promised to increase the budget share of the highly popular Constituency Development Fund (CDF) from 2.5 per cent to 5 per cent of the national budget.

The two different policy concepts presented the electorate with a clear choice. However, an open, enlightened debate about them was obstructed, as both, ODM and PNU, decided to rather politically instrumentalize the issue: ODM, particularly the designated Prime Minister in the event of an ODM victory, the new emerging leader of the Kalenjin community, William Ruto, ascribed the term *majimbo* to ODM's concept of a devolved system. He, together with other ODM leaders from the Rift Valley, openly revived the *majimbo* debate. In a series of rallies (among them Eldama Ravine in August 2007, Kericho in November 2007, Waki Report 2008: 92, 134) Ruto and others clearly spelled out that an ODM victory would be the *carte blanche* to evict all those considered to be alien to the Rift Valley on the basis of an introduced *majimbo*-system. Also the language from the 1990s was picked up, when Kalenjin leaders were calling in public rallies for the 'cleaning' of the supposedly Kalenjin homeland from 'stains' and 'spots' (*madoadoa*) which was the metaphor for non-Kalenjins.

Initially ODM Secretary General Peter Anyang Nyong'o said the call for *majimbo* only happened by accident and was a mistake to label ODM's devolution concept *majimbo*, this would not be the party's official position. It, however, appears that ODM was pursuing a double strategy: In official meetings at national level, especially with donors, and in newspaper interviews, none of the ODM leaders would openly call for the introduction of a *majimbo* system. Being aware of its divisive character none of them wanted to appear as an instigator of ethnic hatred. Officially, the ODM leaders tried to dissociate themselves and the party "from the violent and ethnic chauvinist stigma attached to the *majimbo* debate" (International Crisis Group 2008: 5).

The other side of the strategy, however, was to preach *majimbo* in those regions that were crucial for an ODM victory: On the one hand a *majimbo* system would be highly unpopular in Central Province and the Kikuyu communities in the Rift Valley, where, however, no votes for Odinga could be expected. On the other hand *majimbo* was highly popular along the Coast, most parts of the Rift Valley and the North-Eastern Province,

whereas in Western and Nyanza Province it was not considered much of an issue. The regions that were in favour of majimbo associated the system with a better share of the national cake and the power to dispose over it by themselves.

ODM campaign managers, close to Odinga, tried to spin the message that Odinga was against the ethnic polarisation that were deepened through the *majimbo* issue, that he himself was rather using the term '*ugatuzi*' (*swahili* for devolution). He just needed – so the spin – Ruto as alliance partner for pulling the Kalenjin votes to ODM; after the election it would be a new ball game and Ruto be sidelined. However, it appears hardly impossible that he was not aware of the potential grave consequences of the *majimbo* campaign by Ruto and others for the cohesion of the nation and the country. It seems that Odinga accepted these implications for the sake of the campaign.

The *majimbo* debate helped him to solidify ODM's support in the hotly contested regions in the Rift Valley and along the coast while not costing him votes in Nyanza and Western Provinces. While, however, Odinga would also not lose votes in Central Province and the Embu and Meru regions in Eastern, it helped PNU in those parts to mobilize high turnouts.

The other contentious issue during the campaign was a Memorandum of Understanding (MoU) that Odinga on behalf of ODM had signed in August 2007 with a relatively new organisation of Muslim leaders, the National Muslim Leaders Forum (NAMLEF).²⁴ Many speculations started to circulate about the content of the MoU, as the original document was not made public until late November. By then fake versions had been circulated by PNU supporters according to which ODM would allow the North Eastern and the Coast Provinces to be governed and ruled by the Sharia law if elected, including closing of pig farms and the prohibition of any alcohol in these two provinces. Many Kenyans understood this to be the real version. In church ceremonies on Sundays Christian church leaders in some parts of the country, particularly around the Mount Kenya region of Central and Eastern Provinces, used the fake version, possibly themselves mistaking it for original, and warned the congregations against the consequences of a possible ODM victory. The real MoU was much less spectacular and threatening: It pledged that under an Odinga presidency a devolved system of

²⁴ NAMLEF has been founded around the time of the referendum in 2005. NAMLEF is by among others supported by at least parts of the influential *Council of Imams and Preachers of Kenya* (CIPK), to which all Kenyan Imams belong. It has ostensibly been founded to somewhat counter the influence of SUPKEM, the Supreme Council of Kenyan Muslims, that traditionally has been close to the government of the day, in the previous decades to the KANU presidents, and since 2003 to Kibaki. SUPKEM has significantly contributed to incorporate the Muslim community into society and the political system. However, in the wake of the US government's fight against international terrorism and the Kenyan government's willing cooperation therewith (by both Moi and Kibaki), SUPKEM's mechanisms to control, suppress, and channel discontent within the Muslim community proved not to be as effective any longer. That gave rise to this new Forum. It seems, however, that ever since it was founded it has been close to ODM; interviews with NAMLEF representatives, Nairobi, Dec. 04, 2007.

government would be introduced and particular budgetary attention would be given to the North Eastern and the Coast Province in the first two years in power. The MoU issue was possibly the only real campaign blunder by the otherwise technically highly professional ODM campaign machinery: The real version was published too late after damage had already been inflicted by the horror scenario of the fake version. Odinga and his companions seem to have underestimated the propagandistic exploitation of the MoU by PNU and its allies, particularly after Kibaki and Odinga had signed a similar MoU in 2002 with the Council of Iman and Muslim Preachers. For the voting decision for ODM along the coast the MoU controversy seems – at least according to random interviews after the election in the Mombasa region – not to have had a decisive impact. Here the *majimbo* pledge was considered more important. The circulation of the fake version deepened the distrust towards and the fear of an Odinga presidency among those who would, however, not have voted for him anyway, but it made harder to accept him as a potential president.

PNU used both, the *majimbo* issue and the MoU, to demonize Odinga and his Pentagon members as ethnic chauvinists and non-Christians with a hidden islamistic agenda that would destroy Kenya. The gloomy picture of imminent evictions in the Rift Valley in fact not only reinforced the *majimbo* fears (of the non-Kalenjins), but also the hopes (of the Kalenjins). Leaflets were circulated showing how after the election Raila kills one Kalenjin leader after the other, including Ruto and Moi (who supported Kibaki and therefore lost support and even respect among the Kalenjin). The origins of inflammatory leaflets and sms messages implying imminent evictions of ethnic minorities from the Rift Valley in case of an ODM victory could not be established, as it was not clear if they were coming from the ODM Kalenjin side to excite their followers or from the PNU side to caution, but also to raise fears among their followers and the public.

All in all, both sides openly played in a very populist way with the fears and aspirations of the voters. The use of the term did not only prevent a more enlightened debate of the actual ODM approach to devolution and the PNU arguments for a continued centralized state, it at the same time poisoned the already charged atmosphere between the Luo/Kalenjin on the one side and the Kikuyu on the other side. For the election victory both sides, but certainly more so ODM, deliberately polarised further the political and social climate through its *majimbo* campaign. ODM must be seen as majorly responsible for the ethno-political violent excesses and the ethnic cleansings after the elections in the Rift Valley and the negative effects for the whole national fabric. However, not only did PNU heavily fuel the conflict, it has now also been established that President Kibaki and the ministers, responsible for security, in their capacities as members of the National Security Advisory Council (NSAC), the country's highest security organ, have been

briefed on the likelihood of post-election violence.²⁵ The Chief of the National Security Intelligence Service, Major General (rtd) Michael Gichangi, did inform the NSCA and the chairman of the Electoral Commission of Kenya (ECK), Samuel Kivuitu, about likely outbreaks of violence after the elections (Standard Reporter 2009). The Waki Commission had already pointed out that district and provincial administration in the Rift Valley and the Coast as well as intelligence organs were aware of the rising tensions and the possibility of outbreaks of violence after the election, but did not initiate preventive measures in time (Waki Report 2008: 71, 359). It was, however, not known until more than 1.5 years after the election that the President and the most senior security personnel had the relevant information to take the necessary security steps to prevent or at least control those acts of violence. The leaders of both political camps have failed to live up to their responsibilities.

CONCLUSION

The crisis in Kenya and its violent escalation did not come unexpected. There are several factors and lines of conflict that prepared the ground for the post-election crisis and show that the past has not gone by, but is very much alive in Kenya. Essential opportunities to mediate these conflicts have been neglected since 2002, opportunities that could have substantially helped Kenya sustaining its democratic path.

First, unlike 2002 the two main political alliances, President Kibaki's PNU and Odinga's ODM, were ethnically mutually exclusive. While in 2002 the two main presidential candidates were Kikuyu – Kibaki and Kenyatta – and their alliances comprised main representatives from all major ethnic groups (except for the Luo who were solidly in Kibaki's and Odinga's NARC), in 2007 two clearly defined ethno-political blocs stood against each other. Within the logic of patronage politics in 2002 all the major communities would see themselves as winners, regardless of who actually won. In 2007 with the high value placed on the presidency with its vast powers the battle for the first position in the state was particularly fierce, as the losing side would be excluded from the pork barrels for the next five years.

Secondly, the campaign was particularly bitterly fought as the opponents of 2007 have been the allies of 2002. The fallout between Kibaki's and Odinga's wings after 2002 added a new chapter in the troubled history between the two communities. For the Luo it appeared as a repetition of history, as in the 1960s their leaders – Oginga Odinga and Tom Mboya – had ensured that the KANU presidency remained reserved for Kenyatta until released from British detention, only to become after a transition period sidelined

²⁵ These were Njenga Karume (Defence minister) and John Michuki (Internal Security minister). Other members of the NSAC are: Maj Gen Hussein Ali (Police Commissioner), Maj General Jeremiah Kianga (Chief of General Staff), and Gichangi.

and in the case of Mboya even assassinated. Despite the missing credit towards the Kikuyu elite Raila Odinga in 2002 again extended trust: He abandoned his own presidential ambitions and threw the weight of his party behind Kibaki only to find out soon after the election that Kibaki was not willing to honour his part of the deal – laid down in a MoU – to conclude the constitutional reform soon after the polls with creating the new position of an executive Prime Minister, meant to go to Odinga. In letting deliberately this opportunity to mend fences with the Luo slip the Kikuyu elite around Kibaki opened up and deepened the old wounds from the 1960s. A unique chance of initiating a national healing process was missed, a chance if taken, that could have prevented the stand-off and the escalation after the 2007 elections.

Thirdly, for the first time in Kenya's history the Luo and the Kalenjin entered into a common election alliance. This united the two communities that have the severest grievances with the Kikuyu. Kikuyu and Kalenjin had been partners from the mid 1960s until the early 1990s. This has served as a binding frame to keep the ever simmering anger among the Kalenjin over the land distribution of the 1960s under control. The deal then sealed the integration of the Kalenjin into the ruling alliance under Kenyatta for abandoning their interest on access to land in the wider Nakuru region and accepting a multiethnic set up in Uasin Gishu. The compensation with government positions, including senior ones, and the final ascendancy of Moi to the presidency as well as the patronage system of Kenyan politics helped to prevent any major eruption of dissatisfaction as long as the alliance remained somewhat intact. When the Kikuyu at the beginning of the new multi-party era joined the opposition the necessity for the Kalenjin leaders to protect the migrant communities, especially the Kikuyu, in the Rift Valley ceased to exist. By driving out violently the so called non-indigenous communities from the Rift Valley they at the same time denied the opposition votes in KANU's heartland, compensated the Kalenjin have-nots with the land and property of those evicted and helped to close the ranks within the Kalenjin and their Rift Valley allies. The debate on a *majimbo* system, understood as the creation of ethnically homogenous regions, served as the ideological justification of the evictions. The sudden decreed stop of the displacement after 1993 had left the business unfinished in the eyes of many Kalenjin. Neither the Moi regime nor the Kibaki government addressed the land question in any substantial manner despite profound recommendations by different government commissions.

Fourthly, the fact that none of the country's high ranking culprits has ever been charged for any of the crimes committed – ranging from political murder over multi billion dollar scandals to instigating the ethnic cleansings of the 1990s – amount to a *carte blanche* and an invitation to future offences, an invitation that was before and after the elections 2007 readily taken up by a number of political leaders from both sides, particularly among the Kalenjin of ODM. Kibaki never lived up to the challenge to firmly re-establish the rule

of law, a chance that was possibly greatest immediately after he assumed office. Then the parameter for governance could have newly been determined and the acceptance as well as the readiness of the public and stakeholders was possibly greatest. This deliberate lapse together with the not-honouring of the MoU with Odinga was probably Kibaki's major failure and helped to pave the way for the post-election violence.

Fifthly, the uneven development and the uneven distribution of government services and resources across the country's regions resulted in cumulated anger and frustration among most of the ethnic groups and strong reservations towards the Kikuyu, the two presidents of which were seen as being majorly responsible for this. The Bomas constitutional draft addressed these grievances by suggesting a devolved form of government. However, ODM's interlacing of the devolution approach with the *majimbo* debate from the 1990s pre-empted a more rational debate on the serious issue and prepared ideologically the ground for the post-election violence in the Rift Valley. For the sake of power ODM was willing to allow severe human rights violations and the destabilizing of the country while the Kibaki government did not act on intelligence information on the likelihood of post-election violence outbreaks.

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Agnes R. M. Abuom¹

Executive director of TAABCO Research and Development Consultants in Nairobi and former Africa president of the World Council of Churches.

MAKING PEACE

Kenya was rocked by post-election violence in 2007/08. To avoid similar disasters in the future, the Kenya National Dialogue and Reconciliation (KNDR) process was started. One result was that there is a need for a deliberate normative and attitudinal process of constructing the nation. Civil society organisations have an important role to play.

The overall goal of the KNDR was to achieve sustainable peace, stability and justice in Kenya and to safeguard the rule of law and respect for human rights. Flawed elections were the immediate cause of the violence that started in December 2007, but the underlying reasons were long term political, social and economic issues, including

- constitutional and institutional reforms,
- land reform,
- youth unemployment and
- regional imbalances.

Because of such daunting challenges, the healing process has not been easy. The task is enormous and cannot be left in the exclusive domain of statutory bodies, especially now that the country is preparing for the next general elections in March next year. Indeed, political temperatures are rising fast. Politicians are trying to take advantage of ethnic and social divides for campaign purposes. Such activities have shifted focus from implementing reforms, so the window for positive change is closing.

When this essay was finalised in August (2012), it was not clear that Parliament would actually pass at least 10 laws needed to fully implement the new constitution. This constitution was accepted in a national referendum two years ago and is designed to prevent political turmoil in the future. The new laws would matter because they are meant to address historical injustices. For instance, they serve the goal of political devolution, divesting resources from the centre to the periphery. Regional disparities were an important reason for the troubles almost five years ago.

In 2008, the National Cohesion and Integration Commission (NCIC) was established. Its task is to promote better inter-tribal and inter-racial relations and facilitate equal opportunity. CSOs and FBOs have been backing up its work. They have similarly

¹ This article was published earlier in D+C, September 2012, Volume 39, pp 324-326 with the exemption of the two included photos taken by Alexander Glodzinski.

supported the Truth, Justice and Reconciliation Commission that was also set up in 2008 as part of the KNDR.

ENDURING CHALLENGES

However, many deep ethnic divisions that emerged during the 2007 election campaigns have not fully healed. Internally displaced persons (IDPs) are still in the camps and their resettlement has been a hot political potato. Corruption and tribalism are still rife in the public service. The implementation of the new constitution is slow. Some wonder whether the ruling class is really committed to implementing the new order.

In this context, the religious community, faith-based institutions (FBOs) and civil society organizations (CSOs) in general come to the fore. Christianity and Islam are the two major religions which cut across ethnic divides.

Of course, the experience of election violence has seriously affected the church itself. In some cases, for instance, it became the target of violence. Kenyans will forever remember that people burned to death in the town of Eldoret because a church, into which victims of violence had fled, Kiambaa was set ablaze.

On the other hand, religious communities must face the fact that, in spite of their message of peace and tolerance, the riots resulted in more deeply entrenched divisions within their own congregations. To recover the loss and heal the rifts among the congregation, FBOs such as the Evangelical Lutheran Church in Kenya (ELCK) started peace meetings. They saw the need to create forums to discuss why the image of the church was so damaged. Clergy and other community leaders have been equipped with skills to address popular concerns.

RESPONDING TO STRIFE

When the violence broke out, FBOs immediately assumed a positive role. They organised three committees to tackle the challenges and play a moderating role. The first engaged in debate with the major political parties to stop the violence, the second offered spiritual support and counseling to people affected, and the third provided humanitarian relief. Ever since, civil society has stayed engaged in peace building efforts. The new constitution includes the principle of public participation in governance: the public must be involved in issues such as budgeting and appointment of public officers. There is scope for taking state agencies to court if they neglect the public interest (public interest litigation).

The public as such, however, cannot act. To wield influence, people must organise. Accordingly, FBOs and other CSOs are the main agents of public participation. They use town hall meetings, rallies and pickets to inform people about important issues that

affect the nation. Such exchange has contributed to healing among the communities affected by the violence, but a lot remains to be done.

All in all, civil society activism has been remarkable. CSOs have put pressure on the government to implement necessary reforms. They have lobbied for the enactment of the laws needed to implement the constitution. They have held the government to account for delays.

FIGHTING HATE SPEECH

Indeed, CSOs are credited for opening up of the political space needed for the country to enjoy freedom. Hate speech is understood to be a possible catalyst for violence. Ahead of the referendum on the constitution, several members of parliament were arraigned in court and charged with hate speech. The message of hate speech being unacceptable became very clear even though there were no convictions.

Ever since, CSOs have been alerting the NCIC (National Cohesion and Integration Commission) whenever they feel politicians become guilty of hate speech. To curb the culture of impunity, moreover, faith communities and civil society at large are reporting to media and creating awareness on the need to enforce chapter six of the constitution which deals with integrity of leaders.

While calling for tolerance across the country, FBOs have also insisted that mechanisms be put in place to ensure that the forthcoming elections will be free, fair and credible. The riots of 2007/08 came as a shock. This time, Kenyans know the risks. Unfortunately, voting patterns in Kenya reflect tribal affiliations. Ahead of the voting in March, people are beginning to coalesce around the main leaders of their ethnic groups. These leaders will be tempted to spread fears, myths and rumours against targeted communities and opponents.

The church and CSOs are doing their best to pacify the polity. They are raising awareness for the need to base election campaigns – and national debate in general – on issues instead of ethnic cleavages. The new electoral commission, the Independent Electoral and Boundaries Commission (IEBC), seeks to conduct free and fair elections. However, the task has become much more complex than in the past. Earlier, citizens picked candidates for three different levels of government. Henceforth, there will be six levels.

At the same time, the capacity of the IEBC to conduct elections of such magnitude remains untested. Religious leaders and CSOs have been conducting voter education and holding peace dialogues to create the environment for free, fair and credible elections.



The messages are very clear (Photos: Alexander Glodzinski)

GIVING COMMUNITIES A VOICE

The Truth, Justice and Reconciliation Commission (TJRC) has initiated community dialogues in some parts of Kenya. It wants to offer platforms so people can talk freely about historical injustices and tensions between communities. The TJRC, however, can only lay the foundations for such a process. Most of actual discourse will have to be conducted by religious leaders as well as members of faith based organisations (FBOs) and other civil society organisations (CSOs). These people can express their community's views, whereas a community as such is too amorphous to speak for itself. In order to ensure long-term tolerance between communities, FBOs have brought together individuals from different ethnic groups who live near each other but who have different historical experiences. Moreover, FBOs regularly organise field trips so members of different ethnic groups visit areas that were badly hit by the violence. Such field trips allow people to share views and better understand one another. They help to remove ethnic stereotypes. Although the TJRC mandate will end soon, such initiatives will continue with the support of the CSOs and religious organisations. They ensure that gains made are not lost again and that the momentum of change is maintained. Of course, FBOs have also been monitoring tensions between communities and addressing them promptly (aa).

REASONED ARGUMENT

NGOs such as the Centre for Multiparty Democracy Kenya (CMD) are partnering with others because they want to ensure that the youth – who constitute the bulk of voters – participate fully in the forthcoming elections.

Dubbed the “Youth Participation in Politics”, the debates, to be held in all of Kenya’s 47 counties, will “open up safe spaces for their involvement and meaningful participation in political parties and processes with the aim of changing inequalities rife in the political sector”. These debates will also embody the ideals of reasoned argument, tolerance for different points of view and rigorous self-examination for aspirants.

The NCIC has identified four possible triggers of violence:

- the TJRC process,
- Kenyan party leaders’ trials before the International Criminal Court (ICC),
- the devolution of government powers to the counties and
- the crisis of the internally displaced persons (IDPs).

With the support of various civil society groups, the NCIC wants to ensure that the TJRC process and resettlement of IDPs does not open up old wounds and possibly trigger violence. On the ICC process, the religious leaders and FBOs continue monitoring the environment to ensure that peace is maintained and cases of hate speech are handled immediately. The NCIC can rely on the support of the CSOs for ensuring that devolved government powers will not legitimise new form of exclusion and result in new conflicts.

Kenya can become a peaceful democracy. The new constitution is a good starting point, and the people have certainly learned some lessons. The momentum for reform must not be lost, however, and civil society activism will contribute to making sure it is not.

Alex Gitau

*Student from Kenyatta University
studying Political Science and Economics
Programme manager of Faces of Peace Kenya*



**PROMOTE PEACE
– BECAUSE PEACE BEGINS WITH US!
A VOICE OF THE YOUTH**

Preliminary Remark

This article would have never been possible without the committed contribution of 16 students of Kenyatta University to the project “Civil Conflict Management of the Post-Election Violence 2007/2008 in Kenya – Lessons Learnt and the Way forward” of the University of Trier. This project, conducted in cooperation with students of the University of Trier in March 2012, eventually encouraged us to found our own organisation entitled “Faces of Peace”, which primarily aims at improving the relation between the Police and the Youth. Therefore, the ideas and intentions of this organisation are worth mentioning. We consider it urgent to include the Kenyan youth into the peace-building process after the Post-Election Violence – not least because the youth makes up the majority of Kenya’s population and their desires and demands should be heard before it is too late. This is, in fact, the only way to a democratic and peaceful Kenya, which can be a beacon of peace and hope for other African states.

Faces of Peace Kenya

Faces of Peace is a Civil Society Youth Organisation registered under section 10 of the Societies Act. It brings together youthful, ambitious, dedicated and peace loving Kenyans through various forums such as community work, volunteer work, networking, training, capacity building among others. Faces of Peace works closely with other non-governmental organisations in peace initiatives, educational institutions such as schools, colleges and universities, faith based organisations, communities, individuals and government institutions. The organisation embraces the use of social media (Facebook, Twitter, YouTube) to interact, spread and share peaceful messages in order to foster a peaceful coexistence in the country. Faces of Peace believes that peace, social interactions and understanding are processes that can only be realized when practiced and enforced through physical meetings, more so meetings that brings together the publicly perceived adversaries with reactive followers.

Mission

To bring together and unify Kenyans of different backgrounds on a common ground and understanding.

Vision

Working towards a society that addresses peace, conflict resolution and poverty eradication in a responsible way for improved quality of life.



A peace march in the suburbs of Nairobi (Buruburu) to sensitize the community on peace.

FACES OF PEACE INITIATIVES

Faces of Peace has various initiatives that are geared towards peace-building and economic empowerment of the young people in Kenya. They include:

The “URAFIKI WETU, USALAMA WETU” (Our Friendship, Our Security) Campaign

The one day event takes place at designated police stations in the country, especially in areas normally referred to as ‘hot spots’ (areas more prone to violence and those that were highly affected by the post-election violence). We bring youths from around the areas into the police station where they engage in community work within the police station (cleaning of the police premises including the holding cells, garbage collection,

and tree planting). They also polish the police shoes as a sign of friendship, trust and good faith. The highlight of the day is the open forum where the youth and the police (led by the officer commanding the station), engage in discussion, question and answer and sharing of ideas. This session provides an opportunity for the youth to ask questions and clarifications from the police and on the other hand the police use this chance to communicate with the youth on their fears, needs and expectations.



Faces of Peace members reciting the peace pledge at the United Nations in Nairobi during the International Day of Peace.

AM IN 4 PEACE CAMPAIGN

Given that the country is in an electioneering period, it is imperative that Kenyans make an in depth commitment to maintain peace, uphold the Constitution 2010, and live in harmony with all people in Kenya regardless of their political, tribal, racial, economic, cultural or social background. Faces of Peace Kenya and Hatua Youth Power are in the process of gathering over 1 million signatures across the country, to ensure as many Kenyans as possible commit and pledge to maintain peace before, during and after the upcoming General Elections.

CITIZEN MEDIA AND PEACE IN KENYA

Project Target: Young people from tribes along the Rift Valley and Nyanza Provinces' borders; Luo, Kisii, Kipsigis and Kikuyu.

Project Remit: The project will involve providing training to young people from the four ICT centers by Community Media students from the University of Brighton in filming and documentary techniques, editing, storyboarding etc. The young people will then be sent to their respective communities to produce films panning a wide range of themes such as:

- Comparing social issues from different sides of the political/tribal communities.
- Political differences based on ideology rather than tribal allegiance or sycophancy.
- Community cohesion, cooperation and peace to aid economic and trade development.
- Cultural exchange and celebrating the cultural difference/diversity in unity.

FINANCIAL LITERACY TRAINING

Faces of Peace boasts of having a number of its members trained by the Commonwealth Secretariat and the Ministry of Finance on financial literacy. Specifically, we seek to have youth entrepreneurship and coaching workshops across the country and create a forum for them to showcase their innovative ideas. This way, we will nurture innovation, reduce dependency and enhance wealth creation. Since many businesses suffered during the Post-Elections Violence of 2007/08 that was augmented by high unemployment rate, practical guidance and motivation to set up or upscale the youth owned Small and Medium Entrepreneurship (SMEs) offers a good way to create a good business environment. These forums will culminate into case studies and a booklet reviewed by professionals on National Youth Entrepreneurial Innovations for Sustainable Development.

KENYA ICT OFFENDER REHABILITATION PROGRAMME

The project aims to design and implement proactive, practical information literacy enhancement programs among the offenders. It is expected that the knowledge and skills acquired will be critical in the process of rehabilitation as spearheaded by the government. It is also the project's goal to effectively use the volunteers as a major factor in ICT for rehabilitation, peace, and development Initiative.

KENYA AT CROSSROADS

Faces of Peace understand that peace is vital in the process of national integration, cohesion and development. We strongly believe that Peace and Security should form a critical pillar of nationalism and national development.

The 2008 National Accord spells out need to have implementation Agenda 4 fully before 2013 elections, formulation and institutionalization of National Peace Policy. We appreciate that on May 17th 2012, Hon Gitobu Imanyara presented a petition to the Parliament to push for adoption of National Peace Policy.

We also understand and appreciate the efforts that have been made in the efforts to promote peace, through such means as National Commission on Integration and Cohesion. In particular, the National Steering Committee on Peace Building under the Ministry of Internal Security has been very proactive in its efforts to promote peace and has peace committees that are devolved to the village levels.

However, we have reservations with regards to how peace agenda and genuine reconciliation has been taking place in Kenya. Whilst there have numerous efforts to promote peace in Kenya such as Organization County and National Peace Forums, real dangers still linger on our heads.

Where are we now? We have had massacres in Tana River, Muhoroni/Nandi, Meru/Isiolo, Wajir, and Sotik/Borabu. We have cosmetic peace in traditional hot spots and Coastal Kenya.

Having been in many parts of the country in efforts to promote peace, we have realized that there is possibility of eruption of violence in non-traditional hot spots as well as the areas that are prone to conflicts. Though the enactment of the new constitution led to creation of an informed and freer society, we have challenges when it comes to realization of full devolution and assurance of equitable and just distribution of opportunities that come with the devolved system. We have noted that many Kenyans believe that resource allocation and sharing will be solely determined by the Governor of Counties. This has promoted 'fight at all cost' to ensure that 'our own' gets the seat. The situation is worsened in areas that are largely dominated by less than 3 ethnic groups. We need to watch out on such counties.

New pointers of violence can also be related to the political parties' nomination more so in areas where certain parties are euphorically followed. Politicians may do anything to win the nominations in these areas, thus posing threat to peace.

We also need to watch out on areas that did not realize violence in 2007/08 but have had their political inclinations changed due to political realignments.

As young Kenyans we understand that the current state of economic affairs that is marked by low employment levels. In 2007, our GDP fell from 7% to about 1%. Economists have related the level of unemployment and GDP. It is also between 2008 and 2010 that many companies issued profit warning and slowed down recruitment. With the current unemployment standing at about 50%, with the labor force of about 20 million against 1 million formal employment opportunities and 'office' career based education model, the Kenyan leadership need to know that this is a recipe for national instability.

Faces of Peace appeals to the Kenyan Principals, MPs, business leaders and NGOs to help push for implementation of National Peace Policy that is mirrored on socio-economic realities with focus on peace, economic empowerment, security and value based leadership.

All Kenyans must also be committed to, swear to and practice peaceful coexistence. We MUST reject narrow minded leadership that thrives on negative ethnicity, intimidation, incitement and political thuggery. In the advent of globalisation, we urge the international community to keep watch on Kenya and be supportive partners during and after the election process and push for constructive engagement in the quest of sustainable peace.

THE PLACE OF YOUNG PEOPLE IN KENYA

The Kenyan youth is as multifaceted as a dice. It is difficult to pin point at particular traits that could describe the Kenyan youth in general. There is the youth who mainly participated in the perpetration of violence during the post-election violence. Indeed that is not the best characteristic of the Kenyan youth.

There is also the face of the Kenyan youth manifested by college and university going young men and women. These intellectuals are perceived to be the ideal future of Kenya. They dominate the waves of the ever growing social media, Facebook, Twitter and YouTube. They are innovative, creative and modern.

With such a diverse youth group, it is always difficult to predict their reaction to various issues affecting the country. That is exactly what happened during the post-election violence. Add that to the fact that a majority of these young people are jobless and you get a recipe for chaos.

For many years, the problem of youth unemployment has been ignored by subsequent governments and it has now become a chronic economic crisis. The number of unemployed youth in Kenya is enough to keep any straight thinking Kenyan awake thinking of viable solutions, failure to which the same factors that pushed the young

people to the streets during the 2007/2008 post-election violence will push them back again come the general election of 2013.

YOUNG KENYANS AND THEIR LEADERSHIP ABILITIES

It cannot be ignored that history has provided numerous young leaders, bright, wise and brave enough to take up leadership in various capacities around the world. The likes of Martin Luther King Jr., Barack Obama, young Nelson Mandela in his liberation days and many more. Kenya is also not short of brilliant young leaders who can help transform this country. A good example is the young MP for Mandera Central and the chairman of the Constitution Implementation Oversight Committee (CIO) Abdikadir Mohamed, and Dr. Ekuru Aukot, a lawyer and was the chairman of the select committee that drafted the new constitution that was promulgated on the 27th of August 2010.

Indeed, the Kenya Vision 2030 (the economic blue print to transform Kenya into a middle income level country by the year 2030), will become a pipe dream if and unless the young people are brought on board to contribute to its success. The vision highly considers information technology as a key component that will contribute its success. Today and beyond, it's the young people who are well knowledgeable and equipped to handle the ICT sector. In addition, the sector has proved to be a fresh, untapped source of employment for millions of unemployed youth in Kenya.

The upcoming General Election will also be an opportune time for the capable young Kenyans to seek political offices in any of the elective positions up for grabs. However, this calls for caution as we have seen some young politicians elected to parliament only to disappoint and paint a bad picture of the Kenyan youth (the case of Makadara MP, Gideon Mbuvi, alias Sonko). We need young people who are nationalists, intelligent, responsible, independent minded and brave enough to survive in the murky world of the Kenyan politics. My honest prediction is that the upcoming General Elections will see not only the highest number of young aspirants to various elective positions, but also the highest number of elected young leaders. This will greatly help to remove young people from the list of marginalized groups together with women, children and the disabled.

Faces of Peace's vision is to see a peaceful and prosperous country that can secure a good future for the next generations. Good leadership is therefore a prerequisite and a necessary condition to that end. We intend to continue with our push to spread the peace message to all the corners of the country and beyond. It is our hope that Kenya returns to be known as the beckon of hope not only for the Eastern African region but for the whole continent of Africa.

CONCLUSION

Faces of Peace reserves great appreciation to the Kenya project 2012 research group from the University of Trier in Germany, for being the motivation behind our formation and growth to what we are today. Special appreciation goes to Dr. Johannes Michael Nebe, Senior Professor at the University of Trier for being the biggest motivation to the Faces of Peace team. His wise words of advice and encouragement from his many years of experience in Germany as well as in Kenya have continued to be our biggest motivation. We hope and pray to maintain that friendship for many years and may he continue to inspire many more young people across the globe.

*“O God of all creation
Bless this our land and nation
Justice be our shield and defender
May we dwell in unity
Peace and liberty
Plenty be found within our borders.”*
(First verse of the Kenyan National Anthem)

Courage and action are prerequisites in order to bring about peace

Cathychristine Nanzala Keya and Johannes Michael Nebe

GRAFFITI – AN ART FORM USED IN POLITICAL REVOLT IN KENYA

Since February 2012 graffiti has been all over the city of Nairobi, courtesy of the nimble hands of a group of young graffiti artists. These writings on the wall for greedy MPs can be seen on public toilets, buildings and on roads. The messages are vast and provocative: use your vote to get rid Kenya of vultures, “because the vulture feeds on the weak, the dead. It’s a scavenger” (Boniface Mwangi was quoted in Chonghaile, 2012). The reference to the political elite is quite obvious. The murals depict politicians as greedy, rapacious vultures who despise the people who elect them.

The artists are using this art form to create socio-political awareness and they do it also at great risk – at night. When darkness descends on the city, the graffiti team is wearing yellow fluorescent jackets, the kind city council workers wear, and spend the night



Graffiti 1: Night painting at great risk (Photo: Boniface Mwangi)

stencilling the message in Kiswahili “Fukuza Vultures Bungeni na Kura Yako” (means “chase away the politicians from the parliament with your vote”) on several pedestrian crossings (see graffiti 1). When the sun comes up the next morning, their nocturnal activities become the subject of the people’s attention – “heralding a new dawn in political activism” (Wesangula, 2012). And to quote Boniface again: “We want to be on everyone’s faces. When you look up we will be on a wall, when you look down you will see us and remember that a big part of the problem touching on your life is down to the fact that you put an inefficient person to lead you.

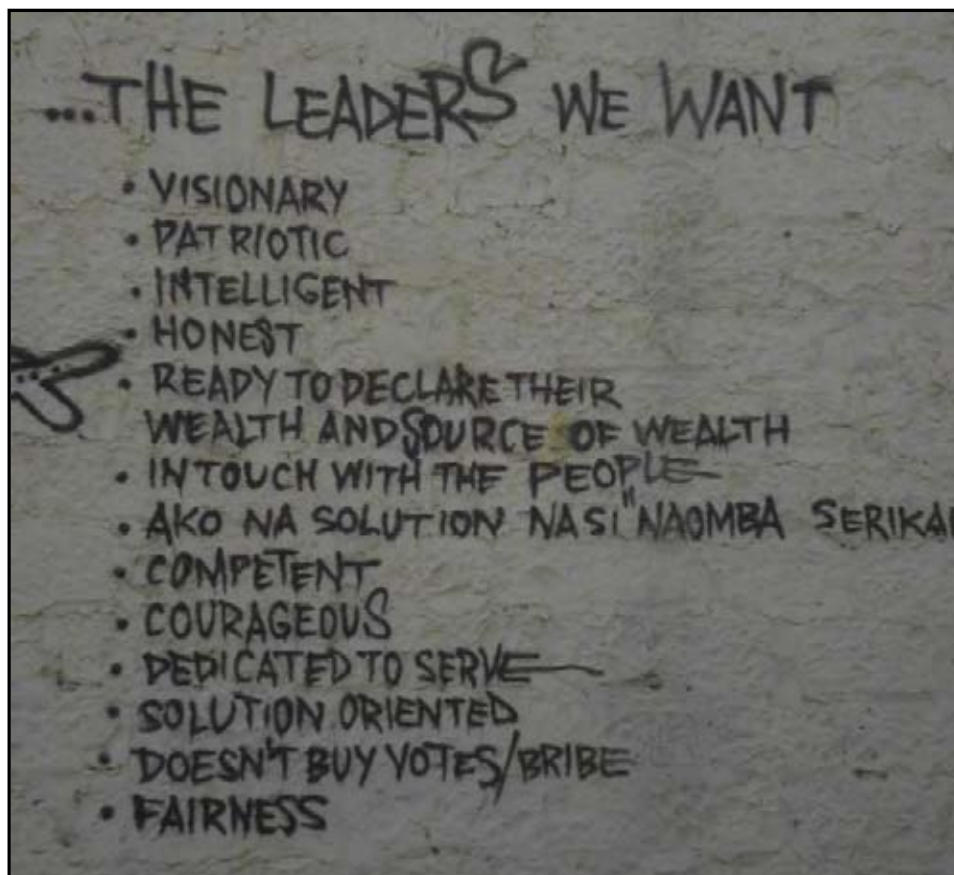
Young graffiti artists have turned city walls and roads into concrete canvases, subsequently creating some kind of street gallery – and a new political message for their peers. The first message the artists painted on the 28th February 2012. This can be seen on Muindi Mbingu Street near the City Market.

The mural shows a huge, menacing vulture sitting on a throne with a briefcase overflowing with cash cuffed on his wrist with a chain, his feet grinding into a woman’s head. The MP is saying “I AM A TRIBAL LEADER. THEY LOOT, RAPE, BURN AND KILL IN MY DEFENCE. I STEAL THEIR TAXES, GRAB LAND, BUT THE IDIOTS WILL STILL VOTE FOR ME”. Also included in the graffiti is the lampooning footnote “MP’s screwing Kenyans since 1963”, remembering the August House which has been displayed as the place where citizens have consistently been plundered since independence (see graffiti 2).



Graffiti 2: A huge mural on Muindi Mbingu Street in the City Centre (Photo: Kaja Weinandi)

On both sides are long lists of messages to the electorate: be wise and choose only leaders with the interest of the nation ahead of their own. The message is clear to the public: We want leaders who are visionary, honest, solution-oriented, courageous, and being in touch with the feelings of the people. A leader must be dedicated to serve, competent and not corrupt (see graffiti 3). In contrast to the aforementioned characteristics a list of many scandals which are unsolved to this day, reminds the Kenyans of land grabbing, political assassinations, tribal clashes, Goldenberg and Anglo-leasing scandals, post-election violence, maize scandal and other high-profile crimes committed by politicians, including tax evasion (see graffiti 4). Many city residents continued to visit the place to get a feeling of the artists' messages that have become the new element of conducting civic education as the General Election approaches.



Graffiti 3: The leaders we want! (Photo: Birgit Dankert)



Graffiti 4: The unsolved scandals to this day (Photo: Birgit Dankert)

Through this provocative mural the artists had achieved one of their goals dubbed “Kenya ni Kwetu” (Kenya is home) – to be on everyone’s eye.

It is a new form of ballot revolution that has entered Nairobi with a considerable bang. The graffiti artists hope to continue their paint revolution so that their work will eventually turn into much more than a colourful wall.

Graffiti is the most effective way of communicating to any target group. The artists believe that a picture is worth a thousand words. Graffitis express a political practice and can form just one tool in an array of resistance techniques. “Political players must now go back to the drawing board and devise ways of countering this relatively new development to redeem their tainted images before the general public” (ibid).

“Chronic poverty and unemployment as well as the epic struggles and conditions of a country’s marginalised people are touted as the main engines that fuel graffiti culture” (Obuya, 2012). Almost 70 % of the population is under 35 years old and looking for a better life. It is imaginable that this could lead to a social revolution in the near future, if the political elite do not hear the people’s cry for demands. This might crucially determine the outcome of the next election.

Another graffiti could be seen on a public toilet in Koinange Street not far from the governmental ministries and offices. It has a similar message and has been also painted at night (see graffiti 5 and 6). The accusations are very clear. One image shows a faceless man in a suit, it reads “Corporate Kenya join us in speaking against tribal politics. Stop sleeping with the vultures” and “Clergy reclaim your moral authority by kicking vultures off the pulpit”. A message for the wired youth is “Middle class Kenyans get off twitter and Facebook and do something positive offline” (see graffiti 7). On the other side of the public toilet a list of options is given: thieves, irresponsible, selfish, pathetic, power hungry and arrogant.

One cannot miss the vulture with the briefcase labelled “Stolen Loot”. The message “Describe your MP Vulture” (but MP has been crossed out with red paint) leaps to the eye. Just some hours after the team of artists finished the painting on the public toilet, City Council workers turned up and diligently painted over the murals with blue paint (see graffiti 8).

On Kenyatta Avenue, the street with the most frequent passers-by, another critical mural appeared with the message “Power to the people. I will be the change. I want to see my voice, my vote our future” and “Real change is possible = Ballot revolution” (see graffiti 9).

Every day thousands of people are passing by and have a look at the paintings. This is what the artists want: Communicating with the people and to make them aware when

GRAFFITI – FOR WHAT PURPOSE?

Graffiti writing or drawings scribbled, scratched or sprayed illicitly on a wall or other surface in a public space – dates back to ancient Greece and the Roman Empire.

In the modern era it has been used as a mode to pass socio-political messages in an artistic form. Its growth into urban culture has been fuelled by the evolution of hip-hop, b-boying, and other urban phenomena such as the growth of gangs, where gangs use graffiti to demarcate the areas under their control.

Though celebrated by many, graffiti is a constant point of disagreement between the artists and law enforcement officers. Elsewhere in the world, it has been used to pass radical political and social change messages. For instance, during the Arab Spring, Egyptian graffiti artists played a huge role in expressing the mood of the country through their caricature of former president Hosni Mubarak. Protest art becomes now the preferred form of revolt – also in Kenya – to create awareness that many of their politicians in parliament are corrupt, not trustworthy, irresponsible and dishonest politicians and therefore should be chased away with the votes of the people.



Graffiti 5: Artists at work... (Photo: Boniface Mwangi)



Graffiti 6: Many passers-by stop and intensively discuss the new political messages the people should consider (Photo: Boniface Mwangi)



Graffiti 7: The accusations are very clear (Photo: Boniface Mwangi)

they are going to the ballot they might remember to vote for more honest, reliable and not corrupt politicians to make the change possible. What the graffiti artists want is to be part of those who want it to come true through the ballot, and not through violence. But this is also true: When it comes to elections, public scorn for the political elite seems to pale before tribal allegiances. So, it will be a long way to go to have this change in Kenya many people are striving for. The artists show a lot of encouragement no matter who is involved. To fight for the demands and the rights of the people is never in vain. It is part of a necessary civic education. The time will come that this commitment will bear fruits.



Graffiti 8: City Council workers limewash the messages (Photo: Boniface Mwangi)



Graffiti 9: My voice, my vote, my future (Photo: Kaja Weinandi)

Results of ideas and strategies of civil society organisations targeting for a more peaceful Kenya

Amani Communities Africa (ACA)

“Building Communities of Peace”

Vision

Amani Communities Africa’s vision is to build a peaceful, just and equitable society in Africa.



Mission

The Non-government organization seeks to promote a culture of peace and respect for human rights in communities through research and capacity building. They are dedicated to building communities of peace using gender and human rights based approaches. Therefore the goal is to empower communities for effective participation in the agenda for peace, justice and equality at all levels of society.

Facts

ACA, formerly, FAMILY MEDIATION & CONCILIATION (FAMEC), was founded in 2001 by a group of women lawyers in pursuit of peaceful, just an equal society. The main target of FAMEC was to help reduce the violence in the families, because peace building is a process which begins on the bottom of a society. Nowadays ACA’s objectives are in human rights and justice, peace building and conflict management and in the government and the democracy. So the actual activities are based on political participation, training for student leaders, projects in women empowerment and women who participate in peace progress to gender the process. There also exists the “Coalition for Peace in Africa” (COPA). John holds a speech about the challenges of Peace in Kenya This program trains women in the Rift Valley area, so that today more than 300 women were trained. Since foundation it has built the capacities of hundreds of leaders of religious, educational, professional and local communities in peace building and conflict resolution using gender and human rights approaches. Women are the main beneficiates, because they were building bridges of peace inside the communities. After a workshop which they offer for a fee, ACA stays in a close contact to the groups because of following courses and conferences. Especially for the upcoming election in 2013 it’s very important to do more training in peace building, because in the eyes of the

ACA's staff "you'll never finished dreaming of peace, justice and equality". Therefore the mission statement of ACA is: "Building Communities of Peace". The focus areas in Kenya, where activities of ACA and its partners take place, are in the slums of Nairobi, especially after the Post-Election-Violence and in other areas which were affected by the Post-Election-Violence. ACA is also dealing with areas where national programs are located. Furthermore there exist also programs in East Africa and Horn of Africa Region, in the rest of Africa and in international collaborations.

ACA has also done programmes targeting the young people such as "Transforming Conflicts through Nonviolent Strategies: An Engagement with Kenyan Public Universities." Furthermore ACA has done several publications and in relation to 2007/08 PEV they jointly with Maryknoll Sisters Peace Building Team published A Psychosocial Response to Post-Election Violence in Kenya: A Peace Building, Trauma Healing and Reconciliation Handbook.

Good Practice

Good-practice-examples are the workshops for women empowerment for training leaders as well as several workshops dealing with peace building processes.

This core issue of this one-day workshop is which role an artist can play by the process of building peace. To analyze this position inside a community it's important to clarify what can be a concept of peace. By discussing with other participants of the workshop, a plenty of ideas can be found. It's also important to talk together about personal concern



Students dancing with members of womens-group

by the process of building peace and the opportunities for artists of peace. So the main target of this workshop is to exchange opinions between artists and to show optional starting points where artists can build peace, for example at Peace skit, a Peace song or by telling political stories to illiterate people. Artists can use the chance to create a bridge between the politicians and the people to build up peace.

Challenges

Concerning the success of its own work, ACA says that there always is a “plan b”. Due to this every practice is somehow successful. Nevertheless are there problems of implementation, for example with the local government. Furthermore there are challenges of comprehension and explanation problems while explaining that the peace-building-process is a long term one. “A child grows up”: With new experiences the work of ACA became better.

Workshop

The organized workshop which took part in Nairobi was a good forum for exchange ideas, visions and to build up new networks or to stabilize the existing connections between the several NGOs. Although ACA is one of the famous civil organization in Kenya, it was very beneficial for the collaborators to take part at the discussion-forums and the lectures of the guest speakers. Especially these conversations, which were held on this workshop, were very helpful for the staff to motivate themselves for upcoming programs and to go on in their essential part of building a peaceful and equal society in Kenya.

Results of the Evaluation

Ms. Mbaabu and Mr. Laanoi appreciated the workshop as a chance of exchange. Usually the organizations are focused on their own issues. According to this the workshop was also a good chance to broaden the own horizon and to get new knowledge about methods and target groups. They see the significance of networking to facilitate and motivate. According to his own statement the ACA maintains these contacts.

However the participants propose a longer time frame of four days. Furthermore they hope that the website-idea will work. They would be pleased with longer speeches of guestspeakers, more options to share ideas and more information about research findings. During the Workshop the participant did not directly seek the contact to other CBOs but with individuals. He critically remarks that participants seeked for persons of their own tribe.

Concerning the media and politics in Kenya, ACA says that the media does a good job. It reveals things and informs the public. The politics has a problem of a difference

between “saying” and “doing”. The new constitution confuses the people and increases the ability of misleading the country. The biggest wish of the people is a higher level of education and qualification in the whole country to make peace more concrete and suitable.

ACAs look in the future is differentiated. It sees the wish of people not to re-experience the violence and improvements in the areas of education, dignity, life food and land. Nevertheless there is a big mistrust in the political system and many unsolved problems.

The good relationship between CSOs and the government might be strengthened by the New Constitution. ACA was involved in the initialized “mapping process” of the Ngong region.

Personal Remarks

ACA is a well-known non-government-organization in Kenya, which worked together with partners from all over the world. But there is also existing a large number of partners on the grass root-level, which are in the eyes of ACA the most important networkers.

Although ACA has done a lot in women empowerment and peace building programs, they can improve their work for example by extending the group of the beneficial. Thereby they would achieve their ambition to train more people. For example it would be necessary to train refugees in IDP-Camps (Internal-Displaced-People), because inside the camps prevailing also clashes between the tribes. One thing which could be impedimental in this IDP-programs could be the fact, that a participation fee (see above “Facts”) is very expensive. And especially for people, living inside the IDP-Camps, there would be no chance to collect this money, because sometimes they do not own much more than a tiny piece of land.

Our visit of the ACA was a pleasure for use. The members gave us a deep image of their work, their partners and field of activities. These activities were partly different of the activities of the other visited organizations. Examples were the offered workshops. It was part of our visit that we were allowed to participate in this workshops, a great experience especially for the more reserved German students. We could assess that the work was highly professional and motivated. This was presented overwhelmingly during their workshops and visits of the schools we participated.

Crowning was a very warm personal contact which cropped up in joint dinners and intensive conversation.

Contact

Joy K. Mbaabu, PEC House, Ngong-Kibiko Rd. P.O Box 833 00208, Ngong Hills – KENYA

Tel.: +254 712 406 668, +254 733 709 496, eMail: joymbaabu@acafrica.org

Web: <http://www.acafrica.org>

AMANI KIBERA

“Creating Opportunities for the Future”



Vision

AMANI KIBERA wants to facilitate the society to discover and make use of possibilities and advantages inherent in talents and cultural diversity to improve.

Mission

AMANI KIBERA is a youth led, community based organization working in Kibera Slum focusing on youth community improved participation on peace building, conflict management, active nonviolence and health through sports, culture and education. Their activities encourage community integration; better understanding and resolution of conflicts arising from political, economic, religious and cultural differences. AMANI KIBERA tries to approach the community through mentoring, exchange, networking and direct intervention.

Facts

AMANI KIBERA is an independent, non-governmental, non-partisan, non-profit, peace building and resource development organization. It was founded in October 2007, during the highly polarized political campaigns, just before the general elections. As AMANI KIBERA is a youth led community initiative it aims to increase options, attitudes and capacities for Kibera youth in order to enhance participation in prevention of violence, peace building, HIV/AIDS mitigation initiatives, awareness of drugs and substance abuse, environmental initiatives and youth involvement in decision making and community development. The initiative uses soccer to promote peace, non-violence, education and leadership to enhance youth's involvement in making key decisions in Kibera. It is run by six young volunteers who work as teachers, coaches, referees and project organizers.

Good Practice

As a Good practice example should be mentioned the “Sports Foundation” as an example of how to bring youths of different communities together in a peaceful and open minded atmosphere.

Soccer tournament

The AMANI KIBERA soccer tournament gives an opportunity for young boys and girls to realize and enhance their sporting and cultural talents, using it as a tool for community mobilization and awareness of health, education, peace and nonviolence. Starting in 2008, the tournament has attracted teams of different age groups, gender, ethnic and religious background and gained a highly accepted status in the community so that it has become an annual community event with close to 100 teams participating every year.

Youth camps

Preceding the tournament annual youth camps are organized. Lecture series and sharing forums on local and global issues concerning challenges such as HIV/AIDs, drug and substance abuse, peace building, conflict resolution, culture, sustainability and social inequality are integrated. The participants are drawn from several teams within Kibera and each participant is expected to be a peace ambassador for his team and for Kibera. Whatever the participants learn at the camp is expected to be passed to the remaining team members who did not make it to the camp.

Another important pillar of their work is the library and resource centre for youths in Kibera:

The organization provides a free library service and support in schoolwork or solicit funds for needy students and pupils who are not able to pay for their school fees. The resource center consists of a technical room of 20 tailoring machines and a room for beadwork activities.

Challenges

The importance of AMANI KIBERA is not obvious at first sight. A big advantage compared to other organizations is that the management-team is originally from Kibera. All volunteers were born and raised in Kibera slum and know how to arouse young people’s interest and their enthusiasm to participate in sport-/ or cultural events. Certainly, if AMANI KIBERA had better financial resources, the organization could have a stronger impact on what they would like to do. The network with other organizations is a key value of AMANI KIBERA and it is conducted especially with “SEEDS OF PEACE AFRICA INTERNATIONAL” which acts as umbrella-

organization. AMANI KIBERA feels that there is a calm or rather weak relationship between the government and CSOs working for peace activities.

AMANI KIBERA is facing a lot of challenges in the empowerment of the female community members. Even though there is a noticeable positive development in the emancipation of women in Kibera slum, early mother ships often lead to a high rate of girls leaving the school without graduation, because the fathers do not take over their responsibility in supporting their “new family”. Although AMANI KIBERA has tried to sensitize the youth for this problem many years now, the situation has not really improved or even has got worse.



Meeting point at AMANI Kibera’s library

Workshop

The members of AMANI KIBERA who participated in the “Workshop on Civil Conflict Management in Nairobi” (23./24.03.2012) were highly motivated and played an important role when discussions or other communicative issues came up. Especially their experience as Kibera slum rooted volunteers made them to welcome experts in discussions concerning the youth.

Results of the Evaluation

We met four of the AMANI KIBERA staff for the evaluation and they delightfully told us that the workshop was a perfect platform for them to discover and network with other organization – which was their main expectation - such as KIBERA WOMEN FOR PEACE AND FAIRNESS. They appreciated the words of Honorable Abdikhadir Mohamed who delivered a speech at the workshop. We also talked about the future and the next upcoming elections. AMANI KIBERA felt that there is a high possibility of violence occurring after the event. They have observed many landlords selling their lands in “hotspot”- areas in advance fearing the outcome of the elections. A reason for them are the many different political parties whose politics shifted from issue based to individual based contents. They gave an example of a Member of Parliament creating hot blood between landlords and tenants by inciting the tenants not to pay the rent which has caused some landlords to be murdered when they insist on house rent. According to AMANI KIBERA, another reason for upcoming violence is the media. They criticize them for being biased and permanently feeding Kenyans with negative politics, for example as they are concentrating on rivalries of politicians and retain any positive information. In their opinion, several media houses hide the true news and only present half-truths. Nevertheless, AMANI KIBERA is optimistically working towards their main goal, to create a peaceful atmosphere in Kibera which allows the people to improve their lives

Personal Remarks

The AMANI KIBERA staff really achieves a lot to establish peace in the Kibera community and this on a voluntarily level. The members themselves have been affected by the ethnic cleansing during the Post-Election Violence. So they lost all their belongings. Fortunately, they returned without bitterness or hate against their perpetrators. Nonetheless they never lost their motivation to improve the situation in Kibera slum by practicing peace and conflict management.

Contact

Amani Kibera, Ben Ooko, P.O.Box: 76393 - 00508 Nairobi, Kenya; eMail: amanikibera@gmail.com; Tel: +254 721 523 894 or +254 733 397 356; Web: <http://www.amanikibera.org/en>

Chemchemi Ya Ukweli (CYU)

The Active Non-violence Movement in Kenya



Vision

CHEMCHEMI YA UKWELI's vision is to reduce the level of violence in Kenya and to build a society living an Active Non-Violence (ANV) culture of peace, dignity and reconciliation.

Mission

The organisations wants to enhance social transformation through Active Non-Violence (ANV), community policing, civic education, research, networking and interreligious dialogue in order to achieve the rule of law, public safety, harmony and self-development in Kenya.

Facts

ChemChemi Ya Ukweli, in Kiswahili it means wellspring of truth, was founded in 1997 by a group of religious leaders concerned about the growing violence on issues surrounding the constitutional reforms, governance, and public safety. Since that time, they have succeeded in creating awareness broadly on various forms of injustice in Kenya and has managed to mobilize people to demand their rights through peaceful actions. Since inception, CYU has also changed from its original roots within the Catholic Church to a more inclusive movement, which has put a strong emphasis on its inter-faith nature, thereby reaching out to other Christian denominations, Muslims, Baha's and Hindus. CYU targets people of all walks of life but specifically focuses on women, youth, religious leaders and constituencies struggling to engage democratic process towards sustainable change. Their main activities are trainings in ANV, community dialogue meetings, interreligious meetings and conferences, civic education, thematic research and the establishment and maintenance of relevant grass-root partnerships and forums for inclusive development. the organization attracts funding from various donor institutions including MISEREOR and AGEH from Germany or African Monitor (South Africa). The organization belongs to several networks, for example the Kenya Peace Network, which consists of 20 NGO's drawn from all over the country, has close relations to important national commissions and relevant government ministries as well.

Good Practice

Good-practice examples of the main activities of CYU are the Workshops and trainings at the “Kolping vocational training centre – Kilimambogo” near Thika.

Generally the groups of a workshop consist out of people with various professions and religious backgrounds like community workers, NGO members, students and private people. Together they try to find out which are the roots of conflicts in every day life and in a broader society context, especially with regards to the PEV. Afterwards they try to work out methods and strategies how to avoid and to deal with conflict situations. The whole workshop is held in an open atmosphere, where every participant has a voice, each other’s opinions are respected and group discussions, group workings and dialogues are the principal constituents. The aim of a workshop is to educate especially key-persons like community-workers, so that they can be multipliers for ANV in their local environment.

Challenges

CYU, a very good organized CSO, belongs to several networks and has connections to stakeholders on every important level. They have a long experience with peace building and conflict management and work in many different areas and on various levels. Their activities are professionally conducted and aims, guidelines and methods are clearly defined. During the work with CYU there were no points to criticize.

Results of the Evaluation

Our partner for the evaluation was Brother Dominic Kariuki. He told us he feels that there is a high chance of violence escalating as there are new dimensions in the Kenyan political scene, for instance the latest issues concerning the Mombasa Republican Council (MRC) has brought in new areas with potential for violence outbreak especially if the government fails to adequately address that issue. In addition, the underlying problems that causes violence have not been adequately solved – unemployment among the youth, which makes them vulnerable for exploitation and misuse by politicians; unequal distribution of resources; confusion in the political scene especially with the political parties; institutional failure especially those institutions that have the mandate to ensure a smooth transition to the new constitutional dispensation and a smooth general election, he told us.. Mr Kariuki had a word of advice to these organizations/commissions/ institutions, for instance the IEBC – they should think outside the box especially in the issue of financing the elections. He also see a problem with the media because they have, for example, made a commitment to uphold ethics in their reporting. Finally like a lot of other Organizations, Chemchemi Ya Ukweli has a lack of money to finance all their actions.

Workshop

CYU is well known in the field of NGO's in Kenya and so it was important to have them as a participating organisation in the workshop. Especially smaller local organizations benefit from their presence and could achieve new contact points to the regional level. On the other hand even CYU was able to expand their existing network. Furthermore because of CYU it was possible to get in contact with the Undugu Family Kibera, which became one of the analyzed NGO's in the project study and had the chance to participate in the workshop.

Personal Remarks

This organization made a very committed impression on us. Through their seminars and workshops they try to help local organizations and single persons who are working on the grass-root level. E.g. we only came in contact with the UNDUGU Family through CYU.

Contact

Chemchemi Ya Ukweli, New Waumini House, 1st Floor, Westlands, Nairobi, Tel: +254 (20) 444 6970 / 4442294, Fax: +254 20 4444023, eMail: info@chemichemi.org,
Web: <http://www.chemichemi.org>

Centre for Human Rights and Democracy (CHRD)



Vision

CHRD's vision is a peaceful and democratic Kenya built upon the principles of human rights, democracy and tolerance.

Mission

CHRD aims to support the development of the national reconciliation process to restore peace and justice all over Kenya. They promote and document issues of human rights by using community mediators and conflict monitors as early response systems in so called “hotspot-areas” in the Rift Valley region.

Facts

The Centre for Human Rights and Democracy is located in Eldoret, in the western part of the Rift Valley Region and its staff works as lobbyists, educators and monitors for the issues the CHRD represents. In the last 20 years people living in Kenya and especially the Rift Valley region have been witnessing several eruptions of ethnically motivated and political violence, especially during the period of the Post-Election Violence 2007/2008. The Centre for Human Rights and Democracy identified the lack of conflict monitoring systems as one of the key factors of why local outbreaks of violence could have such enormous outreaches after the presidential election after 2007/2008. To contain future conflicts the CHRD supports the implementation of community based and independent monitoring and mediation mechanisms. As such, CHRD trains and educates so called “Community Mediators and Conflict Monitors” (CMCMs) who support communities in participating peacefully in the political process. The CMCMs are chosen from different tribes, genders, ages and professions and usually well-known members of the different societies. Furthermore they brought the CPS (Civil Peace Service) to life, through which the CHRD can conduct a survey of ongoing reconciliation projects in the region in order to enhance the cooperation between different CSOs and generate synergy effects.

The CHRD has had a wide impact on communities through their work in terms of reconciliation and peace building. They have been educating training more than 30 mediators in all 10 districts of the Rift Valley. The aim is to create a network of different

organizations that covers the whole region and connects all districts. The main challenge that CHRDR is facing at the moment is the insufficient coordination of the local CSOs working on similar topics which is mainly caused by the behaviour of the donor states. According to Ken Wafula, Executive Director of the CHRDR, *“the CSOs depend on the donor funds and so their work is conducted due to the donor’s wishes and results rather in competition than in synergies.”*

Good Practice & Challenges

The project group dealing with CHRDR was trying to get an insight into the organization’s projects on the field. Unfortunately, CHRDR couldn’t manage to make such a visit possible, which makes it impossible to talk about good practice and failed projects from an objective point of view. As we were able to visit projects for example in Burnt Forest (with RWPL), we are aware of the existence of projects on the field, however we had no first-hand experience of existing projects introduced by CHRDR. Fortunately, we were able to interview Ken Wafula, founder and Executive Director of CHRDR, who talked about Good practice and failed development strategies of donors in Kenya. (You find the entire interview on the following pages.)

Workshop

One member of CHRDR attended the workshop at YMCA, Nairobi. It is very difficult to measure the involvement of a single participant. Nevertheless, one could get the impression that some of the participants played a rather passive part in the plenum and the group discussions.

Results of the Evaluation

Although CHRDR promised to reply to our evaluation questionnaire via Email, we never received an answer to questions 1 to 9. Therefore we haven’t received any feedback concerning the workshop in Nairobi and if it was useful as a communication platform. Concerning question 10 asking for the presumed situation around the upcoming elections in 2013, they answered that “elections will be peaceful but after the elections a similar situation like 2007/08 might arise. (“I’m scared of the aftermath”). Nevertheless the whole situation is too complex and though unpredictable! Non-calculable factors could crush! The situation is delicate because of established tribal and regional political structures”.

Due to the poor information we received during our evaluation, we would like to link this report to the interview with Executive Director Ken Wafula that we recommend reading as a follow-up to this report.

Personal Remarks

In summary, the contact with the Centre for Human Rights and Democracy was very welcoming and constructively. Nevertheless, the measurable outcome in terms of exchange of information and visits of projects on the ground remained rather unsatisfying. Seeing this, the limited information we gathered did not allow us to get a complete picture of CHRD's work.

Contact

Contact person: Ken Wufala – Executive director, Physical address: Komora Centre, 4th floor, Room 422, Oloo street, Eldoret, Rift Valley, Postal Address: P.O. Box 1996, Eldoret, Kenya, Phone: +25420-2399358, +254722-809714, eMail: chrдем2000@yahoo.com



FLTR: Irene Wakasa, Raphael Schaefer, Ken Wufala (CHRD), Florian Schmitt, Lena Held and Douglas Angote

**Interview with Ken Wafula, Founder and Executive
Director of the Centre for Human Rights and Democracy
(CHRD) Eldoret, 13.03.2012**

Evaluation-Team: We are interested in how CHRD is financed e.g. what donor states organizations do you have?

Ken Wafula: You have money to give us? We actually we have to look for funding, we have to write proposals, you have to write concept notes. So it's not that we have many financiers. Sometimes we go without money, for months. It is very difficult and you know most donors give money to Nairobi based organization. I don't know why.

Evaluation-Team: Would you say that your work is mainly influenced by the expectation of the donors, or do you just offer your work?

Ken Wafula: Sometimes you want to do something, a programme that is very important to the public but it is not in the interest of our donors. You don't get funding. You have to just leave it, or try a level-based, do 10% of the project. That has been a very big problem. I take it very seriously, yesterday I engaged the DFID (Department for International Development, UKaid) on the phone, I told them donors also need to come transparent we need to know who they are funding, how much and for what, cause too much money is being spend on organizations that live outside of towns, and organization working on the grassroots are not being funded.

Evaluation-Team: If you look at the projects CHRD did after PEV, was there a boost in projects coming up after 07/08 and how successful were they?

Ken Wafula: Definitely, there are a lot of projects that came up, not only here by us but even by organizations in other parts of the country where the PEV took place. For us, we engaged in peace-making and reconciliation processes, we came up with innovative ways here and there and helped set the ground for peace-building and reconciliation. Basically CHRD is a human rights organization but then we found ourselves in a situation where we are supposed to play a part in reunification, various communities in the areas. (...)

Evaluation-Team: So what is your feeling towards the upcoming elections? Is the ground set for peaceful elections?

Ken Wafula: There will be peaceful elections not because we have done a lot of peace-building and reconciliation activities but because of the activities of one institution called the International Criminal Court, period. Nothing else, we are going to that election with fear, we have a look over our shoulders, you do not know who is an ICC agent, your mother may be an ICC agent taping you with a phone, so you have to be very careful. It makes people stepping back from their plan, to plan violence. And I am aware of meetings that even Eldoret MP William Ruto was has been holding, the participants want to start accusing the ICC, you would tell them I have seen the ICC agents here. Remember it is a closed door meeting of trusted participants, but they still believe there is somebody who is taping us. That alone has really made Kenya. Kenya will be peaceful for a very long time. Not because we love each other, but because we fear the consequences.

The constitution is really enlightening Kenya, I think people are now beginning to think from outside the box. For example the majority of the leaders that we have, are products, practitioners and beneficiaries of impunity, stealing from public. But then the constitution under chapter 6 on leadership and integrity threatens to lock them out. And citizens have now come to realize that this is now a reality and they can't run away from it. So they are beginning to think from outside the box.

Evaluation-Team: So you have this new constitution and all over the world it is evaluated as a very good constitution.

Ken Wafula: I think it is the best in the world, because I looked at the German constitution and I think it has gaps. (laughing)

Evaluation-Team: How looks the future for the CSOs even in the light of donors dictating what kind of projects are made or not?

Ken Wafula: As the chairman of the National Council of CSOs, I have issues with donors and I will soon be going complain with them, because you don't dictate what should be done. Let people tell you, the problem here is about water, the problem here is not about human rights violation, because nobody has been violated yet, except that we don't have enough water, which is a basic human right. You don't come and say now we have money for democratization, so do democracy. So donors also have to change their priorities, they also have to be transparent because most of the donor agents has been infiltrated by the programme officers. So they practice ethnicity, nepotism, like the

money the EU has given to the Ministry of Justice for civic education. This money has been shared among the Nairobi based organizations. If somebody takes money in Nairobi and says he is going to work in Ningori. Ningori is about 700 km from Nairobi and this person has never been there, how are you sure that you are reaching the target group. That has been a big problem and I think it is time, I tell the donors directly. You know some donors are opportunistic, they only want to see something that is succeeding and exciting.

Thank you Ken Wafula for this interview

by Raphael Schaefer

Catholic Justice & Peace Commission



Vision

To enhance spiritual and human growth

Mission

Social, economic, political, cultural and spiritual development based on the principles of justice, freedom, fairness and truth, especially for those with unique needs in the communities.

Facts

CJPC has been founded in 1991 and works on the fields of governance and democracy, advocacy and human rights, paralegal and animation training, lenten campaigns, peace-building and reconciliation, building local capacities for peace, research and networking. Methodologically, CJPC aims to further strengthen public participation in project initiation and implementation and uses the media to highlight and give out information as it is without interruption. There also using the godservice and their newsletter (monthly magazine) as communication platform. Through that they are introducing constitutional issues, meetings at different grass root/village levels for consensus building and conflict resolution. As a Christian CSO, they also try to engage people in ecumenical presentation and rise conscious of the importance of gender balance in the execution of programs. In summary, CJPC aims to engage people in dialogues, infrastructure for peace projects, civic education, monitoring and evaluation.

Financially, CJPC is funded by local Christians and money from collections during lent. There is no funding by the Catholic Church. Therefore, CJPC cooperates with CRS (Catholic relief service) which is doing connector projects and peace-building supported by USAID.

CJPC operates in the following areas: a) Nandi County with 13 outlets or parishes. Reaching out to beneficiaries of CJPC programe activities through the parishes. b) Uasin Gishu County with 18 parishes or programme activities outlets. c) Elgeyo/Marakwet with 13 perishes or programme activities outlet.

Current programme activities: 1. People-to-People project in burnt forest area. 2. Community dialogue for peace and development in Timboroa, Kasoya/Kimumu and Huruma. 3. Civic Education. Taking community through the constitution in 44 parishes.

Network members: CJPC has a network called COPEN which is a coalition for peace in North Rift with membership 30 local civil society organization in 5 counties Trans Nzoia, West Pokot, Elgeyo/Marakwet, Uasin Gishu and Nandi.

Good Practice

School Project: Koilugot Secondary School, Burnt Forest

This project is a People-to-people project connector between CRS (Christian Relief Service), CJPC, USAID and CDF (Constitutional Development Fund). There is a significantly increasing number of pupils (from 65 to 125) within a year. An amount of 1,200,000 KSH has been raised for an administration building. The school and the above described Bridge Project are unlikely to be destroyed because they have been built by Kikuyus and Kalenjins. Moreover, the secondary school aims to support the education and ultimately the employment of youth which not only helps to diminish poverty but also to make them less vulnerable to manipulation by politicians.

Kipkalel Bridge Project P2P (same funding)

The building project has been used to enhance peace in the area between the Kikuyu and the Kalenjins who live in the Rurigi and Olave farms (respectively valley). The PEV saw the destruction of the Kipkalel bridge due to the fact that Kalenjins saw it as a good opportunity to sever transportation links between the Rurigi farm and Burnt Forest Trading Centre.



Building a common bridge at Kipkalel

Kalenjins also used that fact in order to easily attack pedestrians because of high water levels. The destruction of the bridge also saw the disruption of peace and a sign of interest from the Kalenjin. A bridge is used to signify peace and thus both communities came together to build the broken bridge. An amount of 500,000 Ksh have been given to build the bridge.

Challenges

According to CJPC, the organization is being challenged with unemployed youth, ignorant arrogance towards the law and the new constitution, politicians who aim to balkanize certain regions and changing interests of donors (“*dialogue is a long journey, has to be done over time*”) **Upcoming elections:** As direct measure to work towards a non-violent presidential election in 2013, CJPC is about to introduce “frontal” SMS early warning system and sending peace monitors out on the ground. According to James Kimisoi, executive director of CJPC Eldoret, there are challenges and threats for the upcoming elections because of people arming themselves in advance and land issues not having been addressed sufficiently, remaining an underlying problem. Furthermore, there exists political competition in the region that tends to divide the people. **Lessons Learnt:** CJPC is holding meetings (peace dialogues) directly in the villages unless there is a special training calling for people to convene. Due to the lack of mobility and financial resources, many people outside of Eldoret were not able or willing to effort the costs of traveling to a CJPC meeting. Furthermore, projects are always based on mixed ethnicities. Concerning the secondary school project, bridge project (school is unlikely to be destroyed if build by Kikuyus and Kalenjins) supporting the employment of youth.

Workshop

Director of CJPC Eldoret, James Kimisoi, attended the second workshop day and took actively part in the plenum and the group discussions.

Results of the Evaluation

Evaluating the concrete impulses and lessons learnt of the workshop (23th and 24th of March), James Kimisoi pointed out that through the exchange with other NGOs the peace-building process became more specifically and that CPJC has to increase the public relations towards the media and other NGOs and CBOs. James Kimisoi also stated that “regional conflicts have global dimensions” and “there is a lot we can change if we put our efforts together”, meaning increased networking and interdisciplinary research.

CJPC expressed its appreciation for the organization of the workshop and the comprehensive approach we used to bring NGOs and CBOs together. Critically, CJPC

wished to have a clearer picture of the intention of the cooperation between the University of Trier and Kenyatta University, as an aspect that should have mentioned in addition respectively in advance. Regarding the exchange of ideas during the workshop, James Kimisoi interacted and exchanged ideas with representatives from other NGOs und promised to work on a project on ICC matters (at the time of evaluation did not take place ye). He especially looked for exchange with the media to increase the publicity of CJPC. He did already know several NGOs because of the “Partnership for Peace”-Network (more than 30 NGOs involved, supported by the Konrad-Adenauer-Stiftung which released an excellent report on the Post-Election-Violence¹). These new connections are going to be maintained, especially for sharing ideas, coming together, creating synergies and for fundraising reasons. One recent difficulty to maintain these new connections lies in the lack of capacity to maintain potential relations. Therefore, CJPC appreciates the idea of the evaluation-Team to create a website to present the results of our project study but even more as a communication and networking platform for NGOs and CBOs in Kenya. As a success story, CJPC underlined the importance of the project “Partnership for Peace” (www.partnershipforpeace.org/com/net), an initiative for networking that symbolizes a strong voice for peaceful elections in three regions (project ending at the end of May). CJPC describes this partnership as an enriching project that strengthens the region in the long-run in different sectors. In this context CJPC and its local partners are facing problems with transportation what makes meetings with all members of the network a rarely event. Beside this aspect, there is a lack of equipment in the rural areas missing office space and competent administration.

Personal Remarks

Due to our research, CJPC is one of the key players in the Rift Valley Region’s reconciliation process. Personally, the structure was always professional as well as the organization of meetings between different tribes. One aspect worth mentioning, CJPC is carrying out projects as a catholic NGO in a mainly catholic environment, which makes them effective in reaching people, especially in the situation of foreseeable tensions during the upcoming elections.

Contact

James Kimisoi, mobile no 0733448110, Catholic Diocesan Secretariat, Diocese of Eldoret, address: PO BOX 842, Eldoret, eMail: catdioce@africaonline.co.ke, Web: <http://www.catholicchurch.or.ke>

¹ Konrad Adenauer Stiftung (2011): The Invisible Violence in Kenya. A Case Study of Rift Valley and Western Regions, Nairobi

COPA – Coalition for Peace in Africa

“Promoting a culture of peace in Africa”



Vision

COPA promotes a continent anchored on a culture of peace, justice and equality.

Mission

The organization is an African network of peace builders whose purpose is to promote peace, justice, human rights and development through capacity building, advocacy and research. Its mission is to grow a resource of African wisdom, expertise and strong voice to be able to respond effectively to the conflicts besetting different parts of the continent.

Facts

The Coalition for Peace in Africa (COPA) is a network of peace builders in Africa formed in 1995 by a group of African peace practitioners.

COPA is registered as a Trust in Kenya with close relationship to local practitioners from non-governmental and community based organisations and individuals throughout Africa and with collaborative activities in the Southern, Eastern, Horn, Central, and Great Lakes regions of Africa. COPA mainly works with women and youth and facilitates the exchange of experiences and the empowering to become active agents of ongoing peace building processes in their communities.

To attain its objectives, COPA 1) offers tailor-made and culturally sensitive peace building and conflict transformation (PBCT) trainings at various levels by connecting people with skills and experience in PBCT with those who need capacity building in peace work, 2) raises the profile of emerging or neglected African conflict related issues through research and publications, and 3) encourages advocacy with elected and appointed officials on conflict and peace building initiatives.

The mutual contact to various local practitioners, the active work with the government and the important research from COPA is transporting their message to the society on many levels.

Good Practice

Examples for good practices are Trauma Healing Project, Empowering Women for Becoming Participants in 2012 Political Process, Women in Peace Leadership Programme.

Trauma Healing Project “In Search of Healers”

The scope of the study included comprehending the apparent cycles of violence in Kenya, conceptualizing the nature of collective trauma, and outlining strategies and actions for healing, peace-building and conflict transformation. The study began in September 2008 and was concluded in September 2010 with a series of workshops to validate the key findings in select locations wherefrom the core primary data was collected. A bunch of recommendations frame the closure of the study. A central finding is the need for trauma healing in order to break the cycle of political violence. Since the start of the project, many CSOs have been taken over trauma healing in their own work.

Challenges

Many projects don't work as they are predicted because of ingeniously variables at the face.

COPA depict an example started in Eastleigh, a part of Nairobi, a project about peace education for students in secondary schools. Some reasons why the project failed were raised to higher power because of the 300 Ksh that were handed to students as well to the teachers. It was a wrong approach. The project was carried out in a hotel, instead of a school compound. Therefore outsiders could participate or even people who already finished an alike workshop could benefit from free of charge food and money. Also the mentality of students was discouraging by not taking peace education seriously since it's not in the national examination. Another pitfall they faced was that they trained only four students who left the school soon after this workshop. They were not able to turn their new knowledge over to other students.

In addition to it the projects are short because of financially reasons, but articulated mutations take a long time. So it's not clear that the project really achieved their goal.

Results of the Evaluation

We met Madam Rose Ouko from COPA for the evaluation. She stated that the workshop held at the YMCA was a good ground for networking with several organizations such as Kibera Women for Peace and Fairness. She gained a lot from the guest speakers and learnt concerning what the youths are doing about peace building. She mentioned that if

such a crucial project is to be repeated, it should involve other universities such as the University of Nairobi.

Madam Ouko added that there is a 50-50 percent chance of having post-election violence coming in March 2013 when the next elections are planned. She felt that most Kenyans have learnt from the past and nobody would really want to go back to violence. Another point from her was that the media should be informed on peace building because they have a key role in informing Kenyans about events especially during the post-election violence period.

Workshop

For the Workshop Civil Conflict Management in Nairobi (23./24.03.2012) COPA could spread their knowledge based on research to other participants. The other way around COPA received a lot of new perspectives by the group discussions and exchanged addresses with other stakeholders.

Personal Remarks

During our study COPA was very cooperative. They are in a steady state of development through contacts to other organizations in order to make the most out of their projects.



Public awareness campaign in the streets of Nairobi

Contact

Martha Ndogoto, P.O. Box 61753-00200 Nairobi, Kenya, Valley Arcade, Dhanjay Apartments, 3rd Floor, Room 301, Tel: +254(0)203870845,
eMail: copa@copafrica.org
Web: <http://www.copafrica.org>

Daima Initiatives for Peace and Development (DIPAD)



Profile

Daima Initiatives for Peace and Development – (DiPaD) is a non-profit organisation in Kenya that aims at empowering and building the capacity of communities to be able to proactively respond to sociadchange.

Their main areas of action are capacity building, training, women and youth empowerment, on violence and advocacy, and practical research on the role of culture in Peace building.

Mission

Their mission is to Empower Communities through Training, Research and Leadership Development using appreciative inquiry in attainment of Peace and Social Justice. DiPaD’s vision is to create an “Informed and Resilient Society” and transforming processes of people and communities.

To do this, DiPaD is involved in 4 key strategic areas as follows:

1. Capacity Building Programmes

The program provides capacity building for individuals and organizations who hope to participate in governance, advocacy and peace building initiatives or enhance existing efforts. This program focuses on raising citizens’ awareness and participation on the devolved system of governance under the county structure, coaching, designing and developing strategic plans for communities to customize and implement.

2. Women and Youth Leadership Development

The project empowers Women and Youth with skills on leadership and non-violence so that they can be agents of change in their communities. This project engages Women and Youth in cooperative learning and problem solving experiences designed to empower them to inquire what needs and conditions are necessary for assuring a sense of security individually and socially.

3. Cultural Peace Resource Center

The program applies Appreciate Inquiry (AI) approaches to investigate and validate cultural and community initiatives to peace building, development and social change, with the aim of documenting and disseminating the findings to inform policy, practice and education.

4. Action Research and Documentation

Through collaborative and action research, the program aims at developing and testing new approaches to community driven processes and practices that demonstrate sustainable impact on the environment, social capital and resilience.

Facts

Daima initiative for peace and development was duly registered in JULY 2011. DiPaD is a National Organization in scope but their main areas of focus as far as some of our projects are concerned are: Nairobi, Nakuru, Nandi, Uasin-gishu and West-pokot.

Good Practice

Currently, DiPad is undertaking a 15 month project known as the Peace Torch Campaign under the National Peace Initiative in partnership with UNICEF and the Federal Ministry of Education of Kenya. “Ahead of the national election in December 2012, the Ministry of Education, along with UNICEF and other partners, will launch a national peace initiative to run through the year 2012 aimed at reinforcing peace and violence prevention in the society during and after the upcoming election.”¹The project proceeds in the timeline of the concept and is expected to be at its peak during the commissioning of the Peace Torch on 11 May 2012 by the president. The Peace Torch Campaign will tour the country through three regions. Region A consists of Western, Nyanza and Rift-valley provinces. B consists of Nairobi, Central and Coast. And C consists of Eastern and North Eastern. This is expected to take approximately 3 months.

The campaign is surrounded by further steps: Peace torch campaign, Peace Awareness Caravan, National Media Campaign, National Peace Education.

Preparation: Stakeholder forum, Guideline Writer’s workshop, National launch of NPEC Activities, National Peace Education Campaign Launch, Training of County Focal Persons, Training of Music and Drama Teachers, Recording a Peace Song.

The campaign will undertake activities through peace caravans, County Peace education Forums and Peace torch to be handed over from one county to another all over the country by renowned athletes referred to as peace ambassadors.

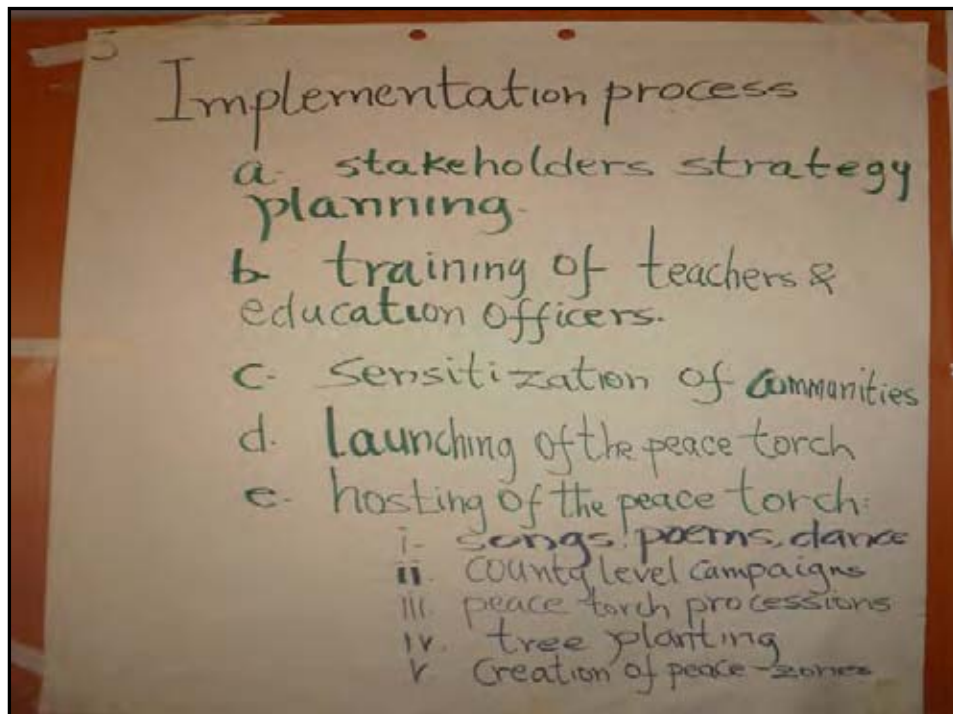
¹ DiPad: National Peace Initiative Proposal

The National Peace Education Campaign was set to be officially launched on 11th May 2012 by the Minister for Education at Uasin Gishu Primary School. The program was filled with a colorful procession and a variety of presentations e.g. by the National Youth Talent Academy, presentations including short plays which sought to satirize the politics in Kenya and how they contribute ethnic violence, presentations captured the true picture of how violence can contribute to suffering of children by either being abused, or losing their loved ones and subsequently dropping out of school.

PROGRAMME UPDATES

- PCA (Programme Cooperation Agreement) was signed on 11th April 2012 between UNICEF and DiPaD.
- Implementation period will be from 1st April 2012 to 31st March 2013
- The program is being implemented by UNICEF as the lead donor, DiPaD and Ministry of Education
- Theme “Making the voices of young Kenyans heard”

DiPaD reports in 2012 for the first time to partners, because it’s the first year of the implementation.



Seen on a flipchart in Daima's office

Challenges

There have been several proposals which didn't get a reaction by the donors or people hadn't interest, so it went back to be revised.

Workshop

The project coordinator of DiPaD participated on one day of the workshop. The second day a representative from the Ministry of Education in charge of the National Peace Torch Campaign was available.

Positives: The youth as the main group that perpetuates violence was in the spotlight and was highlighted by the exchange of youth programs through sports. The photographs made by Boniface passed a strong message. Some connections have been made.

Critics: The publicity and the media echo were very low. The media should have been more involved. It would have been nice to involve also youth speakers from the different areas which have been affected. 2 days were too short, probably 3

Results of the Evaluation

The exchange with governmental organisations is working well. Especially with the Ministry of Education a good and intensive communication brings out results concerning the current project. On the other side effects and negative outgrowth of the bureaucracy is noticeable and can curb further steps. Beside that it is necessary to convince them to be able to get the senior officials to secure the implementation. In general the government has many information and resources which currently aren't used. The parliament – in parts – is doing in good work. Especially the HANGAN settlement and further parliamentary reports let get the impression of good structures and information sources.

The media doesn't report about good things happening on the ground of the society. It is important to gauge what they say, because it gives people in terms of hate speeches a lot of negativism. The fact that some media houses are owned by politicians is dangerous.

A look into the future: "*I wish to have peaceful elections*" Doreen Ruto said. The team has a lot of new ideas. One idea refers to a current discussion in Kenya within the national universities which are affected by tribalism because there is no mixture of tribes. There is no Inter-University and Inter-regional movement. That means, young students visiting universities close to their homes and regions. DiPad wants to enlarge

the programme of the National Peace Campaign also to universities. They are planning to integrate following universities: Kenyatta University, University of Nairobi, Daystar University, Jomo Kenyatta University, Catholic University, Moi University Eldoret und Masinde Muliro University.

The look back gives motivation to think about improving the structures, means going upcountry with activities to get a closer relation to the people on the ground.

Personal Remarks

In my opinion DiPad does a professional work which first can be seen on the well-structured proposal and reports. They offer a wide range of information. Furthermore the team of DiPad seems to be motivated and endowed with their program director over a well experienced personality. The National Peace Torch Campaign is an ambitious project but filled with new interesting elements of public sensitization in the area of peace e.g. a Peace Song, which addresses especially young people.

The Peace Torch Campaign is in a close cooperation with governmental institutions and assists in a way policies and political interests with a civil component, which could be seen as an example but has to be also seen critically in terms of controlling civil organizations through official interests.

DiPaD's networks with many organizations, currently in the area of the National Policy and is more orientated to a national level, caused by the current project.

DiPaD has an external effect through the collaboration with UNICEF and some Federal Ministries. It's the civil component of the National Peach Torch Campaign.

Contact

DiPaD – Daima Initiative for Peace and Development

P.O. BOX 73191-00200 Nairobi – Kenya

Tel.: +254 (0) 20 21 67 146 Cell: +254 (0) 703 305 285

eMail: info@dipad.org

Web: <http://www.dipad.org>

Inter-Faith Action for Peace in Africa (IFAPA)



Vision

Inter-Faith Action for Peace in Africa (IFAPA) envisions a stable and peaceful Africa where the beliefs and traditions of others are respected, nations are united, peaceful, democratic and non-racial, with gender equality rights, and where communities live a decent life.

Mission

The main aim of IFAPA is to promote peace in utilizing existing infrastructure of interreligious councils in Africa. This Pan-African NGO targets the goal of bringing religious communities across the continent to cooperate and work together for a peaceful and justly environment. It involves seven distinguishable faith traditions in Africa: Islam, Christianity, Judaism, Hinduism, Buddhism, the Baha'i Faith and the African Traditional Religion.

Facts

IFAPA is a NGO registered in Senegal, Kenya (Women's Desk) and Uganda (Youth Desk) with international Chapters in Togo, Botswana and the Democratic Republic of Congo. It was founded by the Lutheran World Federation in October 2002 as a result of the first continent-wide Inter-Faith Peace Summit in Johannesburg, South Africa. IFAPA seeks to make a positive change at the continental level by building bridges that connect and enhance understanding, and by building trust across the faith and religious lines of divide. The organization is based on the assumption and observation that African traditional beliefs, values and practices have a powerful impact upon the patterns of life and social interaction while acknowledging that religious leaders and communities have at times failed to promote peace. Therefore IFAPA commits itself to work on common values in order to foster a culture of peace and create a new spirit of unity in Africa. Tasks and issues of the NGO in general are: gender equality, youth, promotion of interfaith dialogue between faith communities at grassroots level, integration of African traditional approaches to peacemaking in conflict resolution programs and capacity building. While the office in Nairobi, the IFAPA Women's desk, focuses its efforts towards women empowerment and capacity building initiatives.

As an interstate organization with seven representatives on the commission level IFAPA relies on a Network of volunteers and civil society organization in order to implement their programmes. In Kenya the most substantial Partners are: Chemchemi, All African Conference of Churches, Global peace festival foundation, program of Christian Muslim women, FECCLHA (Fellowship of Christian Churches in the Great Lakes and the Horn of Africa).

In 2009 IFAPA won the Paul Carus Award by the Council for a Parliament of the World's Religions in Melbourne, Australia. This international recognition shows the importance of IFAPA for religious communities and the image of unity within the continent.

Post-Election Violence

Before the violent actions after the elections in 2007/2008 Kenya has been viewed as a peaceful country and therefore the actions of IFAPA have been predominantly targeted to other regions and nations. This changed after the PEV took place. From this moment on the agenda for this country focused on peace building and building activities than previously, when gender equality had been the main aim targeted by IFAPA. Already during the time the PEV took place the organization wrote a statement calling for peace. Another contribution during this time and also later was the supply humanitarian assistance for internally displaced people. A further element which changed due to the PEV was an increase in capacity building programs and ethnic balanced forums as platforms for dialogue among stakeholders such as parliamentarians, civil society, private/business sector and religious leaders. Even though the NGO views basically land issues as reason for the PEV it nourishes hope in the positive influence of churches and inter-faith dialogue in order to overcome also ethnical cleavage.

"I believe that whatever brings us together is much stronger than what separates us! ... We are first of all human beings before we are anything else." (Merab Mulindi)

Good Practice

A good practice examples is the Mbegani Water Project. The project addressed interfaith dialogue between different religious communities through a common need of all people: water. The project dealt with the problem of long distances to water sources, lost time fetching water, reliance on small wells which dry up during dry season. The IFAPA-Mbegani Water Project was done in conjunction with several women groups and is expected to serve over 6,000 people in 13 villages in Matuga constituency. In Mbegani for instance Inter-Faith Action for Peace in cooperated with Mazumalume, a sub-location umbrella group composed of Christian and Muslim women who live together in

peace, bound together by common problems experienced in the area. Beside inter-faith dialogue this project contributed to women's empowerment and food security.



Mbegani Water Project

Workshop

Taking part in the workshop on 23th and 24th of March provided the opportunity for interaction and the possibility of future networking with new partners. During the workshop Merab Mulindi (representative of IFAPA Kenya) appreciated the possibility to share ideas and possibilities with other CSO's. All in all the workshop itself and its organization was sufficient for IFAPA.

Results of the Evaluation

IFAPA's expectations on the project were to bring various peace actors together and to coact in identifying target groups for peace activities. Furthermore Merab Mulindi expected that the project will help to initiate follow-up actions.

According to Merab Mulindi's the media is supposed to report responsibly instead of playing a part in contributing to polarize communities. Politicians should commit

themselves to work for peace. In addition to that they are supposed to avoid statements which work to fan negative ethnicity and lead to hatred and subsequently violence.

Merab Mulindi is not sure about the elections in 2013. On the one hand, she thinks, that there is the chance to have free and fair elections because Kenya seemed to be prepared by e.g. the independent electoral commission. But on the other hand she has scruples concerning peaceful elections if people continue to be polarized and leaders manipulate people by speeches which incite negativity towards others.

The relationship between Inter-Faith Action for Peace and the government is good because IFAPA is recognized by the Kenyan government as an important organization on peace building. This acknowledgement can be seen in the fact that political representatives regularly attend to the actions IFAPA organizes. But the exchange between both could be intensified if there are more fora because those interactions and discussions promote the dialogue and reduce misinterpretations as well as misunderstandings.

If Merab Mulindi looks back at their projects she would choose the same approach again. Nevertheless if they have more resources they'll use more different approaches.

Personal Remarks

The interview with Merab Mulindi, the chief officer of the Women Desk, was very interesting and our group is grateful for this unique opportunity to get a glance into the work of IFAPA. We think this organization challenges a very important topic on the international level. Different religions, but one common faith: the faith in peace! This is from our point of view a pretty good approach!

Contact

Ms Merab Mulindi, Nairobi coordinating office Purvi House, Westlands Wing A, 1st Floor, P.O.Box 40870, 00100GPO Nairobi, Kenya.

Tel: +254 20 2511182, +254 721 205541

eMail: merab.mulindi@gmail.com

Web: <http://ifapa-africa.org>

Institute for Peace and Transitions (IPT)

*“Peace is from yourself. If you don’t have peace within you, you cannot preach about peace”
Participant of our meeting in Kiambogo*



Vision

IPT’s Vision is to create a platform that advocates a dialogue on community integration, joint reconstructions on spots and buildings where there had been huge destructions due to the Post-Election Violence as well as they wish to promote a peaceful co-existence between the different tribes. Furthermore they want to train young people on basic life-skills, leadership and entrepreneurial skills. Big corner stones of their work are tolerance and understanding in a multi-cultural as well as multi-ethnic surrounding.

Mission

To achieve their Visions IPT tries to support the process of self-discovery for young people, they support them in finding out about their strength and how they can work towards a more peaceful society. One way they focus on is finding common needs and community projects to bring the youth to a better understanding for each other and to help them build a common sense. IPT works in cooperation with the provincial peace initiatives and they are networking the communities with international peace forums to reach their goals. In all their missions it is the most important to work with the people on the grassroots level.

Facts

During the Post-Election Violence in 2007/2008 Nakuru was one of the Hot-Spots in Kenya. Many people were affected by the conflicts, hundreds were displaced and social structures were destroyed, the community in and around Nakuru had been changed and traumatized. This is why the Institute for peace and transition was founded there in 2009. The staff consists of four workers, they are mixed in tribe and gender and all of them work there voluntarily without getting any payment for what they are doing. IPT is a non-governmental, non-partisan and non-for-profit organization which is working for local target groups such as provincial administration, local professionals, community leaders, women and youth as well as other local organizations. These target groups show that IPT is working with leaders in one or the other way to reach a wider range of people

to assure a peaceful and respectful society, to stretch out to rural places and to promote peace all around Nakuru area. The projects that they support and conduct are based on values like respect for all, empowerment of women and other oppressed groups, accountability, openness and partnership between different tribes and social groups. But here it is important to mention that since they are such a small NGO they depend on donations and support by bigger Organizations. They cooperate with USAID, World Vision and other NGO's, who support them technically, financially and with the knowledge they got from their own projects.

The staff of the Institute for peace and transition is working hard to achieve a betterment for the people in Nakuru but according to them they will have to face financial problems in realizing projects as well as there might be problems arising from the cultural differences and religious/traditional beliefs of the people they are working with.

Good Practice

“Everybody gained loss from the Post-Election Violence”

A good-practice example for the work of IPT would be a project which was conducted in Kiambogo/Nakuru in cooperation with World Vision.

In this project 25 elders, leaders of communities and churches as well as teachers and other driving forces of the society, were brought together for a workshop on peace building and conflict management.



Meeting with the Elders of Kiambogo

Trained conductors worked together with them on ways how they could reconcile and pacify the communities in the area. Awareness for arising conflicts was one of the main pillars of their work. Teachers were trained how they could bring children of different tribes together and teach them how important it would be for them to maintain peace. Pastors were preaching in their churches for the local communities to understand the importance of understanding and reconciliation.

The community of the trained leaders remained and until today they are meeting monthly to share on their experiences, to see where possible conflicts arise and still to work on the traumatic experiences of the Post-Election Violence 2007/2008.

Challenges

The Institute for Peace and Transitions is a quite small NGO. The efforts they are making towards a peaceful society are commendable. But still it will be very difficult for them to establish and expand their activities. The main problem is their financial situation which makes it difficult for them to work independently from bigger organizations such as World Vision and Mercy Corps. The second main problem is the huge variety of local NGO's working on exactly the same issues.

Workshop

Unfortunately IPT didn't attend the workshop because of personal capacity problems.

Results of the Evaluation

Sylvester Abara underlined the necessity of networking and (inter)national collaboration to create a strong movement that can challenge poor leadership and governance facing African needs. Therefore IPT is planning a kind of a consortium to bundle the power of several NGOs. Its main objective should be the sharing of ideas and to install stable funding structures. The funding is one of the biggest challenges of the young organization that wants to stay independent from governmental donors and to develop its sphere of influence.

He is convinced that the coming elections are going to be peaceful. Even he admits that there might be some tension among the ordinary people will lead to some smaller riots. But as the media and also the politicians have learnt a lot since the last elections (strengthened through the ICC cases) they will force calm and fair elections.

Personal Remarks

We would suggest to intensify the networking and cooperation between the local players in the field. Therefore our workshop would have been a good opportunity to exchange experiences with other CBOs from the same and other parts of the country.

Contact

Sylvester Abara (Nairobi) / Bancy Kubutta (Nakuru), P.O. Box 18261, Nakuru, 20100

Tel: +254 732930926 / +254 720930926

eMail: instituteforpeaceandtransitions@yahoo.co.uk

Web: <http://www.iptkenya.org>

Kamukunji Community Based Organisations Network (KCBO Net)



Vision

The vision of Kamukunji Community Based Organisations Network (KCBONet) is to create a united and empowered Kamukunji community where people are informed and can articulate issues in harmonious and peaceful environment. The organisation serves as a tool for the marginalized and poor of Kamukunji to raise their voice.

Mission

KCBONet aims to establish a community platform where people share and strengthen ideas for sustainable development in Kamukunji. As an advocate and catalyst of change in the community, it aims to unite the residents of Kamukunji and to be a platform where the under-privileged acquire knowledge, skills and resources necessary to build self-sufficient and prosperous lives.

Facts

Kamukunji Community Based Organizations Network (KCBONet) was formed in 2004 and registered as a KCBONet Trust in 2010. Run by men and women from Kamukunji District, the Kamukunji Community Based Organizations Network is an umbrella organization of 75 Community Based Organisations (CBOs). Kamukunji is a constituency in Nairobi with 70 per cent of its population living in poverty. The 75 CBOs of the network represent faith based organizations, women organizations, people living with disabilities, people living with HIV/AIDS, drama groups, youth groups and many other self-help groups which address the various needs of the residents of Kamukunji. Altogether, KCBONet is representative of over 3,000 community members. Apart from these CBOs, the organisation works closely together with the District Peace Committee, the radio station Ghetto FM as well as with local youth football clubs and sports groups. As its vision already implies, peace building plays an important role in this organization, especially since the Post-Election Violence of 2007/2008. Even though Kamukunji was not a hot spot of the Post-Election Violence, it caused concernment among the residents which led to generous donations to affected people such as IDPs (Internally Displaced Persons). Due to the fact that the network includes as many as 75 organizations, it has a fairly wide range of fields of work. One of its responsibilities is

advocacy. Volunteers of the organisation are trained as human rights monitors and paralegals to provide legal aid for the residents of Kamukunji and to represent clients at court. At the moment, the organization has 20 paralegals and 10 human rights monitors working as volunteers. Apart from advocacy and the issues tackled by its member organizations, the umbrella organisation aims to encourage the residents of Kamukunji to participate in their community life and decision-making processes and thereby raise their voice. Civic education as well as capacity building serve this purpose and are together with advocacy fields of work of the organization. Ongoing civic educations include voter registrations as well as information on the New Constitution and on legal and human rights.

Projects and activities conducted by the organisation often involve the partnership between the KCBONet Trust and Kituo Cha Sheria which is the centre for legal empowerment.

Good Practice

The Grassroots Comic Workshop, conducted by Kamukunji Community Based Organisations Network (KCBONet) from 14th to 16th March 2012, is a good practice example of conflict management and peace building. The objectives of this comic workshop were to advocate and lobby the community at the grassroots level in civic education through comic drawings and bubble speeches.

Girland Ndirangu, a participant of the workshop and member of the organization as well as chairman of Kamukunji Peace Committee, stated that the comic training aimed “to capacity build other members of the community at the grassroots level and to sensitize and to create awareness to the society at large, especially on matters bordering on peace, building and reconciliation and conflict resolution and management on areas that are prone and volatile to violence and also new and old mapped out areas that were previously violence hit hot spots”. In other words, the aim of this workshop was to put across a message to the public and to share ideas and experiences with others. On a long-term basis, putting across peace messages via comic drawings serves to promote harmonious coexistence and to prevent violence during the upcoming election. The programmes manager of the organisation Ezekiel Njenga, who also conducted the workshop, remarked: “I don’t want us to experience what happened in 2007.”

On the last day of the workshop, all participants considered the workshop to be successful and stated that comic drawings were useful for advocacy. As one participant nicely phrased, comic drawings provide “an open window to express ourselves”. The comic workshop was sponsored by a Kenyan NGO called *Youth Alive – Kenya*, an organisation KCBONet partners with. Alone in April and March 2012, KCBONet was able to train over fifty members of the local communities (30 men and 20 women) on comic drawings through workshops and seminars.



Extract of a comic drawing “Elections should not be used as war machines” by a participant of the workshop

Challenges

During the Grassroots Comic Workshop and a meeting of the organisation, it was striking that not many women were present. Only one out of 9 participants at the workshop was a woman. The organizers noticed this problem as well and had to admit that it was difficult to reach women and to encourage them to attend workshops because of their busy daily routine. Another point of criticism which was raised by the attendants of the workshop was the amount of food provided for lunch. They wished to have a full balanced diet, including fruit. The provision of food is a general problem of the organization as there is often a lack of money to afford meals even though the promise of tea and lunch is very appealing and motivating for people to attend workshops – it can even be the main reason. Furthermore, money is needed for basic equipment such as computers and general office equipment.

A more severe problem is the vulnerability and the manipulability of the poor and unemployed youth in Kamukunji. Girland Ndirangu, a football coach of the youth and chairman of Kamukunji Peace Committee, knows that no matter how many peace activities are organized, in the end it is often the money offered by political candidates or gangs which triggers violence, especially among the poor and unemployed youth.

Workshop

To the question about the lessons learnt of the Workshop on Peace Building and Conflict Management on 23rd to 24th March at the YMCA in Nairobi, Girland Ndirangu, answered:

“In my daily work as a community paralegal, and chairman of Kamukunji location peace committee (peace ambassador), it’s my cardinal duty to preach peace, and see justice done in just and fairness to the grassroots community on a day to day basis. Also, as a peace ambassador and chairman of Kamukunji location peace committee (in that capacity) I am going to organize a sports activity for peace with a few partners/networks called ‘The Amani Milele Street Soccer Tournament’ in the month of June and July 2012 (Amani milele means peace forever). It will feature youth football teams and clubs (20 teams) and there will be community peace tents, where we (the partners and networks) will sensitize and create awareness through facilitation, mediation and civic education on community peace talks, shows on peace, justice and conflict management, resolutions and reconciliation programs, seminars and workshops.”



Girland Ndirangu, known as “Coaches” among the residents of Kamukunji

What he thinks about peace:

“Peace and human development are inseparable.”

“There can never be peace without justice.”

“Amani Lazima” (written on his t-shirt) = Peace is a must

Results of the Evaluation

Girland Ndirangu applauds the organisation of the workshop and believes the topics were relevant, the guest speakers were good and his wish is to have more of such platforms. For him, the workshop was like a capacity building forum because he learned from other CSOs how they approach the agenda of peace. He made deliberate contacts with other CSOs, which he intends to keep for future use. For example he plans to work with MYSA, PEACENET among other CSOs. Currently, he is working with many other CSOs which did not participate in the workshop such as SARAKASI TRUST, CHRIST FANAKA. His own organisation faces various challenges that sometimes lead to failure to achieve objectives. These challenges are: lack of funding, lack of expertise in tackling some technical tasks and bad competition from other CSOs which makes co-operation impossible. He believes that there is a possibility of violence in the coming elections. He attributes it to the ICC issue, youth unemployment and the presence of IDPs. He believes that the Kenyan media is partisan and therefore a recipe for chaos. Moreover, he is of the opinion that Kenyan politicians are back to their old habits of tribal politics, which is also a recipe for violence. In addition, he remarks that his organization does annual reports, though we were not able to see any. He says the relationship between government and CSOs is not good. According to him, the government does not bother and instead they act as an obstacle to CSOs.

Personal Remarks

We were heartily welcomed by the representatives of Kamukunji Community Based Organisations Network and we enjoyed the time we spent together. The organization itself is well known and appreciated by the community because they are doing a lot to support people and to ensure peace through several projects.

Contact

Kamukunji Community Based Organisations Network (KCBONet), P.O Box 44427-00100 Nairobi Kenya; E-Mail: kcbonet2005@yahoo.com, Based at the Pumwani Child Survival School and Rehabilitation Centre compound, Girland Ndirangu (nickname: Coaches), eMail: dirash2007@yahoo.com; Tel : +254 725799223

Kenya Land Alliance (KLA)



Vision

The Kenya Land Alliance (KLA) vision is assured livelihoods through secure and equitable access and utilization of land and natural resources. A just society in which everyone has equitable and secure access to land and natural resources for sustainable livelihoods.

Mission

The KLA's Mission aims to facilitate the activities of members by gathering and disseminating information towards an all-embracing, participatory and comprehensive land policy and law reforms in Kenya. It wants to sensitize civil society, government, donors, and the public in order to create greater understanding of what is needed to secure, and protect land rights of rural, urban poor and other disadvantaged groups. Moreover it tries to contribute to the debate, actively lobby and advocate for policy and legislative reforms by generating policy and legal options.

Facts

The Kenya Land Alliance is a membership-based not-for-profit and non-partisan Trust and an umbrella network of Civil Society Organisations. It was founded in 1999 and registered as a Trust in 2001. The staff belongs to different tribes. Its staff-members are young motivated people from different regions, of different tribes, different gender and different religions. Nevertheless they all work together and reach impressive results.

As an umbrella-organisation the KLA does a lot of networking with other organisations. It has a very well connection towards the media and is very well known in the whole country. These are some of the reasons why the KLA has an impact on the Kenyan Government. The National Land Policy is a good example for this relation. Nevertheless the KLA has not lost its independence as a NGO. The KLA has very impressive external effects, which are based on its described relation towards the media, its publications and its website.

Good Practice

National Land Policy, 2009

It was the first time in the history of Kenya that a comprehensive National Land Policy had been formulated, adopted and endorsed as result of extensive consultation and deliberations. It is a try to give a useful guide for the smooth administration and management of land to facilitate the socio-economic development of Kenya.

The formulation of the National Land Policy commenced in February 2004. In April 2007, a Draft National Policy was adopted by stakeholders through a National Symposium. On 25th June 2009 the Kenyan Government approved the Draft National Land Policy and directed the Minister of Lands to proceed with the preparation of the Sessional Paper for presentation to the Parliament. This marks a critical milestone in the National Land Policy Formulation Process. Since today the National Land Policy is not completely implemented.

The KLA worked in corporation with other Non-Governmental and Governmental Organizations and the Kenyan Government (Ministry Of Land). The Kenya Land Alliance further published a pocket version of the policy.

Challenges



IDP-Camp in the Rift-Valley

Workshop

Unfortunately it was not possible for the invited staff of the Kenya Land Alliance to attend the workshop. Nevertheless the organisation was presented during the workshop. Furthermore, the Kenya Land Alliance received the minutes of the workshop.

Personal Remarks

Since 1999 the Kenya Land Alliance has done a lot of work concerning the general issue of land. After the tragic happenings of the Post-Election Violence the objectives of the organization changed. During every election of the last thirty years people got displaced. Due to this the KLA has deepened its work concerning the issue of Internally Displaced Persons (IDP). Furthermore, the KLA has focused on the reasons and result of violence. In this regard the organization does a lot of work in the „Burnt-Forest-Area“. To sum up it is possible to say that the KLA has learnt the lessons of the Post-Election Violence.

Contact

Kenya Land Alliance, CK Patel Building, P.O.Box 2177-20100, Nakuru, Kenya,
+254-051-2210398, eMail: info@kenyalandalliance.or.ke
Web: <http://www.kenyalandalliance.or.ke>

The Land Question in Kenya

The land question continues being a major source of conflict between different ethnic groups in Kenya and is one of the major problems. The two former Presidents, Jomo Kenyatta and Daniel Arap Moi have been accused of using their power to make land and other government jobs accessible to members of their own ethnic group. Kenyan politicians themselves are using the irregular distribution of resources including land to create hostility between members of different ethnic groups.

But what exactly is meant and what are the origins of the problem of the Kenyan land question?

In short:

“The history of land relations in Kenya is one characterised by, firstly, foreign subjugation and occupation, and secondly, by wanton abuse of legal trust vested in the Government in relation to land as well as in the failure to redress the colonial legacy of injustice by post-colonial Governments.” (Omuodho 2006)

The land question dates back to the coming of the British in early 18th century. During the colonial period, British land policy favoured white settler agriculture, entailing the dispossession of many indigenous communities' land (mainly the Kalenjin, Maasai and Kikuyu) across the Rift Valley and Nyanza, Western and Central provinces –they called this land the White Highlands. This completely changed the land use systems and way of life of the farmers and herders, because the colonial government introduced land title deeds in some communities, which allowed farmers to be individual owners of land. As a result, private property began to replace the traditional communal land ownership system.

The Kikuyu and the Europeans were using the land together and thus the Kikuyu at first believed that European occupancy and ownership had not affected their own land use. The African farmers finally realized that a land frontier had been created and that adjustments in traditional practices would be necessary when the European farmers, supported by the colonial legal system, imposed restrictions on native activities. Also, the colonial policy changed the economic structure so that land replaced cattle as the customary measure of wealth, security, and status. As the demand for land rose, the availability of highly productive farmland was reduced by colonial settlement. In 1963, Kenya became independent, but the land grievances colonial dispossession gave rise to were aggravated by Jomo Kenyatta's government. Kenyatta maintained the system of freehold land titles and did not question how the land had been acquired.

He promoted the idea of *Harambee*, meaning “let's all pull together” as a rallying point for progress, and as a way of getting the whole nation involved in developing the country. Access to land would no longer be restricted by the colonial allocation of land

to different groups of people. Also 3000 farms from Europeans who decided to leave Kenya, were purchased and distributed from the government to landless Kenyans. But only some land was distributed to the poor, the Kenyan elites obtained much of the land of departing settlers. The shortage of productive land for the majority increased as the population grew. Meanwhile, corruption and ethnic politics supported patronage networks and favoured certain communities, particularly the Kikuyu, who settled in the fertile areas of the Rift Valley, at the expense of others, such as the Luo, the Maasai and the Kalenjin. These land tensions were further exacerbated by Kenyatta's successor as president, Daniel arap Moi. In response to the political threat posed by the advent of multiparty politics in the 1990s, Moi (a Kalenjin) sought to portray the opposition as Kikuyuled, and multiparty politics as an exclusionary ethnic project to control land. To recover 'stolen' land, Kikuyu were evicted from the areas they had settled in the Rift Valley and western Kenya. Growing hardship among the majority poor and rapid population growth increased pressure on the country's arable land and wild land-grabbing further undermined customary mechanisms of land governance. Moi followed Kenyatta's footsteps and further complicated the land problem. He exercised part of the forest and allocated it to his henchmen. These were done in the name of resettling squatters and the land less.

The land question is an emotive one that has always caused the inter-tribal and ethnic conflict in Kenya. The displacement crisis following the 2007 elections is thus not an anomaly; rather, it is part of a series of recurrent displacement stemming from unresolved and politically aggravated land grievances, in a context of population growth, poor governance and socio-economic insecurity.

The majority of the population still depends on the land for their living, because Kenya's industrial development is not increasing quickly enough to provide jobs for the rapidly growing population. However, with shortage of land, the poor people continue being in a crisis. The gap between the rich and the poor has increased just as are cases of corruption. The politicians and other prominent people continue „grabbing” public land at the expense of the poor majority. The land question is and remains critical in Kenya's security and general development and also a major source of conflict between different ethnic groups.

The new constitution, adopted in August 2010 via referendum, includes an important reform. The new Constitution has in Article 60-68 a land reform. For this purpose, the text provides the creation of an independent commission, which should deal with the "unfairness" of the land redistribution since independence and should correct this.

by Bianca Janz

Kibera Community Justice Centre (KCJC)



Vision

The vision of the Kibera Community Justice Centre (KCJC) is to build a society of justice and equity for all. It hopes to be an innovative approach to legal empowerment that places the community at the centre. This approach involves the decentralization of legal empowerment initiatives to enhance access to justice to all, with the community networks being drivers of the process.

Mission

The mission of the Kibera Justice Community Centre is to empower poor and marginalized communities to access justice and to realize human and people's rights through advocacy, networking, lobbying, legal aid, legal education, representation and research.

Facts

The Kibera Community Justice Centre is an equipped community-based and community managed legal aid as well as a community legal resource centre based at Kibera. Kibera is not only famous for being the biggest slum of Africa, but also for having multi-ethnic communities; in Kibera tribes such as the Luos, Luhyas, Kikuyu, Kisii are living next door to each other. Therefore, it was no surprise that Kibera was one of the hot spots during the Post-Election Violence 2007/2008. As a consequence of these terrifying weeks during which Kikuyus were chased away, people were grabbed, houses were burnt down and residents trapped without water, food and petrol for five days, the Kibera Community Justice Centre (KCJC) was formed to create awareness on legal frameworks available to the local who seek redress. Apart from dealing with incidences during the Post-Election Violence 2007/2008, the Kibera Community Justice Community Centre focuses on issues related to human rights, gender-based violence as well as land and property related conflicts. The organization is run by volunteers from all tribes who work together in a team and thereby set an example for peaceful coexistence. The team consists of marginalized people from Kibera who were trained as paralegals and human rights monitors during a three-month training. Today the Centre has 20 paralegals among whom are 11 women, and 20 human rights monitors, including 7 women. To implement its vision and mission, the Centre offers legal clinics which provide legal advice and

representation, referrals, capacity building on self-representation, legal and human rights awareness/ education. With regard to conflict management and peace building, the Kibera Community Justice Centre conducts trainings for slum dwellers such as trainings of community paralegals, community human rights monitors and trainings on alternative dispute resolution.



During a training session held in Kibera

Good Practice

A good-practice example of such a capacity building training was the workshop on the New Constitution conducted by the Kibera Community Justice Centre and funded by The Institute for Social Accountability (TISA) on the 19th March 2012. The twenty-five participants of this workshop were men and women from the community, main stakeholders and religious leaders, e.g. from mosques. The number of men and women was fairly balanced (fourteen women and eleven men) which proved that the Centre is aware of the significance of women's education and capacity building. The aim of this workshop was to teach the residents how to contact and work with the county government to solve everyday problems.

At the beginning of the workshop, the participants agreed on rules for the conduction of the workshop, discussed expectations and the Kenyan national anthem was sung to express unity. After a brief introduction into the history of Kenya from the colonial era

to the Post-Election Violence 2007/2008 and eventually to the promulgation of the New Constitution on 27th August 2010, the key articles of the constitution were presented. The opportunities for public engagement in aspects most affecting the people, i.e. education, water service delivery and land issues, were pointed out during the workshop which triggered lively discussions among the participants. Throughout the whole workshop, the participants showed interest, commitment and became aware of their opportunities for public engagement. The participants will pass their acquired knowledge on to the members of their organizations. Hence, in terms of capacity building and civic education, it was a great success. It is much to be hoped that the participants will apply their new knowledge and contribute to a peaceful and committed community life.

Challenges

Another initiative conducted by the Kibera Community Justice Centre was the establishment of Peace Clubs in schools in Kibera. The objectives of these clubs were to remove stigmas and to create a place where children could come together and come to terms with their traumas. However, this project which was carried out in collaboration with the organization PeaceNet did not last very long due to the people's lack of motivation as assumed by John Paul Makare, a paralegal of the Kibera Community Justice Centre and the chairman of Kibera Peace Committee. Maybe it were also the lack of time and money which led to an end of Peace Clubs as the adults in charge of the Peace Clubs were merely volunteers and were not paid. The volunteers' commitment to field work and other responsibilities is a general issue at the Centre. Furthermore, finance is also an ever-present problem as it is the case for many other Kenyan grassroots organizations. Challenges with regard to the planning of workshops and trainings are time management, the need for food (the provision of a meal is always an enticement for people to participate but sometimes difficult for the organization to afford) and how to meet the different expectations of the participations. On top of that, the Kibera Community Justice Centre wishes to have more influence on the devolved governmental system, especially on counties and the judiciary.

The Kibera Justice and Community Centre is networking with Kituo Cha Sheria (KITUO) and Nairobi Developed Funds watchdog (NDWF). Kituo Cha Sheria is a human rights non-governmental organization, while Nairobi Developed Funds watchdog is a non-political, non-profit making and non-sectarian organization. Kituo Cha Sheria pays the rent for the Centre's office, coordinates the Centre's work, makes sure that the Centre is running and last but not least, is an information platform where people are provided with a copy of the New Constitution, for instance. KITUO enabled to open the Centre.

Personal Remarks

After the Post-Election Violence 2007/2008, the residents of Kibera realized the need to work together, to coexist peacefully and to mobilize themselves. People organized meetings, sat down together to create a committee to address the youth and peace messages were written everywhere. In order to prevent similar incidences in the future, trainings on active peace were carried out. Leaders from the community, who are said to have a big influence on the residents, tried to be engaged and trained in mediation. What is probably the most important lesson of the Post-Election Violence, according to John Paul Makare, is that tribalism is still a major problem and that especially the youth need to be taught. Since the Post-Election Violence, more trainings on conflict management, peace building and early warning have been carried out. Moreover, there have been efforts to engage the community more with county government. We felt inspired by John Paul Makare's personal motivation: "Being citizen starts with me. My work at the Kibera Community Justice Centre is giving me the opportunity to learn."

Contact

John Paul Makare (paralegal and chairman of Kibera Peace Committee)

Mobile Phone: +254 71245376; eMail: johnpaulmkr@gmail.com

Kibera Women for Peace and Fairness (KWPF)



Vision

The vision of Kibera Women for Peace and Fairness (KWPF) is to rise up against all odds in the fight divisions in order to promote peace in the community, embrace development and equal distribution of resources, co-ordinate the healing process, to ensure peaceful coexistence among different communities in Kibera and to maintain law and order in the community.

Mission

The mission of Kibera Women for Peace and Fairness is to bring women of Kibera together, no matter which political affiliations, tribes or religions they are belonging to in order to promote peace and to celebrate cultural diversity and identity.

Facts

Kibera, known for its diverse population of different tribes living next to each other, was one of the hot spots during the Post-Election Violence which erupted in Kenya in 2007/2008. At the peak of the conflicts in January 2008, Kibera women came together to protest against the killing of an innocent fifteen-year-old girl by a police officer who had shot several other people. Due to the success of this initiative and the awareness of being able to have the power to end violence, the organization Kibera Women for Peace and Fairness was formed by Jane Anyango as a platform to bring women together and to empower them by giving space for exchanging their experiences during the Post-Election Violence as well as informing them about their rights. In addition, KWPF cared for IDPs from Kibera. Furthermore, the organization aims to reunite Kibera women (who act as mediators for Kibera residents) regardless of their political affiliations, ethnic-backgrounds or religions to appreciate peaceful and harmonious coexistence. The main fields of work are peace and conflict resolution, gender development / empowerment, and above all, to bring across peace messages through e.g. songs, multicultural events, community peace forums and sports such as women football. These activities attract people to listen to the women and to spread out their messages.

According to Jane Anyango, the organisation is a grassroots organization with more than 800 members (women) so that all tribes are involved. In order to be more efficient

in their work, every village has a representative who acts as a contact person. In addition, they cooperate with international and local radio stations which support to inform the society about peace activities of Kibera Women for Peace and Fairness.

Finally it is necessary to say that KWPF has a very good networking with national partners (e.g. Groots Kenya) as well as international partners (e.g. Heinrich-Böll Foundation with whom they had organized “The Slum Women’s Voice Day”). However, they most benefit from their national partners.

Good Practice

Being respected in Kibera and having a powerful voice, Women of Kibera for Peace and Fairness decided to establish a choir in 2008 to disseminate peace messages in Kibera through songs. They realized that they could cause a stir and people are listening to them if they act together as a group. They perform songs in Kiswahili and all the songs deal with violence, peace, the power of women and reconciliation. The songs are composed by the women themselves. Especially with regard to the upcoming elections in March 2013, the women aim to become a huge peace choir with at least 200 members, representing all ethnic tribes of Kibera. They are going to visit several political campaigns to convince political candidates and the audience to promote peace. Hence, they sensitize the people to coexist again without violence. This year’s slogan of the peace choir is NENDA, TENDA, AMANI which means Speak, Act, Peace. The peace choir is a good example for peace building and conflict management.

Another good practice project which has to be mentioned is a campaign which KWPF has implemented together with Polycom (a partner organisation) who is essentially engaged in defending girls from defilement. By visiting schools around the villages of Kibera Polycom provides information on the girls rights (e.g. sexual abuse). The aim of the campaign was to enable mainly the girls and women to speak out their problems etc. Especially for the girls they started the ‘talking boxes’ approach where they could write and drop anything they want into boxes. For a short time boys are also participating. To conclude Speaking out forces peace.



Concert of the Peace Choir

Challenges

Until now the organization has not seen any failed projects but there are a lot of challenges which endanger the success of Kibera Women for Peace and Fairness. One of the challenges that frequently entangled the organisation is working with politicians in different political parties on a middle ground without showing any partiality or attacking one another. Especially in times of economical crises, there is the danger of political manipulation.

As a grassroots organization with financial limitations there is the challenge to find partners to implement future activities. More interestingly, the women manage to organize many events and have learnt to work together as a team – despite their limited resources.

The Post-Election Violence in 2008 proved that it is necessary to talk about problems and to share experiences in order to avoid violence and to promote peace. There is not enough commitment from inside, i.e. on the grassroots levels, does not always happen without problems even though it is the place where people can be addressed the best.

By overcoming challenges like a lack of capacity training or a lack of management skills, the success of Kibera Women for Peace and Fairness could be improved.

Workshop

Jane Anyango, head of Kibera Women for Peace and Fairness, was happy that she attended the workshop and learnt a lot from the guest speakers (above all Hon. Abdi Khadir). Her initial expectations for the workshop were to learn from others, share and embrace positive attributes on how to ensure that peace is enhanced in Kibera. To the question about the lessons learnt and the impact of the workshop on her work Jane Anyango answered afterwards:

“The workshop has helped me to learn new strategies like for our women football team. We are trying to adapt what MYSA is doing. It also helped to create new networks to partner with (e.g. COPA, Miss Koch) and we are surely utilizing the networks. Recently we had a women open day and invited some of the organizations we met during the workshop. Organizations such as COPA participated. Another very important thing that helped us to be stronger is the encouragement we got from your other participants. So much has truly changed and we are more serious with our work. What encourages me a lot is the commitment of the women I work with. They are very determined to coexist despite the fact that we are all from different tribes. We all want to coexist peacefully.”

Concerning the organization of the workshop KWPF on the one hand appreciated the small work group but on the other hand they criticized that the engagement of the young people has been a bit too low. All in all she valued the venue for the workshop as good and conducive for the people.

Results of the Evaluation

Kibera Women for Peace and Fairness evaluated the media as a negative influence on Kenyans because e.g. attacks from one politician to another are more highlighted than harmony.

Concerning the politics, the leader of KWPF, also lamented that most Kenyans especially the youth, who should be sharp enough to detect manipulation are often manipulated by the politicians because of their tribal grounds. They are often lured by the politicians to cause chaos in campaigns or political rallies of their rival politicians.

According to Jane Anyango there is a 50% chance of peaceful elections. Especially the misuse of power by politicians as well as the splitting of political parties may have a worrying impact on the upcoming elections.

The relationship between the government and CSOs is calm and reluctant. In this context Jane Anyango mentioned that the government representatives such as D.C. or D.O. hardly show up for the meetings of Kibera Women for Peace and fairness; despite the fact that they have their meetings next to the D.C.’s office. Furthermore the government

(representatives) sometimes act(s) corruptly towards the organization and hinders their efforts.

But by being represented in the local Peace Committee and working together with the National Steering Committee, the NGO feels included into the state initiated peace building process.

So far they have not been making annual reports but they are planning to start making them before the end of this year.

All in all one could discover that the work and the commitment of KWPF had a big impact on improving the women's life and uniting the different tribes in the same way as on the grassroots level. For this reason they'll probably choose the same approach again. Jane Anyango pointed out that they are open-minded to use different strategies in handling different needs in the society. Furthermore they earnestly work towards engaging more and more women into their peace activities.

Personal Remarks

We felt very welcomed and comfortable during our stay with Kibera Women for Peace and Fairness. Jane Anyango and the members of KWPF are open-minded, hearty and committed people. Because of being really passionate with what they do, Kibera Women for Peace and Fairness could achieve a lot despite limited resources.

Contact

Jane Anyango, Kibera Women for Peace and Fairness, P.O. Box 16797 – 00100 Nairobi
Telephone: +254 722437620 eMail: kiberawfp@yahoo.com

Miss Koch Kenya



Miss Koch Kenya

People . Vision . Action

Miss Koch is a NGO located in Korogocho – Nairobi. “Miss” refers to the Mission (see below) to empower women and girls in Kenya’s society. The part “Koch” as a synonym relates to “Korogocho”. Furthermore “Koch” is a colloquial notation for the quarter.

Vision

To see a society that respects and promotes the development of its male and female members.

Mission

To provide a platform for the youth in Korogocho and its environs, in particular girls and women, to participate effectively in the socio-economic and political development processes.

Facts

Miss Koch was founded in 2001 by youth, starting off as a girl’s emancipation and empowerment organization. In 2009 they reached the NGO-status. The organization is used for an intervention against the endemic socio-economic and political problems that were facing the residents of Korogocho, including rising insecurity and disempowerment of girls.

Over the years Miss Koch initiative has worked for a transformation of Korogocho and its reputation. It has particularly given hope to the youth, the girl child and other disadvantaged groups. This has been done through the mobilization and empowerment of local residents as agents of change within Korogocho and engagement with the media and other stakeholders.

Since the start, Miss Koch have been arranging girl’s sports tournaments, talent and skills development training, funded secondary children’s school fees, taught many residents on reproductive health, established a resource centre in the middle of the slum, among many other things. Referring the Post-Election Violence, Miss Koch spotlighted topics of peace building and conflict prevention through its working structures and new units of events.

Today the initiative activities concentrate on four different programmes:

Daraja, means “bridge” and is Miss Koch’s programme on human rights, governance and peace. Since creating a strong and healthy community is not only about actual activities on the grass-root level, but also about influencing general development policies and good governance. The programme’s include forums on the new constitution, mobilization of political representatives from the slum, educating members of the community on human rights and peace-building activities.

Programme Goal: To promote peace, develop the culture of human rights and ensure good governance in the community and at other levels.

Badilika, means “change”, in this case attitude change within the fields of HIV/AIDS, sexual reproductive health and child development.

Programme Goal: To ensure child development and have young people change their risk-taking behaviour.

Wadada is a Kiswahili word for “women/ladies” and it works for education and empowerment of women and girls. By arranging forums where women can meet, discuss and get taught on their rights, by arranging a beauty pageant, by girls sport tournament and a community show are empowerment taking place. Through this programme Miss Koch is also evolving children who otherwise are not able to attend a secondary school education. The "Girls Education and Freedom Fund" is funding parts of the programme.

Programme Goal: To build a community where girls’ rights are appreciated and enjoyed.

Burudika "enjoy or have fun" stands for the empowerment and development of the youth's talents and skills, e.g. dancing, football, drumming or drawing. For that the resource center has become a meeting place for the community particularly the youth.

Programme Goal: To ensure child development and have young people change their risk-taking behavior.

The Miss Koch initiative was initially formed as a civil society organization but in 2009 transformed to a Non-Governmental organization. Miss Koch reports yearly to its partners e.g. UN Habitat.

Good Practice

The 4 presented and explained programmes are working on the ground and are close to the people of the area.

Koch FM is a good-practice example for the work of Miss Koch in Korogocho about the problematic theme of peace building. The radio station was founded in 2006 from Miss Koch and is placed next to the resource centre right in the centre of Korogocho. It covers

an area of 2 kilometers and reaches multiple hundred thousands of people. The broadcasting starts at 6:00 am and ends at 10:00 pm.

In the morning they have a one hour morning programme with issues of governmental actions, human rights, crime, health and peace. It is like a talk show with experts of the daily issue with the goal to inform and entertain the people in and around Korogocho. The interviews are prepared one day before they are on air and made out in Kiswahili so that everyone in the slum understands it. Also any member of the community can call Koch FM and tell about things which are going on in Korogocho. This goes hand in hand with further units about women empowerment, children care and life planning. The supply with local and regional information wants to empower the people to take an active and participative part in the political dialogue. While Post-Election Violence was peaked out, Koch FM reacted immediately with de-escalation units to mediate between the different tribal conflicts in the quarter.

The morning show is important and has a good impact, because the broadcasting time in the means primetime in Korogocho and the radio still remains most listening medium. The people have more trust in media like the radio than in politicians. The combination of Entertainment and Education led to a new synonym called “Edutainment”, which combines both requirements of Miss Koch’s editorial team.



Radio studio of Koch FM in Korogocho.

Challenges

Such cases are difficult to name, like a definition has to be wide but also specific. Miss Koch has some projects running which are doubtless faced with problems caused by natural social interactions and conflicts. Reacting to these problems is the all day work of civil organizations. To get the money in order to implement new projects is obviously difficult.

The area of networking is always a field where resources have to be available to be invested in new links and connections on the ground level as well as higher levels. Especially on the governmental level they need more influence and contact to reach their aims.

The financial situation of Miss Koch is faced with structural problems. On the one side Miss Koch lacks any legal claims or tenure security for the land on which their offices currently stand. On the other side, the heads of Miss Koch doing their work voluntarily and have to secure their basic needs besides working for Miss Koch which causes a natural division of their loyalty.

Workshop

On the first day of our two-day workshop no staff from Miss Koch could participate, only on the second day because of other duties. But they supported the whole workshop with technical equipment and culture program and they could discuss with other organizations.

Opinion of Miss Koch:

“The workshop contributed to get information about the engagement of stakeholders on peace initiatives as well as Germans are interested and support slum area.

SOLO-Pamoja Radio missed on the workshop. Such programmers should be rallied by the ambassadors.

Negatively has been the chosen days of a workshop causes free time on the weekend is valuable. Better would have been Tuesday, Wednesday, Thursday and Friday. “

Results of the Evaluation

The expectations concerning the project have been different. It should bring a sign of unity by bringing together various people e.g. stakeholders from different governmental and grass-root levels. The cultural diversity as well as the status of a platform to address the political level is important, beside the fact, that the influence of political affairs bring

peace to Kenya. But also areas of volatile experiences like sports could be discussed and lead to comprehension of different aspects and at the end to partnership interventions.

The role of the media can be seen critically. The media should stop covering on speeches that don't make sense. They shouldn't give platforms to politicians who do well on tribalism. Furthermore they should focus on the aftermath of the post-election violence on the grass-root level e.g. in neighborhoods. Good examples for them would be Aljazeera or CNN.

A look into the future contains a range of problems, which could have an influence on the next elections. We had the feeling, that the fear exists a peaceful election in total are difficult to reach. *"Future is not promising"*. With the ICC process, the IDP problems and MRC (Mombasa Republican Council) in Kenya, there is no peace. *"Our brothers are still angry and hungry. No future"*. Economic distribution, land tenure, public appointment and government appointments causing further problems.

Contact between Miss Koch and governmental institutions are working through local administration together with the chiefs and the Ministry of youth in the field of youth training. With the Office for Gender is also a contact.



Civic education: Training of political, rights and election education units

“The approach of our projects has changed since last year. On the one side we concentrated on new key aspects which are offering new perspectives in the field of income generating combined with aspects of a social organization. All in all the Post-Election Violence had influence of our internal consistence, because also in our staff people followed hate speeches and began to blame colleagues. With the help of an internal reform we treated that problem. It was an experience!” Miss Koch representatives said.

Personal Remarks

Miss Koch has a lot of partners both within the civil society and the area of business like in the Daraja programme. Miss Koch has a governance and advocacy partnership with The Institute for Social Accountability (TISA). Miss Koch is a good basement on the community level.

The expectation from community members and beneficiaries are overrunning the current activities and capacities. We got the impression, that Miss Koch is seen as an actor in alternative to governmental structures which is more able to assist people in daily life than the official side. To limit this point of view, we just had several days of getting that impression.

We got the feeling, that in general, the atmosphere of an open discourse about projects which are faced with problems in front of the background that organizations could be under pressure to finish projects successful. But challenged projects could be also seen as a sign of strength in accepting in that way experiences and processes of learning which can be introduced in following projects. The question is rather how organizations are caught in the system of development cooperation and its negative eccentric phenomena?

Contact

Miss Koch, Emmie Kemper Erondanga, Kariobangi North, Sanoda House, 1st Floor Kamunde Road, P. O. Box 44427 – 00100, Nairobi, Kenya, +254 721 350 365, eMail: info@misskoch.org, Web: <http://www.misskoch.org>

Mathare Youth Sports Association (MYSA)

“Play for the Planet. Play for Peace”



Giving youth a sporting chance

Vision

MYSA's vision is for every child participating in the soccer leagues to reach his or her full potential as well as using sports in combination with community outreach and development activities, to give young people the skills and confidence they need to aim higher, achieve more and improve their lives.

Mission

To provide the youth in slums in Nairobi, Kenya and neighboring countries with a chance to excel on and off the playing field through self-help sports and other development activities. MYSA's aim is to prevent physical and mental violence through peace building and conflict resolution, to bring young people together, to provide a safe space for recreation, to empower, to inform and educate, to help in building and strengthening communities. The pursuit of MYSA's vision is solely enabled through sports and athletic activities. Furthermore, MYSA also concentrates in health outreach (particularly AIDS/HIV outreach) through sports and training sessions

Through sports individuals can acquire fundamental values and social skills such as respect, discipline, fair-play and confidence. Sport can be a powerful tool to promote peace, tolerance and understanding by bringing different tribes together, aggression can be controlled, directed, regulated and hence facilitates rapprochement and reconciliation between opposing parties. Sport can be an effective delivery mechanism for post-conflict education and counseling programs as part of an integrated approach to healing and reconciliation, particularly refugees and Internal Displaced Persons (IDPs). MYSA's "Sports and Peace Initiative" is playing a unique role for development and peace.

Facts

Founded in 1987 in the Mathare area of Nairobi, home to some of Africa's largest and poorest slums, MYSA can be seen as a pioneer in linking sports with socio-economic development. Twenty five years later, it is now the largest self-help youth sports and community service organization in Africa and is recognized as an example of excellence within the sport and development world. The organization has been nominated for quite

a number of prestigious prizes (e.g. the Nobel Peace Prize). During the years, MYSA has expanded its activities from soccer training and games to also include other sports, arts, culture, health, education, health outreach, community libraries and even community activities such as garbage clean up or creation of recreational spaces.

There are 16 active MYSA zones throughout the Mathare Valley and neighboring slums, and the organization has also grown to include projects in the Kakuma refugee camp in North Western Kenya as well as in Botswana, Tanzania, Sudan and Uganda. In total, the organization has directly impacted over 200,000 young people. In Kayole, the MYSA zone that we visited during the project study, MYSA has an impact on 3000 to 4000 youth of different ethnic tribes. MYSA's distinct difference to other related organizations is that it is owned and managed by the youth themselves.

Good Practice

Especially in the peace-building process it offers a low-threshold and popular opportunity for the youth to understand how a peaceful and equal society should work. MYSA Kayole Office is teaching youth about conflict management through sports. They also include youth with disability in their efforts. During our visit with MYSA Kayole, we were able to personally observe how sport and sports situations are used in regards to conflict reconciliation and raising of awareness. The method is for the trainer to name the rules of the game by which everyone has to abide. Some rules seem random and unjust but they will be enforced and have to be accepted by all participants. During the training session, moderated and narrated discussions are used to help everyone discuss their feelings, their emotions and possibly their aggressions. Through this playful style, youth learn about their opponents' feelings, about the similarities between them, and about their common strive for the same objectives. These exercises help sensitizing everyone regardless of gender and tribe to similarities and underline the fact that everyone is striving for the same common objective.

Challenges

MYSA's impact has grown over the years. Its work is important because it addresses the youth, the leaders of tomorrow and thus addresses the very grassroots level in the PEV intensely affected slum-areas. The impact and range of MYSA activities and message is impressive and widespread due to its sheer size. After all about 200,000 youth have been reached through MYSA activities. Recently, MYSA also published a long-term strategy and business plan which is an important step in furthering and improving the organization's work. During the strategy formulation process, officials involved all zones. MYSA could further improve and widen its impact with networking with similar organizations and projects which may not just focus on working in the slums of Nairobi.



*Unity and equality through football –
disabled and unhindered people as well as girls playing together!*

Workshop

During the group discussions Francis Mucharia and Lucas Murigi underlined that sport is an important pillar in the whole peace-building process. As MYSA is one of the biggest and most experienced NGO in this field they inspired many other CBOs during the workshop to include sports in their peace-programs and to combine it with other reconciliation activities.

The most important message of the round table discussion would be that sports transcends beyond color, race, creed, income and tribe thus being of valuable importance to the process of creating understanding and cohesion

Personal Remarks

Even MYSA is focusing on sports, it was impressive to see with which easy methods it is sometimes possible to create awareness of equality and togetherness and to “plant” peace in the minds of the youth.

Contact

Mathare Youth Sports Association (MYSA) Headquarters (Kumarock), Box 69038 – Nairobi, 00622 Kenya, Tel: +254-20-241-6651 / +254-20-2416652 (Francis Mucharia), Fax: +254-20-241-6653; eMail: info@mysakenya.org; Web: <http://www.mysakenya.org>

PeaceNet

“A peaceful and stable society that upholds equity and development”



Vision

PeaceNet’s vision is the emergence of a peaceful and stable society that upholds equity and development.

Mission

The organization wants to facilitate, advocate and coordinate broad based peace and development initiatives for the peaceful co-existence of Kenyan communities. Therefore the work covers five programmatic areas: the membership development and networking, the research and documentation, the policy advocacy and information, the human security and development and the training and capacity building for peace program.

Facts

PeaceNet-Kenya started as an idea of three organizations, Oxfam GB, the Mennonite Central Committee and the Anglican Development Desk, who were collaborating in 1992, on relief provisioning to victims of politically motivated ethnic violence in Molo and Burnt Forest areas of the Rift Valley province. Presently it’s an umbrella organization, cooperating with international, national and regional actors which brings together working for conflict transformation and peace-building in the country. PeaceNet Kenya’s overall objective is to accompany the reform processes as peace-actors guided by the values and principles of promoting constructive engagement, respect for human dignity and sanctity of life, inclusivity, gender equity, peaceful coexistence, integrity, accountability, environmental conservation and reconciliation. The organizations aspires to promote an environment where Kenyans form all levels of society can participate meaningfully in the reform agenda for a just, peaceful, developing and reconciled society.

Good Practice

As an umbrella organization networking is one of the most important activities. PeaceNet collaborates with international organizations like Oxfam and GIZ, state actors

like the National Steering Committee on Peace Building and Conflict Management and many national as well as regional partners.

Challenges

There were two projects that were not result oriented or did not display the expected results.

The main task between PeaceNet and an organization in Tanzania was of holding trainings on prevention of conflict and violence and if it may erupt how to manage it. Despite all this efforts that what they have learnt during their training they did not implement it especially after the outburst of the post-election violence in 2007/2008 and they did not transfer their knowledge to other people.

Reasons:

- Poor criteria on selection of the participants shortlisted to participate in the training.
- Lack of personal commitment and also lack of understanding their expectations.
- Lack of funds for the implementation.

A reconciliation exercise for the youths in the hot spot areas in Nakuru was another failed project.

The youth was the target of this project because they are highest when it comes to perpetration of violence. Through training on conflict management and trauma counseling, the youth should embrace peace in their places. Reasons:

- Lack of finances to carry on the facilitations.
- Only focused on youths

Therefore PeaceNet wants to involve all stake holders and the community in future projects. Also they want to source for enough funds to ascertain sustainability.

Workshop

Due to the fact that PeaceNet is an umbrella organization, especially the smaller organizations participating profited a lot from their experiences and could make some contact. But also PeaceNet had the possibility to refresh some old contacts as they knew many of the organizations we were working with.

Results of the Evaluation

The specification from PeaceNet about the Workshop from our project was well. They said that it created a platform for creating more networking opportunities amongst the organizations involved. It facilitated exchange of ideas and experiences amongst the organization since they all worked towards a major goal of creating peace.

PeaceNet thinks that the conflict could reoccur. They conducted a research on the same issue in the Rift Valley County and the highest percentage of Kenyans in this specific area came to the same answer and the rest were uncertain. One of the most important key issues is the ICC case at the Hague and to what extent the verdict will have influence on the politics in Kenya. The two ICC suspects, William Ruto (Kalenjin) and Uhuru Kenyatta (Kikuyu), both are currently presidential candidates, have very big following in their respective areas.

The challenge in regard to media is that they are a business. They are more inclined to profitable activities. But positive news should be broadcasted more frequently.

Personal Remarks

PeaceNet is a widespread organisation with big goals. Their advantage is their infrastructure which provides them and their partners with all kinds of resources like knowledge in special fields.



HIV/AIDS stakeholders after whole day deliberation

Contact

Caledonia House, Maalim Juma Rd, off Denis Pritt Rd, P.O. Box 49806-00100, Nairobi, Kenya, Tel: +254-20-27252701, Fax: +254-20-2725271
eMail: peacenet@peacenetkenya.or.ke Web: www.peacenetkenya.or.ke

Regional Partnership for Resource Development (REPAED)



Vision

REPAED's vision is to build a foundation and culture of peace, stability and democracy in Africa. Poor people can be mobilized and expand their assets and capabilities to participate in, negotiate with, influence, control and hold accountable state and non-state institutions that affect their lives.

Mission

The organization wants to share knowledge, exchange information and experience by training education, research, advocacy, lobbying and networking. The aim is to strengthening mechanisms for negotiation, mediation, conciliation and arbitration.



Visit at the break hall of St. Ulrich Secondary School

Facts

REPAED is a network of the National Council of NGOs, a member of East African Peace Network and a religious organization. Furthermore it is an independent, non-governmental, non-partisan, non-for-profit peace building and resource development organization. REPAED was established in 1993 and since that year it is very successful

with their work: a number of peace building and conflict management activities took place in several African countries. The guideline is to assist communities in peace building, conflict management and resource mobilization. Especially the region of the Rift valley and the different ethnic communities were seriously affected by the most brutal post-election conflicts: hundreds of schools burned down or used as camps for displaced people. Teachers affected by violent clashes, especially in the districts around Nakuru, were equipped to pass on knowledge to children in the area of anti-violence, peer mediation, cooperative discipline, anti-bullying campaigns, discipline with dignity, tolerance, peace building and conflict resolution. REPAED complains the slow and partly ineffective government bureaucracy. They have their regional offices in Nairobi though most of their peace building programs were in the Rift Valley. In respect to 2007/08 they focused in offering trainings to secondary school heads and they justified this by the fact that schools were mostly the polling stations during the polls and during the violence they functioned as temporary IDP centers. Main focus of REPAED is to take care of school children. They should know and be aware of non-violent culture and tool and techniques of non-violent conflict resolution from an early age. They can incorporate these tools and techniques for conflict prevention such as dialogue, mediation and negotiation in their daily life as necessary. In addition they can transfer a culture of peace to others. Education is a cornerstone in the anti-violence, tolerance, peace-building and conflict resolution process. As today's youth become increasingly desensitized to violence, the roles of schools and the curriculum they represent assume great importance. - Coordinator Mr. Chikati has experience in the field work and also has established good network with other societies. REPAED have worked with schools in various areas such as Subukia, Njoro and Nakuru.

Good Practice

Good-practice-examples are the Formation of the Rift Valley Heads Association for peace as well as several peace clubs in schools all over the country.

Hillcrest Secondary School, Nakuru

The Hillcrest Secondary School in Nakuru is a good-practice example for the problematic theme of peace building and conflict management. The school uses education as prevention for violence. There is a great peace club initiative and a school counselor for any problems with an own bureau. Furthermore the school established parents programs, to include the parents in the daily school life of their children. In addition to these special offers – in comparison with other Kenyan schools - a network and an exchange with other schools exist, in which the ethnic group, the age or the origin doesn't matter.

Challenges

REPARED faces challenges from government policies which are not consultative. Also funding is a challenge to their activities, such as great challenge which almost render useless their trainings. Government's policy of transferring teachers from one school to another makes it difficult for REPARED to follow-up on those trained. However he explained that they don't have a project that completely failed and this because of the help they get from the Catholic Church.

Workshop

For the Workshop Civil Conflict Management in Nairobi it was very important that there was such a good organized and well doing organization participating in. The interest from REPARED in the work of other organizations was great. Now there are better options to networking with others in peace building, to learn from the different experiences and especially how they treat them. For the future REPARED needs to take attention in sharing information with other NGOs and to cooperate in organizing workshops for teachers, students and maybe also for other target audiences, which were also affected by the Post-Election Violence.

"Children are the future and will one day be leaders of the nation. Children should know and be aware of non-violent culture and the tools and techniques of non-violent conflict resolution from an early age. ... Education builds the foundations for good citizenship, respect for self and others, democratic values and tolerance of opinions."
(John Chikati)

Results of the Evaluation

Mr. Chikati says that he was able to get connected with other organizations like Kibera Groups by the workshop. In general he appreciated the workshop and wishes that more of such workshops should be planned especially at this time in Kenya. Furthermore he was impressed by the topics and assigned for during the workshop.

Concerning the next election Mr. Chikati is optimistic that Kenya will have peaceful elections and this because of the ICC issue which informed Kenyans that justice can be attained anywhere if not in Kenya. He believes Kenyan media is partisan and not professional hence likely to mess again if not tamed. Several CSOs have been compromised by politics and therefore they are losing credibility among Kenyans. This is because of the interest of many players in civil society eyeing positions in the next government.

Mr. Chikati supports the idea of creating a web page for CSOs.

Personal Remarks

The work of REPARED in the last 19 years was important for a lot of teachers and students. The networking of the organization with other NGOs is very good and should gradually go on. The contact and the influence on and by the government are not so much expanded as it could be. Because of that the direct aims of REPARED are mostly seen on the local area, but also on this level it is important to build such a good basement as REPARED does. With a lot of memberships, local and international partnerships we can see that the organization has a bigger external effect as it seems to have on the first sight.

Mr Chikati made it possible for us to visit several schools in Subukia, Njoro and Nakuru. Furthermore he delivered us deep insight during the partly long drives. Thereby we got knowledge about the situation of the different tribes, their interests and problems which cause conflicts. By this we had warm conversations which gave us the possibility for an exchange of culture, idea and expectations.

Nevertheless, it was not possible for us to get a clear and truly picture of that organization while we visited them. Insofar as we could assess the engagement of REPARED during our short visit, we had to consider that Mr Chikati palliated facts, e.g. he had to introduce himself and his organization at the beginning of the visit of every school even he told us about a deep corporation. Those facts tarnished the idea of REPARED we had in a negative way. Furthermore, we did not like the impertinent claim by some of the teachers to collect money for their schools.

As a whole the visit of REPARED was very useful for our project. We got many information and impressions that none of us will ever forget.



“An Instrument of Peace”

Contact

John Chikati, IFDM Gardens, Ngong Rd., Nairobi, P.O.Box 5027-00506, +254 3872823,
eMail: info@repared.com, Web: <http://www.repared.com>

Rural Women Peace Link (RWPL)



Vision

A well informed gender sensitive society that values and practices peace, promote co-existence and a culture where women's contribution matter and make an impact.

Mission

RWPL mission is to mobilize, influence and promote the participation of local women in peace building, community governance and development through collaborative and network process.

Facts

Rural Women Peace Link (RWPL, located in Eldoret) is a Non Governmental Organization that was established in 1992 by a group of women that felt the need for female participation in the process of peace building. Since then and still today it is governed by a female head which leads a total amount of 15 employees, ten female, five male and all of different tribal backgrounds (seven Kalenjins, one Kikuyu, three Luhyas, one Maasai, three Luos). RWPL has been working with a variety of local women organizations in fourteen districts.

RWPL comments on its key values as follows: Peace building and conflict mitigation, leadership and governance, women economic empowerment, women's Human rights and mentorship and Girl's Education support. Concerning its core business it is meant to contribute to the holistic development of women in conflict prone areas for peace, development and their effective contribution to their communities. Through these activities, the organization is working towards attaining sustainable regional peace and security both in Western Kenya and along the Kenya-Uganda border around Mount Elgon.

Good Practice

A good practice example is the market Rural Women Peace Link established with the financial help of US Aid in Burnt Forest, one of the most affected areas of the Post-Election Violence (PEV) near Eldoret.

The market had been existent prior to the PEV but was destroyed completely during the tribal clashes from January to March 2008. RWPL in financial cooperation with US Aid helped to rebuild the market including a market hall to give the stallholders shelter from bad weather conditions during the raining season. The idea for the project originated out of the community and the market was supposed to be a meeting point of all ethnic groups and economical center of the town. There are several characteristics of the market that contribute to the peace building process within the area. First of all the female stallholders originate from the different tribes that during the PEV were the main opponents – Kikuyu and Kalenjin. Sharing a space and working together highly contributes to a necessary reconciliation process. Besides, regular peace talks between the different communities are held on a weekly basis and transmitted over the local radio station. RWPL in these dialogues functions as a mediator between the different ethnic tribes, gender and age groups. Furthermore as the stallholders after one year of free usage have to pay regular rates to the community, local economy is promoted. A small percentage of the rent is always saved in a side-pot so as to help out one of the market ladies if she runs into financial trouble. This is done in forms of micro-credits. Apart from economically boosting the women and their families this creates a “we”-attitude between the different tribes present. Therefore the project in terms of ownership can be considered to be of high value. Concerning the stallholders especially an improvement in terms of trauma healing can be seen, finally the people have a platform to express their feelings.

Workshop

Considering the presence of RWPL in the workshop held in Nairobi (23./24.03.2012) the CSO sent unfortunately just two interns. During the group discussion, the RWPL participants underlined the important role of women in the peace-building process, the necessity of strengthening the network process on the grass-root-level. To share the different ideas and strategies broadened the horizon of thinking.

Results of the Evaluation

As concrete impulses of the workshop that inspired RWPL’s work, the staff highly appreciated the group discussions giving them an overview of the different and various activities, especially regarding the issue of Women Empowerment. Furthermore, it became obvious to the participants that cooperation instead of competition between organizations leads to the success of projects contributing to the improvement of the overall situation. “We are all working towards the same thing with different strategies for the same aims”.

As the CSO is predominantly focusing on women's leadership, the participants also learned that peace-building through farming and sports can be a possible solution. Furthermore, RWPL stressed the necessity of more similar workshops that should be organized by the own initiative of the NGOs to maintain the platform to share and exchange ideas. As a critical point concerning the workshop, there should be a greater focus on idea sharing and more time for active networking. Regarding networking, RWPL shared contact details, but did not get in touch yet. However, the organization wants to uphold the connection with all participating CSOs and has already cooperation projects with for example the Kenya Land Alliance which is cooperatively using the Burnt Forest Market Project as basis for carrying out own projects in this region aiming to resolve the underlying land issue. Furthermore, RWPL talked about difficulties they are currently facing. One is the sustainability of projects which is difficult to guarantee due to limited financial and human resources. Secondly, corruption remains a major challenge saying it is hard to find confidential persons in every level. Thirdly, the CSO faces financial issues as they depend 99% on major-donors what makes them less flexible and more vulnerable. Asking for failed approaches, the CSO sees the general focus on special regions and no coverage of the entire country, as a problem. This implies the danger of ignoring tensions that may have devastating consequences in other regions of Kenya. So Kenya is lacking a holistic approach to effectively coordinate NGO work.

The organization is reaching out for media coverage with local and national media outlets such as the national newspaper "the Standard" but also local Kalenjin and Kikuyu TV and radio stations. According to it, these media had a great impact in changing people's minds after the PEV. Nevertheless, they also expressed their sorrow that the influence of politicians on the media persons is too great and on the other hand the material resources of RWPL are not enough to fund these media. Unfortunately, stories by journalists on the national level are often "bought" by those who hold the financial resources influencing the content of these reports. Therefore, the CSO is reaching out for smaller local media outlets like "the Star" and "the Mirror". Finally, they described the duplication of work by the different NGOs working on the same field, as a major challenge. NGOs wish to do things independently and are driven by their own motives, what results into duplication instead of merging and cooperating in working on the same field. Concerning the relationship with government officials and local administration, RWPL is being challenged with the unwillingness of the government to sustain projects whose donor support is running out. So the government in most cases refuses to take over the financial responsibility and own a program because they don't want to be accountable for the sustainability of projects.

Concerning the possibility of peaceful upcoming elections in 2013, the organization fears that despite the New Constitution, it is still very easy to "steal" elections due to the weakness of the public not knowing how to vote, also lacking civic education. So there

is worry that tensions and conflicts may arise especially immediately after the elections process.



This project symbolizes their activities towards the public

Personal Remarks

RPWL was a highly reliable and committed project partner. It always was disposed to introduce and explain inner structures, work flows, finance and projects realized. During our time shared with the CSO we were not only able to see current projects realized but as well older projects which already led to certain success.

Contact

Selline Korir, mobile no 0721-230371 and 0716-974125, Rural Women Peace Link, Barngetuny Plaza, 3rd Floor Room 2 & 4, Along Uganda Road, P.O.Box 7303, Eldoret, 30100 – KENYA, eMail: womenpeacealink@yahoo.com, Blog: <http://rwpl.tumblr.com>, Web: <http://www.ruralwomenpeacealink.org>

Seeds of Peace Africa International (SOPA)



Vision

The aim of SOPA is to empower children and young persons to seek, live for and work towards peace, justice and development for all.

Mission

SOPA strives to empower children and young people, in communities, organisations and learning institutions to support their members in their endeavors to rebuild relationships; clarify personal and organizational visions; develop, maintain and resolve conflict in a non-violent manner; hence act with empathy, patience, integrity, and courage in the process of disengaging from the violence that surrounds them and becoming agents of peace and social transformation.

Facts

SOPA is a peace and development non-governmental organisation whose activities run across international borders. It was started as a local community based organization (2002) founded and nurtured by Mr. Ambrose Otieno. It was registered in Kenya as an international NGO in March 2006. It can be seen as umbrella-organization that works together with other NGOs on the grass-root-level so that a number of peace building and conflict management activities took place in several African countries (Uganda, Sudan and of course Kenya). The guideline is to assist other CSOs in peace building and conflict management by providing knowledge in terms of peace and sports programs, education or community empowerment and development. Beside the main office in Nairobi, SOPA runs two more offices, one in the area of the Lake Victoria and another one in the North Western.

The organization structure: On the top stands SOPA as the program coordinator and fund-raiser, with good connections to the government, the media and NGOs all over the world, not to forget the Christian- or other churchy organizations. Below, there are partners at the grass-root-level, implementing the program in direct work with the communities. But SOPA is also willing to be a partner or a helping hand for all NGOs or CSOs dealing with peace and conflict management all over Kenya and East Africa.



Play and work for peace

Good Practice

At the moment, SOPA runs two programs, the “peace and sports program” including five partnering CSOs and the “sports for development program” with 15 partnering CSOs on the grass-root-level. One of the partnering CSOs in the second program is AMANI KIBERA which is also presented in this report. Without the help and support of



Celebration of a football tournament

SOPA, this organisation could not have grown so important for Kibera slum in the last five years.

Challenges

As SOPA is an umbrella-organisation with networking and connecting NGOs as main objective. It has reached a high professional level which can be shown by the numerous partnerships all over the world. Due to that it is very difficult to appraise the external effect on the civil society, but it surely can be seen as a “spin doctor”.

SOPA gave us an account of various challenges they have to face in their organisation and the reasons why some of their projects failed:

- ⇒ First and foremost the funding issue, that comes up, in case of a donor cuts funding before the completion of a project. This is mainly caused by misappropriation of funds and corruption. Some projects are also said to have failed to take off due to a lack of donors to support that particular project.
- ⇒ Secondly, some projects failed, when the implementers did not involve the community adequately.
- ⇒ The third reason SOPA mentioned was the lack of security: Some projects failed because there was too much insecurity in the area of implementation, so that the funds had to be redirected to other viable projects.

Workshop

Two members of SOPA took part in the workshop. Wycliffe appreciated the engagement of the students, the messages of the guest speakers as well as the peace issue concerning cultural program of the peace-choir, traditional dances and the critical rap poem. SOPA shared actively ideas in the discussion groups and during the public discussions with other CSOs.

Results of the Evaluation

The two day taking workshop gave SOPA the chance to network with like-minded CSOs and individuals on one hand and on the other hand it also gave them an opportunity to reflect on new findings and issues that came up during the workshop. But SOPA also gave their honest view on what and in which way the workshop and the project in general could have been organized better.

In their opinion, we should have reached out more CSOs and NGOs in the hotspot areas that were adversely affected by the post-election-violence and to have more adequate time carry out the research and to prepare the workshop.

When we talked about the upcoming elections, SOPA felt that there is a great chance of an outbreak of violence. *“More areas are now in more danger of violence than they*

were in 2007/2008, including areas that were not affected in those years, such as North Eastern and the Coast Regions”, mentioned Wycliffe, the project manager. He outlined several factors that may cause the recurrence of the violence. First and foremost is the institutional failure by organs and agencies tasked with the role of ensuring fast and steady implementation of the New Constitution, including the NCIC, IEBC, CIC, Parliament and Executive among others.

In his opinion, there is too much politicization of the peace building process as well as of the constitutional implementation process at the national level rather than the real peace building work in the grass root level where the real problem lies. *“It is the real people on the grounds that fights and kill one another!”* SOPA has the same problem with the media that is also affected by the politicization. There is a big need to encourage training of journalists on sensitive and responsible reporting and the need for all the stakeholders to develop a media guideline on how to deal with politicians and their political campaigns and the elections in general.

“Media is out for business, is owned and run by politicians and their cronies and therefore cannot be trusted to be fair, objective and non-aligned as well ensuring sensitive and responsible reporting of the political campaigns.”

But SOPA realizes a little improvement concerning the relationship between the Civil Society and the government. In particular he mentioned the commitment of NGOs and CSOs working with the National Steering Committee on Peace Building and Conflict Management through the District Peace Committees. They have assimilated the staff of these organisations which creates sustainable working relationship.

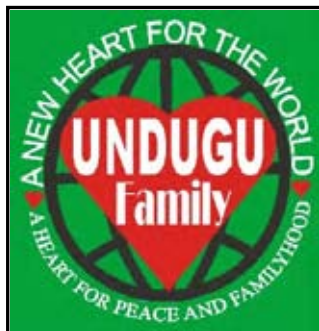
Personal Remarks

In our opinion, it seems like SOPA has reached a high professional level in managing peace and conflict programs. Their connections are crossing the borders to Sudan and Uganda so they can establish a better understanding between the three neighbours and help to avoid conflicts. Since some of the staff members have directly been affected by the post-election-violence. They are highly motivated to avoid more iniquities after the upcoming elections by strengthening the civil society. Through SOPA we had the chance to take part in a meeting from DAIMA KENYA, a very impressive and strong movement arisen out of the new self-confidence of the civil society and the growing middle class in Kenya.

Contact

Wycliffe Ijackaa Imoite, Lenana Road - North Star Building; P O Box: 53958 Nairobi, Kenya; eMail: info@seedsofpeaceafrica.com; Tel: +254(0)20 38641612

UNDUGU Family Kibera (UFK)



Vision

UNDUGU Family Culture Association (UFCA) is a movement that works towards an alternative culture of peace. This includes the family hood that means in Kiswahili “UNDUGU”. This organisation believes that unity is life, division is death and that all people are sons and daughters of God who is our common parent. They trust in sharing equal dignity, opportunity and responsibility.

Mission

UFK wants to enhance social cohesion in Nairobi’s biggest slum Kibera. This culture of peace can be achieved through mediation of music, drama, dance, sports, games, incoming generating activities, festivals, seminars, awareness campaigns and civic education programs. Especially they focus on encouraging neighbours to get them involved in a dialogue by singing, dancing, playing and working. Though, they are trying to solve their social and economic problems. Their main concern is not to split ethnic and religious groups from each other.

Facts

The organization was founded to reduce the level of violence in Kibera, which was one of the hot spots during the PEV. They are supporting especially needy people and try to give them a perspective. The objective is to afford a new generation of people who believe in non-violence and respect each other regardless of tribes, religions or anything else. Consequently UFK tries to work intensely with young people and consider education as an important key for a peaceful society. That is the reason why they are focusing on education, health (HIV/AIDS) as well as adult trainings and sports. Furthermore, UFK cares about the sick persons, they are encouraging the widows to build their own small business and accompanies orphans and needy children. UFK is linked to many local CSO’s, but there are just few connections towards organizations on regional level like ChemChemi Ya Ukweli (CYU) or PeaceNet are doing. Funding is mainly given by churches and some individual donors.

Good Practice

Good-practice examples of everyday work of UNDUGU Family Kibera are the schools which are supported by them. Every week they offer a special two hour lesson on non-violence and peace-building. Pupils should talk together about violence and how to identify the roots of conflicts in the daily life in Kibera what does it mean for the whole Kenyan society. They are taught in methods and strategies how to avoid and to handle

these conflict situations. Furthermore, they should become more aware of political issues in Kenya. Every pupil can be seen as a multiplier to bring home to their families the principles of a peaceful and respectful society. At the end of every lesson they are singing a song “One big family of God” written by a UFK member that shows unity, respect and the insignificance of different tribes and religions.

Workshop

UFK was very interested in the workshop because it was an opportunity to expand the network with others also working on the local level. Furthermore, they could share ideas and got some insights in strategies what other organizations are doing. They are planning to stay in contact with important stakeholders for getting some professional support and widen the donor network.

Results of the Evaluation:

For the evaluation we met Brother Nzomo Edwin. He was very grateful for the workshop, it was a remarkable event for him to meet and network with several other organizations. Motivated by the movie of Boniface Mwangi, he has organized three forums in Kibera and showed the clip. Another plan of UNDUGU family is to organize a concert before the end of the year, where they want to bring various youths from Kibera together and sensitize them on the importance of peaceful coexistence.

But he also criticized that the workshop was too short. Two days were not enough for showcase, meetings and interaction with all those organizations. Besides he mentioned that there were too many people from the “High Society” and not enough from the grass-root level.

At last he expressed that the situation in the slum of Kibera is much better than before the PEV. Nobody would participate in any manslaughter. The Kenyans have learnt from the last violence and also the different organizations are doing a good job with their peace campaigns. The Kenyan people, especially the one from Kibera, are much more aware of the need of non-violent conflict management than a few years ago.

Personal Remarks

UNDUGU family is a very small organization which is only working on the local level in Kibera. Nevertheless, their ideas and believes made a very good impression on us. There are some good concepts for a sustainable peace-building. Especially the support of and the work with young people in schools gives the opportunity to communicate peace-skills and to educate the next generation. There are a lot of connections to local organization, but networking with regional or national organizations should be expanded to attract more funding and resources. Despite of the religious background this organization is very liberal and open minded towards everything. We are convinced that this is a main aspect of a good peace and education work.

Contact

Undugu Family Kibera, Head office Nairobi, Kenya, Brother Nzomo Edwin, Tel: +254 710 821 032; eMail: undugufamilykibera@yahoo.com

Usalama Reforms Forum

“our security, our agenda”



Vision

The intentions of Usalama Reforms Forum are to uphold citizen side priorities in the process of constituting safe communities in Kenya. The production of safe and caring communities is the initial point of the Forum’s work.

Mission

The three major lines that Usalama Reforms Forum is orienting their work along are:

- 1) To implement police reforms & to enhance an accountable justice system by cooperating with others:
 - A service oriented police is essential in promoting human rights, rights of victims and allowing every person to live their lives without constraints, not least to control crime and violence
- 2) Alternative Dispute Resolution:
 - Identification of the variety of violence’s and disorders that happen in Kenya but not usually within the polices’ ambit
- 3) Fair administrative action by all the social institutions (state/non-state)
 - Ensuring that social institutions are receptive for the citizens’ requirements, by which safety and resilience as well as social re-engineering can be achieved within the communities

Facts

Usalama could be translated from Kiswahili as “peace” and also as “security”. The Reforms Forum is a joint initiative of fourteen civil society organizations, founded a few years ago and is still composed of these membership organizations. Nowadays, the Forum contains yet another nine partnership organizations, offering financial or technical assistance.

The main focus of Usalama Reforms Forum lies on the policing subsector where they perform as a lobbyist for the civil society, working to enhance the citizen side priorities in the current reforms.

Usalama Reforms Forum works closely with policy makers to determine priorities for the Kenyan police reforms and contributed to the legislation of both the constitution and

recommendations of the National Task Force on Comprehensive Police Reforms (Ranlsey Task Force).

Thereby, Usalama Reforms Forum became a partner to (amongst others) the Ministry of State for Provincial Administration and Internal Security, Police Reforms Implementation Committee, the Commission on Implementation of the Constitution and the National Assembly (Committee on Security and Administration).

Amongst the 14 organizations that originally created Usamala Reforms Forum, numerous others (such as Transparency International, Amnesty International, Kenya Human Rights Commission, Kenya Partnerships for Peace and Security, ...) were allowed to emend the reforms work through the Forum.

Good Practice

In a network of Kenyan and international organizations and partners (german GIZ, UNDP, the National Steering Committee, the National Cohesion & Integration Commission,...), Usalama Reforms Forum was strongly involved in the well-known “Early Warning or Early Response System”.

This system focuses on 4 sectors:

- 1) Hate speech
- 2) (Physical) Violence
- 3) (Verbal) Threats
- 4) Messages of peace (Calm Areas)

The system works as follows:

Kenyan citizens can send a free text message to a certain number if they witness something referring to the abovementioned sectors or anything concerning. The office receiving that text message would then confirm the authenticity of the content, cooperating with other organizations and partners integrated in a network. The office also provides a call-back service to the addresser to generate more specific information. They also work with analysts and a special software to better frame the situation: will the violence escalate? This also allows them to appropriately respond and plan their reaction (e.g. to cooperate with the police or other partners involved).

Also, they compiled weekly reports to monitor the “temperatures” in some regions, which could map trends.

This system was tested successfully during the 2010 referendum in Kenya, when they received around 20.000 text messages. They are planning on re-establishing the system during the upcoming presidential elections in a fully developed way.

Challenges

Unfortunately, after the grenade attack at Machakos Bus station in Nairobi 11 March, 2012 Usalama Reforms Forum was quite busy and our plans to further work with them and also meet some of their partners within the Kenyan Police were dissolved. Therefore, we only got our information by talking to people working for and with Usalama Reforms Forum. Though personally I got a good impression of their work, we could not verify or witness what we were told.

Furthermore, as a Forum consisting of several organizations, it is sometimes difficult to draw the line between what Usalama Reforms Forum achieved and what was actually the work of just some membership organization.

Nevertheless the topic Usalama works on is of major importance and several CSOs pooling their resources in order to really boost this area of expertise is a great thing and helps preventing overlapping divisions within several organizations. In addition, Usalama Reforms Forum was the only organization focusing on the promotion of civil rights with regard to the police reform process and the work of the police force in general that I came across with, which already makes them indispensable.

Workshop

The Usalama Reforms Forum attended the workshop on the first day. The deputy was also a member of PeaceNet. His broad experience helped to build fruitful conversations during the group discussions.

Results of the Evaluation

Unfortunately the organization didn't answer to the enquiries. Due to the lack of time after repeated efforts, an evaluation was not possible.

Personal Remarks

The Usalama Reforms Forum is a constructive organization specialized in security issues. Most of their members did advanced training or used to work in this subject. They are working very closely with governmental committees which express their great impact on politics. On the other hand they are in risk to become yes-man and just legitimize governmental politics. During our time in Kenya it could not be clarified if this presumption comes near to the truth.



Philip Ochieng at a deliberation event

Contact

Maalim Juma Road, Off Dennis Pritt, P.O. Box 49806-00100, Nairobi Kenya, Tel: +254 20- 520 8433, Wireless: +254 20- 520 8433, eMail: info@usalamaforum.org
Web: <http://www.usalamaforum.org/>



Women's Empowerment Link/ Winners Women Group



"If we empower women we empower the whole society!"

Vision

The vision of both NGOs located in Naivasha is to contribute actively to a society that is gender sensitive where women and men have equal rights and opportunities. The main aim is to empower women and girls to realize their potential, worth and strength politically, socially and economically through advocating for opportunities that explore their possibilities.

Mission

"Women's empowerment means an empowerment for the whole society!" (WEL, 2012). To empower women to realize, exercise their rights and freedoms, and access opportunities and privileges towards gender equality. The five key themes are: Women Economic Empowerment, Access to Education, Reproductive Health and Rights, Sexual & Gender Based Violence & HIV/AIDS and Transformative Leadership & Governance

Facts

The non-profit, non-partisan, non-governmental women rights organization - **Women's Empowerment Link (WEL)** - was formed in 2008. The headquarter is located in Nairobi (15 workers) and two people are engaged in Naivasha. This branch in the Rift Valley (which was visited in course of the case study) was installed as direct reaction of the Post-Election Violence 2007/2008. An important strategy is to link the diverse CSOs working at the grassroots-level on the same topic and to transfer the knowledge. Due to the huge number of NGOs dealing with Women's Empowerment, WEL has become also kind of an umbrella organization maintaining a wide network.

During the post-election clashes several market women in Naivasha decided to join their forces for adjusting the conflict by talking to the people. As Naivasha was a real hot-spot because of the variety of tribes (workers in flower-farms) this spontaneous initiative – **Winners Women Group (WiWoG)** - leads to a gradual dilution by reaching about

20,000 people with their message. After this success the women decided to carry on and founded an informal CBO which works closely amongst others with WEL. Because of the array of rapes they are mainly caring about the needs of young girls to strengthen them as equal and independent members of the society. At the moment they are running programs on health-care, reconciliation and civic education.

Good Practice

The Kenya Women’s National Charta, 2010

In the effort to promote women political participation while ensuring that the women gains in the constitution are implemented, **WEL** is spearheading a process to develop the *KENYA WOMEN’S NATIONAL CHARTA*. The Charta will also provide clarity and timelines demands on the realization of the women gains in the Constitution 2010. The Women Charter will further act as a demand tool for the women to those others seeking for political position.



Unknown heros – the healing market women of Naivasha

Taking charge of the IDPs

While the stay in Naivasha the group got the chance to visit together with **WiWoG** an IDP-Camp near Mahi Mahiu. This visit was a really formative experience for all. The conversation with the elders in a poor hut at the camp, showed the failure of the

government in total. Those people are still living in tents (after 5 years) as well as they don't have any access to water (they have to walk at least 10 km), education and health-care. As there is a lot of corruption in the distribution system, they just get a small part (6 – 8 kg) of the promised food (20 kg) from the government. For Europeans as well as for the Kenyan students it was hard to see this extreme poverty and the futile living conditions. By chance, the group got to know the responsible District Officer of Naivasha. He suddenly appeared – best-dressed- in the Camp (maybe to buy the voices of the IDPs for the next elections). He denied the story of the IDPs and delineated an inverse picture of the situation. This meeting symbolized the daily corruption, the weakness, slowness and dishonesty of the government and the craving for power on every level. Because of those apparent and frustrating circumstances everywhere it was impressing to see how courageously WiWoG is dealing with them all day. At the moment they try to encourage the women in the camp to produce some accessory to sell them on the market.

Challenges

As kind of an umbrella-organization the **WEL** does a lot of networking with other organizations. They seemed to be very busy and didn't have really time for us. This is the reason that we mainly involved WiWoG and not, like planned, WEL in our project. Nevertheless the visit at WEL was useful to get an overview of the activities in Naivasha and to see the well-maintained connection towards the media.

WiWoG as young and informal NGO doesn't have adequate resources. They don't have an office or donors. So they have problems to organize themselves efficiently and to reach the rural areas round Naivasha with their message. Sometimes the community does not fully respond to their planned project as they don't understand e.g. the need of girls' education and in general civic education. But also in town there is some arrogance of the people existing: "They don't want to hear the truth!" As there are so many problems in Naivasha like gender-based violence, unemployment and criminality it is sometimes hard to carry out the work.

Workshop

Unfortunately it was not possible for the invited staff of the Women's Empowerment Link to attend the workshop. But Eunice Muriithi and John Kinuthia, members of WiWoG enriched the discussions during the workshop. Mainly the problems and daily challenges of the Internally Displaced Persons (IDP) were adverted through their dedication.

Results of the Evaluation

Working through networking on passages of the New Constitution shows the huge impact of **WEL** on the Kenyan Government and its role as women organization. Also the Kenya Women's National Charta is a good example for this relation. Nevertheless WEL seems not having lost its independence as a NGO. WEL has impressive external effects, which base on its described relation to media, its publications, its networks and its website.

Concerning the workshop **WiWog** underlined the facilitation of their daily work. Especially the shown movie and the pictures opened their eyes and motivated them to focus more on peace-projects. Therefore they exchanged materials and methodologies (e.g. from RWPL). As well as they felt inspired to distribute the New Constitution before the voting process. But the biggest impact of the workshop was that Eunice Muriithi felt encouraged to candidate as MP for Naivasha. Therefore some German students are supporting her through a microfinance project to fund her campaign. They wished that there would have been more time for discussions, the issue of ICC and for the guest-speakers. Through their widened network they are planning to organize some common projects in areas that are not "over-worked". Imbued by the pictures of Boniface they are thinking about a touring-exhibition before the upcoming elections.

WiWoG is convinced that the coming elections are going to be peaceful even there are still many existing problems that evoke tensions. People are more aware than last time and they want to avoid any violence as they are still suffering from 2007/08. Many people in Naivasha changed their mind against violence, but there's a big lack of information and people lost their trust in the voting system ("*people are pessimistic about voting!*"). Many will refuse to vote. This is the reason why the organization will place emphasis on peace and civic education. They want to release peoples' minds off the opinion of politicians and gain the media to report more positive stories. Furthermore they intend more involvement of IT and technology to expand their network and their publicity, more adoption on people's corresponding and more presence in general. "*It's no healing time, it's action time!*"

Personal Remarks

"Getting an insight in the daily work of two completely different equipped NGOs in Naivasha was an enriching experience. We hope that they will intensify their corporation and support each other while sharing ideas as well as maybe some funds. This would be important for the surviving of the really ambitious and innovative Winner Women Group."

Contact

Women's Empowerment Link, P.O Box 22574-00100 Nairobi, Kenya. Muringa Rd & Elegeyo Marakwet junction – off Ngong road, Nairobi, Kenya, Tel: +254 20 3864482, <http://www.wel.or.ke>

Winners Women Group (Eunice Murithii), Naivasha Market Place, Mbaria Kaniu Rd, 20117 Naivasha, Kenya, Tel: +254 722 276710, eMail: eunicemurithii16@yahoo.com

The presentations and findings of the workshop

Preliminary Remarks

On the 22nd and 23rd March 2012 a two-day workshop took place at the conference hall of the YMCA Nairobi with about 100 people. The quantity of participants revealed a high interest on behalf of the participating CSOs concerning an exchange of ideas and experiences as well as in the results of the research project which were presented by Kenyan and German students.

We invited all of the CSOs to the workshop that had been collaborating with us during our field work. By the invitation of representatives of institutions close to the government we emphasized the importance of a common exchange of ideas. Unfortunately only the “National Steering Committee on Peace-Building and Conflict Management” was able follow our invitation. The “Truth Justice and Reconciliation Commission”, the “Commission for Implementation of the Constitution” and the “National Cohesion and Integration Commission” were not able to attend the workshop because of various scheduling conflicts. However, they are very interested in the results of our project.

After a short introduction and welcoming speech by Dr. Nebe (University Trier) and Dr. Kayi (University Nairobi) who coordinated the project as a whole, Boniface Mwangi presented his intensely touching documentation “Heal the Nation”. The film again demonstrated the painful and bitter images of the Post-Election Violence. Mwangi is a young photographer, film-maker and political activist who constantly reminds politicians as well as the broad Kenyan society by spectacular actions about the importance of peace for a democratic future within the divided society.

Our first guest speaker was the chairman of the Olympic Committee, Kipchoge Keino who especially made all his way from Eldoret to Nairobi to give a speech about “The Role of sports in Peace-Building”. By continuously emphasizing the three pillars of love, peace and unity he made clearly stated the importance of sports as a societal function.

We were all highly impressed by the speech delivered by the German Ambassador to Kenya Her Excellency Margit Hellwig-Bötte who clearly formulated her expectations towards Kenyan politics and media in order to learn from the consequences of the PEV that almost lead to the collapse of the country as a multiethnic state. The speech given by Hon. Abdikadir Hussein Mohamed, MP and Chairman of the Parliamentary Constitution

Implementation Oversight Committee had been awaited with great excitement and was carried out with a personal statements for a peaceful Kenya.

The following guest speakers covered a wide range: Millicent Otieno who spoke for “Local Capacities for Peace and Development” lively commented on “Conflict Sensitivity and Effective Peace Practice in Kenya”. Dickson Magotsi from the “National Steering Committee” listed the „Peace Agenda for 2012“. Dr. Jutta Bakonyi (GIZ, Civil Peace Service) responded on the highly discussed topic of the ICC process and possible consequences for future politics in Kenya. Dr. Helmut Danner (former Hanns Seidel Foundation) formulated the provoking question: “Is there a political will to void electoral violence?”

Last but not least the results presented by the students provided enough topics of conversation. Topics dealt about “Women Empowerment”, “Peace Education”, “Cultural and Inter-Religious Diversity”, “Networking”, “Celebrating Diversity” and “Peace-Building and Sports” which were discussed intensely in plenum as well as in smaller working groups. A highly diversified cultural programme lightened up the atmosphere on both days: From rap to self-composed peace songs they all had in common to contribute to the success of the workshop. Lena Held, Irene Wakasa, John Wesonga Mang-eni and Raphael Schaefer as moderators of the workshop professionally led through the agenda.

All in all the workshop played a very important bridge building role and brought together people of different organisations and different opinions and thereby strengthened peace dialogue. We are convinced that our motto “Tuungane Tujenge Amani“ bore fruit!

In the following the speeches and discussion results are presented. Unfortunately it has not been possible to publish the original versions of speeches delivered by Kipchoge Keino and Hon. Abdikadir Hussein Mohamed. However, there are short summaries of their contributions.

“It is imperative that the peace dialogue be held in an atmosphere of mutual respect for each other’s opinion.”

(Johannes Michael Nebe, University of Trier)

Margit Hellwig-Boette

The German Ambassador to Kenya



WELCOME REMARKS

Civil Conflict Management and Peace Building in Kenya is as important in 2012 as it was in 2008.

Supported by the International Community Kenyan political leaders crafted the National Accord and agreed on a Grand Coalition in 2008 to end the violence which erupted after the last General Election in December 2007.

The way forward to reconcile the country was first and foremost to pass a new constitution in August 2010 and to start to put in place a devolved political system through 47 counties. By giving more resources to the counties and bringing government closer to the people ethnic tension and the struggle for resources should be moderated and, in the end, made irrelevant.

On the national level, institutions like the Truth, Justice and Reconciliation Commission and the National Commission on Integration and Cohesion were set up to address long standing grievances and historical injustices, to work for a more cohesive Kenyan society and to overcome the negative ethnicity that has hampered development in Kenya for so long.

Many grassroots organizations are working towards the same objective in the old hot spots of violence, mainly in the Rift Valley and in the slums of Nairobi. But they are not always supported by the political elite of the country, many of whom still benefit from ethnic division with view to their own personal, political and economic interests.

Kenya has still a long way to go to overcome negative ethnicity and to understand ethnic diversity as a cultural asset and not a political liability. At the moment, about a year before the next General Election, ethnic tension is again on the rise. Once again, quite a number of political leaders use their ethnic communities as their political power base and thus are far from focusing on an issue based election campaign.

That is why Civil Conflict Management and Peace Building in Kenya is so important in 2012 and beyond.

HON. Abdikadir Hussein Mohamed

Member of Parliament, Mandera Central Constituency.¹

Summarized by Alex Gitau



WELCOME REMARKS

Ladies and gentlemen, am very honored to be here today in the midst of these young students from Germany (University of Trier) and Kenyatta University. I think that this project was a very noble initiative at a time when Kenya as a country is trying to put its house in order especially in the area of constitutional implementation and preparations for the upcoming general election. This election will be a make or break for Kenya and we cannot afford to mess it up. We cannot allow our country to sink into the abyss like we almost did in the post-election violence of 2007/08.

But that has got to start with us, the political class, the Executive, Parliament and the Judiciary. The buck stops with these institutions. However, every individual has an obligation to ensure a smooth transition into the new constitutional dispensation by playing their constitutional roles and responsibilities effectively and efficiently.

I believe much has to be done to nurture the talent and skills in our universities. Most leaders start nurturing their leadership qualities when at the university. On the contrary, the only interest right now by politicians is to sponsor university student leaders mainly based on tribal affiliations. This result in occurrence of political violence in the university politics just like we have in the national politics because of lack of political discipline, values and ethics. What we need is to have a clean issue based political process.

On the issue of the election date, we have to approach it in a sober manner. It was very clear in my mind that the first election would not be held in August this year. That the first election would be after the term of the current house, that is, the 10th parliament. However, the draft was not very clear on that date despite the date being very popular and preferred by most people. The constitution clearly states that elections should be held every second week of August after five years and this is what we wanted. We also wanted the calendar of parliament to be separated from the calendar of the executive and

¹ Chairman of the Parliamentary Constitutional Implementation Oversight Committee of the Parliament of Kenya

the election date to be known through the constitution so that nobody, especially the executive or parliament, uses it to their own advantage or to the benefit of a section of people.

Thereafter when we promulgated the new constitution, the transition processes were not very clear and they did not talk about the date of the next election. They talked about the life of the current parliament, that 'this parliament's life is safe'. That the National Accord shall continue to be operational, meaning that the executive shall remain in place until the end of that term. The question now became, "when is the end of that term?" Was it in August the date that we voted in the constitution? Now parliament is very supportive of a 2013 date and therefore Members of Parliament are very calm until the end of their term. However, since many Kenyans wanted to see the back of many members of parliament, that is Kenyans wanted most the MPs out of parliament, the popular date to achieve that was the August 2012 as stipulated in the new constitution. Now there are very many people who were of the view that immediately after the promulgation of the constitution, we should have actually had a general election so that the new constitution gets to be implemented by a fresh leadership. But that did not happen. The argument was that we needed to have a transition period to give room for implementation and to get the views of people and to factor them in before holding the general election. That is how the election date was decided so that we don't have elections immediately after the promulgation but rather have it at the end of the term of the current parliament. But since the popular view was for an August election, those who felt aggrieved went to court. The court gave us the judgment that said when the election would be held. The term of this parliament ends on the 14th of January. I would have disagreed to that myself, I thought it would have been better to say that the term of parliament ends on the fifth anniversary of the date which they were elected, they were elected on the 27th of December, and so the fifth anniversary of that 27th December is five years, but the court took a different view which was that we were sworn into office on the 14th of January and the fifth anniversary of that would be on the 14th of January. However, my views are my views and the views of the court are what the law is because the constitution says the court has the final authority in interpretation matters. The courts also said the elections would be within 60 days so it could be on the 15th or the 16th up to the 60th day or if the two principles, in writing, agree to dissolve the coalition government. Even that there are those who may have issues with it because the assumption of dissolution of the coalition government automatically means the dissolution of parliament, which is also controversial. But since the court said it, again that is the law. That has happened and the IEBC has now set the date for the 4th of March 2013. It is not a very popular date because as I had mentioned most Kenyans want to see their MPs out of parliament earlier than that.

There are also other factors as far as this issue is concerned, for example the issue of revenue allocation by treasury. There are concerns and worries that if we have an August election, there will not be enough time to vet the new lot of cabinet secretaries by parliament. It would also not realign with the budget cycle. There is therefore need to have ample time to have a new parliament and cabinet in place to be able to pass the budget to allow the government to function. This means that a new executive has to be in place by May or June.

In essence, there are quite a number of issues to deal with. My problem is not whether to hold elections in December or August, because it is clear in my mind that we cannot hold elections in August. Elections can occur in December, January, February or March. My problem is if these issues will provide a ground for conflicts of ‘us versus them’, which can send the country on a slippery zone like we did in the last general election when there was a conflict over the electoral commission. This is what sowed the seeds of discord because one part of the political divide perceived the electoral commission as being partisan and unfair and being used by the other part of the political divide to rig elections in their favor. If the electoral commission was seen to be neutral and independent, then maybe this country would not have witnessed the deadly and ugly scenes that characterized the post-election violence. Consequently, if we have conflicts over the date of the next general election, and unless we arrest and address the issue to the satisfaction of all the parties involved, then we risk degenerating into even a worse political crisis that the one in 2007/08. On that note, I am calling meetings with all the stakeholders in the political process, from the office of the President, office of the Prime Minister, the Attorney General, Ministry of Justice, Constitution Implementation Commission (CIC), the National Cohesion and Integration Commission (NCIC), among others, so that we can all sit down and come up with the best way to manage this whole process without it being destructive. Indeed, our biggest problem in the Kenyan politics has been negative destructive political competition that makes this country lag behind by producing bad leadership every general election. If we can sort out our political process to ensure it is a clean, progressive, issue based and ideology based, then this country will never have divisive politics and would have a progressive political, social and economic country.

I would therefore like to take this opportunity to thank these young people for taking their time to understand the political process in this country. It is my hope and prayer that the outcome of your project will go a long way to benefit and to better this beautiful country.

“While leadership and integrity are first and foremost political challenges, they cannot be resolved by politicians alone”.

(Kofi Annan, former UN Secretary General)

Heal the Nation – a shocking and realistic documentary ...

‘Heal the Nation’ is a 30-minute documentary which was launched in October 2011 by Boniface Mwangi/Picha Mtaani, a touching story, an eyewitness account of the tragedy that befell Kenyans after the 2007 December elections. Victims and perpetrators meet as they narrate their stories on Kenya worst tribal conflict. A cry for justice and reconciliation rings through this documentary and what will happen if we don’t reconcile before the next elections latest in March 2013.

Picha Mtaani, Kiswahili word for ‘street exhibition’ is a youth-led peace initiative supported by UNEP that primarily seeks to create space for young people to reconcile through peace-building, violence prevention and promoting peaceful co-existence among young people in conflict affected towns. Moreover, they become agents of reconciliation to their respective communities. Through an exhibition set of images taken during Kenya’s 2007/2008 post-election violence, the initiative steers to instill individual reflections on the horror that was inflicted to different people during the period. The exhibition ‘Never Again’ successfully visited ten election violence most affected towns including Nairobi, Nakuru, Eldoret, Kericho, Kisumu, and has enjoyed tremendous support from the Kenyan public.

Four years after Kenya’s worst election violence, which left more than 1,000 dead and hundreds of thousands internally displaced. Kenya is a nation in search of its identity. Picha Mtaani aims at providing a platform for national reflection and building local reconstruction consensus through photo exhibitions and conversation. This project aims at organizing target communities to play their role in the reconciliation and reconstruction process.



To watch the movie, please use the following link:

<http://youtu.be/WPecFhwfSMw>

The Spirit of Change – A Portray of Boniface Mwangi



Boniface Mwangi is a 29-year old political activist, photographer and graffiti artist, who won several awards, including CNN Africa photojournalist of the year 2008 and 2010 and was nominated for the Joop World Press Master Class 2008 as one of the finest and most promising young photographers from Africa.

Boniface has made history by being the youngest ever laureate of the Prince Claus Awards given by the Royal Family of the Netherlands. The awards honour outstanding achievements in the fields of culture and development and are presented annually to 11 individuals from around the world whose actions have a generally positive influence in their societies. Boniface was selected because his provocative photography deals with social injustices and he seeks dialogue through cultural means. He is famous for his vocal stand on societal injustices as well as motivating Kenyans to take a step further from online activism to palpable change. He is a good example of people who do not just want change and leave it as a wish but he has been on the forefront to put across his ideas and encourage others with the same vision to join him. Boniface has been using his knowledge and skills that he learnt to educate others about the trauma and pain that the nation went through during the post-election violence 2007/2008. His initiative has been

going around the country to exhibit the picture that tells of the pain and how disastrous the post-election violence was.

His work was displayed at The Hague in an exhibition called “The Price of Tribal Politics”, which ran in September/October 2012.

He founded PICHA MTAANI, which means “street exhibition” in Kiswahili, an organization that focuses on reconciliation through photography and debate, and recently set up PAWA254 (pawa means ‘Power’ in Sheng, a slang spoken in the slums of Nairobi, and 254 is the area code of Kenya), which will bring together established and aspiring young photographers, cartoonists, video and filmmakers, as well as entrepreneurs and activists, to work, learn, and share in an environment that inspires creativity and efforts to bring about social change. His images he took during the post-election violence are dramatic, horrific and real. These images are part of the documentary book “Kenya burning” (published by nine photographers in 2009) and are showing scenes and moments of the unbridled emotions expressed by Kenyans “during that trying period – deep anger, pain, despair and sorrow” (Preface, page 3). The exhibition “Never Again” can be seen all over the country and is one of Boniface’s awareness campaigns to open people’s eyes always to remember these bitter lessons Kenya had to learn and to come to terms with them. “People always forget but we don’t want Kenyans to forget what happened. That is why we have to keep reminding them and we won’t tire”, Boniface was emphasizing in an interview.

Apart from that, he organizes youth forums, town hall meetings and shows his documentary “Heal the Nation” in areas which were badly affected during the post-election violence, including Nairobi, Nakuru, Eldoret, Kericho, Kisumu and Molo. This initiative got tremendous support from the Kenyan public. This was illustrated by the number of participations of over 700,000 young people, the submission of over 30,000 completed questionnaires and the subsequent signing of over 61,000 peace pledges throughout the country. Other than the exhibition, the organization has been able to screen his documentary in over 800 slums to reach out to slum dwellers since they were the most affected areas during the post-election violence. Civic education at his best is to bring these messages to a much greater audience.

The initiative, however, does not try to add salt to unhealed wounds but it reminds Kenyans of the importance of being united and loving one another as brothers and sisters without letting politicians to infuse hatred as they have been doing over the years. It is about time that Kenyans stand up to stop political hate speeches and tribal politics that will get Kenya where it had been in 2007/2008. The same group started another initiative dubbed “MAVULTURE” (a Sheng name meaning MP Vultures) that encourages

Kenyans to use their votes to get rid of politicians who have been sleeping in Parliament and vote in leaders who are accountable.

Boniface has organized a series of peaceful protests around the country in order to promote peace and positive change, particularly in political leadership. The latest move that the Picha Mtaani participated in was the demonstrations against the MPs' bill to increase their salary. This demonstration on the 9th of October 2012 had an impact because it partly influenced the President's decision not to assent the bill.

Through graffiti, Boniface aims to bring about a ballot revolution by persuading Kenyans to kick out a political class long blamed for exploiting tribal differences to win power, and accused of a long record of corruption. He assembled a crew of four graffiti artists and they sacrificed sleep and risked arrest to pillory politicians in a series of no-holds-barred murals across the city, starting at the end of February 2012 with the wish to jolt Kenya's youth into action ahead of the next polls, probably in March 2013. He urged Kenyans to turn away from tribalism and political hatred, saying it is only this way that the nation can realize its dream of becoming a united and peaceful place for all and sundry.

Boniface's life mantra is "living my life to make a difference", which can be seen on his website (www.pichamtaani.org).

Change is a word just like any other but with a deeper consideration of what it means and the will to put it into practice, a realization of its difference and impact can be felt and seen.

"The protracted political crisis has deep roots and could easily lead to renewed extreme violence."

(Kenya in Crisis, Africa Report, No. 137, February 21, 2008, p. 29)

The Role of Sports in Peace-building

Speech held by Kipchoge Keino, Chairman of the Kenyan Olympic Committee

Olympic Committee

Summarized by Johannes Michael Nebe



Kipchoge (“Kip”) Keino, a real legend in Kenya because of his outstanding results in sports, won two gold medals during the Olympic Games in Mexico City (1968 in 1,500 metres) and Munich (1972 in 5,000 metres) only to mention some of his great successes. Kip Keino was among the first in a long line of successful middle and long distance runners to come from the country and has helped and inspired many of his fellow countrymen and women to become the athletic force that they are today. During the Post-Election Violence in 2007/2008, he was a great support for the people who were in fear of unrest.

In his speech, he emphasized three major values which should always be kept in mind: *Peace, Love and Unity!* These are the fundamental elements in life with the effect of enhancing people’s welfare. The General Assembly (Resolution 60,1, Paragraph 145) underlines that “sports can foster peace and development and can contribute to an atmosphere of tolerance and understanding”.

Sports has several impacts:

- Sports can be considered as a catalyst which attracts young people and can also be a valuable entry point for mobilizing the younger generation to social life and personal development.
- Through sports, many bridges can be built which promote collaboration and stimulate responsibility in communities.
- Sports are associated with an indisputably high social function like community leadership, community and sustainable development.
- Sport is a “School of Life” where individuals can acquire fundamental values and social skills such as respect, discipline, fair play, confidence and tolerance.
- Sport works best when it is mainstreamed in cross-cutting development and poverty reduction strategies.

- Sport increasingly plays a role in economic development through the provision of employment and income opportunities.
- Sport is an outstanding instrument for achieving development objectives through the promotion of gender equality and universal education.
- The inherent values of sport can unite communities, motivate and inspire.
- Sport, as a universal language, can be a powerful tool to promote peace by bridging people across boundaries, cultures and religions.
- In peace-building efforts, sport can serve to facilitate rapprochement and reconciliation between opposing parties.
- Sport can be an effective delivery mechanism for post-conflict education and counselling programmes as part of an integrated approach to healing and reconciliation, particularly when it comes to internally displaced persons and refugees.
- Sport plays an active role in an ever growing stronger civil society.

All of this can be achieved if Kenyan politicians responsibly bear this in mind in order to facilitate, enhance and promote the living conditions of its people for a better future.

“Nothing is more precious than peace. Peace is the most basic starting point for the advancement of humankind.”

(Daisaku Ikeda, a Buddhist leader)

Dickson Liyayi Magotsi

Senior Programme Manager, National Secretariat on Peacebuilding and Conflict Management (NSC) and Team Leader, UWIANO Joint Secretariat

A REVIEW OF KENYA’S EXPERIENCES IN PEACEBUILDING AND CONFLICT MANAGEMENT IN ENHANCING CO-ORDINATION TOWARDS THE 2012/2013 GENERAL ELECTIONS

It is my great pleasure to be here today to join you, participants and organizers of this Conference, with a view to share ideas and formulate strategies for policy makers, researchers and practitioners with regard to Kenya’s present and future. Like many of the seminars organised internally and externally, with regard to conflict, peace and security not only in Africa in general but Kenya in particular, this Conference is an illustration of how States and Governments the world-over, are in constant search for peace.

I am pleased that all of you have taken time off your busy schedules and gathered here to restate your individual and collective commitment and purpose towards promoting, achieving and maintaining the ideals of peace and security for our communities, our country and the whole world. Looking at the high calibre of speakers lined up for this Forum and the enthusiasm with which participants appear to be ready to discuss issues of peace and security, I am certain that the objectives of this meeting will be achieved and that its outcome will have a bearing in sustainable peace and development in our Kenya. It is interesting to note the wealth of experiences shared already from across a wide range of speakers through the presentations made so far.

Nothing so far in human history has preoccupied the minds of both men and women than the pursuit of peace. The XIVth Dalai Lama said that, “*Human Beings, indeed all sentient beings, have the right to pursue happiness and live in peace and freedom.*” Daisaku Ikeda, a Buddhist leader, prolific writer, educator and more notably a peace builder, concurs with this assessment asserting that, “*Nothing is more precious than peace. Peace is the most basic starting point for the advancement of humankind.*”

In an ever competitive world, it is evident that the world is turning more and more towards non-confrontational means of conflict resolution. States and Governments are now involving their people even more to ensure conflict sensitive development, effective conflict management and peace-building. As a developing nation we must look yonder and see that the most developed of nations have continuously enjoyed relative peace. Peace therefore is a prerequisite for prosperity. It is clear in my mind that where we have

tensions we must find a way to inculcate peace and where there is relative calm we must ameliorate our efforts to maintain that peace against the forces of evil.

This presentation focuses on Kenya's Infrastructure for Peace; the prevalent conflict environments; the challenges pose by these conflicts and, in particular, the measures being undertaken to ensure free, fair, credible, and peaceful elections.

MAJOR CHALLENGES FACING KENYA

As a Third World Country, Kenya is faced with a myriad of security and safety challenges emanating from both internal and external factors:

Internally, Kenya experiences different types of conflicts ranging from resource-based conflicts to environmental conflicts. Additionally, there are tendencies of negative ethnicity; coupled with ethnicisation of politics. Resettlement of Internally Displaced Persons (IDPs), squatters, evictees and the landless also remains a soar in Kenya's history and presenting an open wound for Kenya especially as the 2012/2013 general elections move even closer. With regard to climate and ecological patters, recurrent drought due unfavourable weather patterns and over-dependency on rain-fed agriculture is also a major challenge. Further, over 80% of the country is arid and semi-arid. Quite often, persistent drought leads to strained resources thereby culminating mainly into natural resource-based conflicts. Organized groups bordering on crime have continued to pose serious challenges due to high levels of unemployment. Further, drug and substance abuse has permeated the Kenyan society with the youth being the most affected group. Kenya's geographic and strategic positioning, and the relatively developed infrastructure makes her a desired transit point of drug trafficking. Livestock rustling which was previously considered as a cultural practice among the pastoralists has taken on commercialized tendencies with the introduction of sophisticated illicit small arms and light weapons.

Externally, terrorism, the proliferation of illicit Small Arms and Light Weapons (SALW), religious fundamentalism; the influx of refugees and asylum seekers; environmental degradation; piracy together with cross-border conflict continue to pose serious challenges to Kenya's path towards sustainable peace.

Despite having been faced by the 2007/2008 Post-Election Violence that saw massive displacements or persons, loss of lives, wanton destruction of property and loss of investment opportunities that culminated in remarkable drop in her economic growth from 7.1% in late 2007 to 1.7% in early 2008, Kenya's record in nurturing peace process in the Region attests to her commitment to peaceful methods of conflict management. Her commitment and support of the peace processes in Sudan, Somali and the Democratic Republic of Congo (DRC), among others, are cases in point.

Further, Kenya is a signatory to a number of such regional and international treaties, conventions and protocols that relate to peace and security. These include, The United Nations Charter; The Rome Statute of the International Criminal Court; The Conflict Early Warning (CEWARN) Protocol; The UN Programme of Action on Small Arms and Light Weapons; The Nairobi Protocol on Small Arms and Light Weapons; The UN Resolution 1325 on Women, Peace and Security; the Lusaka Agreement; the Bamako Declaration on Africa's Common Position on the Prevention of SALW; among others.

Addressing these myriads of challenges, as outlined here-above, requires able and strategic leadership. In particular, recurrent and diverse conflicts in Kenya require engagement of a wide range of actors to be able to effectively manage conflicts. It is against this background that the UWIANO¹ Platform for Peace was established in mid-2010 to contribute towards facilitation of a peaceful National Referendum on Kenya's proposed Constitution; work towards a peaceful 2012/2013 general election and beyond. This Agenda, that I will be able to share with you here today, provides this strategic direction.

KENYA'S INFRASTRUCTURE FOR PEACE

The Peace-building and Conflict Management process in Kenya has grown from originally *ad hoc* initiatives to more formal engagement among stakeholders. This framework was inspired by traditional dispute resolution mechanisms such as the *Al fatah* (Council of elders) in Wajir. Initial reactive approaches by both state and non-state actors have since graduated into hybrid Peace Committees at various levels.

At the national level, efforts to strengthen, co-ordinate, and integrate various conflict management initiatives led to the close working arrangements between the government and civil society organizations (CSOs) and establishment of the National Steering Committee on Peace-building and Conflict Management (NSC). NSC was established in 2001 within the Ministry of State for Provincial Administration and Internal Security in the Office of the President, and became operational in November 2002 with the placement of a Secretariat. NSC's mandate revolves around facilitation, coordination, harmonization, monitoring and evaluation of peace-building and conflict management initiatives in the country. Alongside the NSC, the Government established the Kenya National Focal Point on Small Arms and Light Weapons (SALW) to address the problem of illicit proliferation of SALW.

The NSC brings together representatives from relevant Government Ministries and Departments, umbrella civil society organizations, development partners, and UN

¹ UWIANO is an umbrella body/campaign for peace in Kiswahili. It means "Togetherness". It brings together the National Steering Committee of Civil Conflict Management and Peace-Building, the National Cohesion and Integration Commission, UNDP, PeaceNet among other Peace Organisations.

agencies. As a multi-agency organization, NSC is mandated with the co-ordination of all peace related activities in Kenya. It also doubles up as Kenya's Conflict Early Warning and Response Unit for the implementation of the IGAD CEWARN Mechanism and CEWARN Protocol acceded to by IGAD Members States in 2002.

It suffices to note that prior to Kenya's Post-Election Violence of 2007/2008, a lot of focus was given to traditional conflicts related to pastoral areas. However, the spill-over effects of the PEV brought into sharp focus the need to build a strong framework for peace at all levels across the country. The inception of the Kenya National Dialogue and Reconciliation (KNDR) Process in 2008, under the able stewardship of the former UN Secretary General, Mr. Kofi Annan, leading to the signing of the National Accord and Reconciliation Agreement (NARA) on 28th February 2008 led to rigorous efforts in institutionalizing the peace architecture in Kenya.

- In particular, the conclusion of Agenda Item 2 under the NARA recommended the establishment of District Peace Committees (DPCs) countrywide. This has since been done in over 100 Districts. Over 150 DPCs have been facilitated with office space, basic office equipment and furniture to enable them to be effective in their work. They also receive training and minimal funding for their peace-building and conflict management activities.
- In addition, the KNDR process led to the establishment of the Commission of Inquiry into the Post-Election Violence (CIPEV) also known as The Waki Commission that investigated the causes of the PEV and made recommendations for implementation. Similarly, the establishment of the Independent Review Commission of Inquiry into all aspects of the 2007 General Elections (IREC), and famously known as the Kriegler Commission, was a noble start process that attempted at addressing one of the major conflicts that has bedevilled Kenya in her recent past.
- Further, the National Cohesion and Integration Commission (NCIC) was established under the NCIC Act. The NCIC is mandated to facilitate and promote equality of opportunity, good relations, harmony and peaceful coexistence between persons of different ethnic, colour, religious and racial backgrounds in Kenya and to advice the government thereof. It seeks to provide a mechanism for addressing, on a continuing basis, the ethnic conflicts.

Additionally, the NARA provided for the establishment of the Kenya Truth Justice and Reconciliation Commission (TJRC) to inquire into human rights violations, including those committed by the state, groups, or individuals. This includes but is not limited to politically motivated violence, assassinations, community displacements, settlements, and evictions. The Commission is also empowered to inquire into major economic crimes, in particular grand corruption, historical land

injustices, and the illegal or irregular acquisition of land, especially as these relate to conflict or violence.

- It suffices to mention that each of these structures and institutions has certain comparative advantage that works well for the peace process in Kenya. The NSC for example, has the grass-roots support and outreach through the DPCs, youth and women, and other community peace processes, while both NCIC and TJRC have political leverage together with the Acts of Parliament. Nonetheless, they all operate in a harmonized manner and work towards synergy building despite the operational and programme related challenges that are however, insurmountable.

Finally, Policy frameworks have remained critical ingredients in sustaining the peace agenda in Kenya. First and foremost, the Constitution of Kenya explicitly provides for the promotion of peace including application of Alternative Dispute Resolution (ADR) Mechanisms. Similarly, the Political Pillar of Kenya's Vision 2030 provides for a need to ensure peace-building, conflict management and security enhancement are mainstreamed in all programmes. The development of a plethora of policies is underway. The draft National Policy on Peace-building and Conflict Management; draft National Policy on SALW; draft National Disaster Management Policy; draft National Security Policy; draft IDP Policy; draft National Cohesion Policy are cases in point. The Government has also recognized that land and natural resources as a major cause of conflict being in Kenya and has put in place policies and legal frameworks to contain conflicts arising from the sharing of natural resources. For example, the new land policy, forestry master plan, Forest Act 2005, National Biodiversity Strategy and Action Plan (NBSAP) which seeks to promote national interests in relation to international environmental and forest related issues while at the same time address environmental conflicts. These sectoral policies are aimed at promoting participation and involvement of communities in Kenya in the sustainable management and utilization of shared resources, ecosystems and international environment.

CONTEXTUALIZING PEACE AND CONFLICT IN KENYA

Kenya is preparing for General Elections scheduled for March 2013. This is just four years after the last general election that was marked with PEV of unprecedented nature. Although many Kenyans would prefer 2012 General Elections as was found out in an opinion poll² conducted in March 2012, the High Court, while ruling on a dispute regarding the date of the next General Elections in January 2012, gave two options. One,

² Two polls conducted separately by Ipsos Synovate and Infotrak Harris, respectable polling firms in Kenya, place those who wish to have the polls conducted in December 2012 at 72% and 64% respectively. See <http://www.africareview.com/News/Pollsters+say+Kenyans+prefer+December+elections/-/979180/1380166/-/pnvqv/-/index.html>

the elections will be held 60 days after the expiry of the term of the current parliament, which will be 4th March 2013. Second, the elections could be held 60 days after the formal and written agreement by the two Principals of the Coalition Government - the President and Prime Minister - to dissolve the Government. In other words, the three-bench judge ruled out the possibility of August 2012 elections as provided by the Constitution of Kenya, arguing that this will be applicable after the next general elections³.

In other words, the uncertainty over the elections date given the court ruling is not the matter here, but rather the prevailing political and security situations, which could be a concern to peace lovers and more specifically those who would like to forget the ghost of the last elections. Given the violent historicity of election years in Kenya especially after the country embraced multi-party democracy in 1991, it behooves all to take stock of what is happening and be able to formulate possible peace and conflict scenarios come the next elections.

In terms of severity and scale, the PEV was the most horrifying, with several sources putting over 1, 300 people dead and in excess of 500,000 internally displaced. The PEV, which was triggered by dispute surrounding the tallying of the Presidential Election results, engulfed six of the eight provinces in the country. It took the efforts of the Panel of African Eminent Personalities led by Kofi Annan, under the auspices of KNDR process, to end the chaos and usher in a Coalition government.

The Kofi Annan led KNDR process not only managed to broker a Coalition government that finally ended the PEV but also came up with long term recommendations on how to address the root causes of the PEV such as constitutional, institutional and legal reforms; land reform; poverty and inequity; unemployment, particularly among the youth; consolidating national cohesion and unity; and transparency, accountability and impunity. The implementation of the said recommendations is at different levels but one major achievement was the promulgation of the new constitution in August 2010. It is anticipated that the progressive implementation of the constitution will largely contribute to addressing some of the root causes of conflicts in Kenya including making the political process fair and credible.

However and despite of these achievements, the country faces a number of threats to national security. There still exists grievances over the PEV, the International Criminal Court (ICC) process is likely to open old wounds and polarize the country further, the implementation of the constitution has come with its own challenges. The creation of 80 more constituencies and redrawing of boundaries coupled with old boundary disputes between Counties have opened a new chapter of boundary disputes with raging court cases. Currently, there are over 90 court cases challenging the Independent Electoral and

³ See <http://www.aljazeera.com/news/africa/2012/03/201231794555689422.html>

Boundaries Review Commission (IEBC) proposals to create new constituencies, review wards and redraw their boundaries. Groups such as Mombasa Republican Council (MRC) have since emerged to agitate for secession or independence of the Coastal region, with their slogan “*Pwani si Kenya*”. This scenario tends to point at political manipulation of groups especially during elections. This synopsis infers that the country is yet not immune to violence as witnessed before unless preventive measures are put in place.

A study commissioned by NSC in 2010 found out that the next general elections are likely to be relatively peaceful, but went ahead and pointed out some key conflict issues that, if not addressed, might drive Kenya back to the 2007/2008 Post-Election Violence (PEV) crisis⁴. Preliminary findings of a similar baseline study (currently on-going and slated for release in May 2012) by the Constitution and Reform Education Consortium (CRE-CO) corroborated the NSC study, warning of possible conflict threats related to elections if preventive measures are not undertaken⁵.

Further, the unstable political environment that is manifested by influx of a high number of refugees, terrorist activities, piracy, drug and substance abuse, human trafficking and proliferation of illicit SALW poses serious challenges for Kenya. Recent conflicts in the neighbouring countries such as Sudan-South Sudan conflict over oil; Uganda (mainly during the 2011 electioneering), and Somalia (the *Al Shabaab* question) have exposed Kenya to the vagaries of war. Responding to the needs of both rural and urban populations in the face of these security and safety challenges therefore presents a growing challenge to state authorities, peace, development and humanitarian actors across board.

The proliferation of illicit SALWs presents a major challenge for peace and security at the global, regional and local levels. The illicit SALW continue to be the main drivers of conflict in the world. Preliminary findings of the study conducted jointly by the Government of Kenya’s National Focal Point (KNFP) on SALWs jointly with the Geneva-based Small Arms Survey point to the fact that between 530,000 to 680,000 illicit SALW are in the hands of civilians. This poses serious challenges in the face of an impending election.

⁴ NSC, 2011, *National Conflict Mapping and Analysis: Peace and Conflict Trends in Kenya*, NSC, Nairobi.

⁵ Constitution and Reform Education Consortium (CRECO), 2012, *Building a Culture of Peace in Kenya: Baseline Report on Conflict Mapping and Profile of 47 Counties in Kenya*, CRECO, Nairobi.

OPPORTUNITIES FOR PEACEFUL ELECTIONS

Kenya's next elections are on the horizon. The next elections will be the most complex ever undertaken in Kenya. The stakes are very high. This is the reason why the elections must be free, fair, credible and peaceful.

In view of this, there are a number of opportunities that present an opportunity for working towards free, fair, credible and peaceful elections:

First and foremost, Kenya will be going into the elections with a new Constitution promulgated in 2010. The Constitution has set in place the establishment of critical institutions and enactment of pieces of legislation that would facilitate such an election. Even though there is delayed implementation of the Constitution, the atmosphere and environment seems better than it was in 2007. This Constitution guarantees peace to every Kenyan by virtue of the expanded and very elaborate Bill of Rights under Chapter 3 of the Constitution. These rights and freedoms singularly and collectively contribute to the peace of the individual and of the nation. As the former UN Secretary-General Boutros Boutros-Ghali, at the World Conference on Human Rights on 14th June 1993 said, *"The human rights we are to discuss here at Vienna are...the quintessential values through which we affirm together that we are a single human community."* The on-going Reform Agenda therefore needs to be sustained.

IEBC is in place and functional. Given her past experience and record in successfully handling the by-elections arising from the 2007 elections; and the successful management of the National Referendum in 2010, most Kenyans have confidence in this institution. The efforts towards electronic voting and transmission of results, coupled with biometric voter registration; the expanded voter education among others factors, are likely to cushion Kenyans in delivering free, fair, credible and peaceful elections. The Commission, however, direly requires the support of all Kenyans and like-minded individuals and institutions.

The Government is currently undertaking the Kenya National Integrated Civic Education (K-NICE) Programme. It is envisaged that this Programme will continue to enlighten and sensitize the public on the various provisions of the Constitution of Kenya; including better understanding of devolution as well as the need for active political participation in Kenya's decision-making processes. This is therefore likely to lead to an increase in the number of Kenyans with a better understanding of the Constitution and their Rights.

The existing peace architecture that runs from the national to community level structures and processes is well-established compared to the situation in 2007. The state and non-state actors are collaborating, partnering and steering the peace agenda at different levels. This architecture will continue to play a critical role in the implementation of the national conflict early warning and early response system, as well as increase capacity

for tracking and monitoring of conflict and violence indicators through the use of national volunteers as peace monitors and to consolidate efforts towards preventing electoral violence in 2013.

The media in Kenya is a diverse and vibrant growing industry. Reliable, accurate and objective media, whether mainstream, alternative or non-conventional, can both help prevent and resolve conflict through responsibly disseminating information, raising awareness and knowledge, promoting participatory and transparent governance and addressing perceived grievances. The effect of media on conflict can be viewed in terms of negative repercussions that inadvertent or overtly propagandistic media may have in terms of fuelling tensions or provoking violence; as well as the potential positive impact that it may have if based on basic professional standards, combined with diverse access to information and adherence to ethical codes. Kenya's media has extensively grown over the years with more than 90 FM Radio Stations, 14 TV Stations and a raft of newspapers and magazines in the print media. As a source of information therefore, the media has a fair share in peace-building and conflict transformation. They have been engaged in development and transmission of peace messages and hosting of talk shows and documentaries on peace. A deliberate effort has also been made in targeting local community based radio stations to disseminate peace messages and to organize dialogues for peace and reconciliation. Media training on Conflict Sensitive Reporting; Conflict and Democracy reporting have also been conducted over time. These call for sustainability in media engagement, and to better manage the challenges that go with media focusing on political and commercial interests *vis-à-vis* peace.

Kenya's civil society has become more vibrant in the last two decades. The NGO groups have grown extensively and now cover a membership base of more than 1000 registered groups, while CBOs and women groups are multifold. The vibrancy of this sector has come in all forms ranging from legislative and human rights; groups; gender, civic education and political lobby groups, democracy and governance, peace-building and conflict management. Efforts have also been made in consolidating their presence and raising their visibility and effective engagement with state actors. They have to a large extent succeeded in creating capacity to demand reforms and achieved some policy and political changes.

The Kenya TJRC will be releasing its report and presenting a National Reconciliation Agenda. These important documents will present Kenya with opportunities for deepening reconciliation. Every effort should therefore be made at preparing the ground for the submission of the report and implementation of the Reconciliation Agenda.

There are a number of initiatives that have been designed by various stakeholders to contribute to peaceful elections. The onus of these initiatives is that the 2007/2008 PEV caught many stakeholders by storm and this time round, it is logical to put in place measures that will avoid a repeat of PEV. Some of the key initiatives include:

UWIANO Platform for Peace: Uwiano is a platform for advancing peaceful electoral process and was conceived in July 2010 by four organizations namely NSC, NCIC, PeaceNet and UNDP. It successfully rallied Kenyans for a largely peaceful referendum in 2010 and once again demonstrated that with strategic partnership and planning, elections in Kenya need not be violent. UWIANO therefore, is a conflict preventive strategy that provides space for a wide range of partners, actors and stakeholders to build synergy and leverage their efforts for conflict prevention and peace-building in Kenya⁶. Building on its success in 2010 during the referendum, Uwiano Platform for peace will be re-launched on 2nd April 2012. It has since been to include key independent Commissions such as Independent Electoral and Boundaries Commission (IEBC) and a number of CSOs.

Mkenya Daima Campaign: The Kenya Private Sector Alliance (KEPSA), in collaboration with civil society and inter-faith groups will also be launching *My Kenya-Mkenya Daima* campaign on 17th April 2012. The primary purpose of the campaign is to inspire all Kenyans towards peaceful elections and a better Kenya for all. This campaign seeks to evince nationalism amongst the Kenyans, where Kenya as a country comes first before your own aspirations. The campaign seeks to mobilize Kenyans towards free and peaceful elections, where business will not be affected as happened during PEV.

Kenya Kwanza: The National Cohesion and Integration Commission (NCIC) is running a national campaign dubbed *Kenya Kwanza*, aimed at galvanizing the public attitudes and action towards a cohesive, inclusive and peaceful Kenya. The campaign for a peaceful election comes with a charter to be signed by peace loving Kenyans to individually and collectively commit to uphold the values of the campaign. The charter calls on the Kenyans to uphold values and interactions as the country approaches the general elections. The values are enlisted as non-discrimination, on grounds of ethnicity, race and religion, integrity, inclusivity and tolerance⁷.

Other Critical Electoral Violence Response Initiatives (EVRs): Under the clarion “never again” in reference to PEV that gripped Kenya in 2008, many peace actors have come up with EVRIs. Some of these initiatives could be invisible for whatever reasons but there are all the reasons to believe that both state and non-state actors are preparing themselves for the next elections. As an example amongst others, the Ministry of Justice, National Cohesion and Constitutional Affairs jointly with the Ministry of State for Provincial Administration and Internal Security are planning for County Conferences on Peaceful Elections. The County Conferences will culminate into a National Conference on Peaceful Elections. The Ministry of Education in partnership with other actors such as UNICEF, will also be implementing a National Peace Education Campaign focusing on making schools safe spaces for peace even during electioneering. Saferworld in

⁶ See <http://www.ke.undp.org/index.php/projects/international-day-of-peace-initiative>

⁷ <http://www.kbc.co.ke/news.asp?nid=75424>

partnership with IEBC and PeaceNet is implementing an EVRI initiative in at least 5 Counties in the country. Many USAID supported organizations working on issues of democratic governance and conflict prevention have programmes geared towards delivering peaceful elections, such as the Safe Coast Project to be launched in Coast mid 2012.

PRIORITY AREAS FOR ENHANCING CO-ORDINATION AND PROVIDING STRATEGIC LEADERSHIP TOWARDS PEACEFUL ELECTIONS

Let me now share with you, in a fairly summarized format, the priority areas that UWIANO Platform for Peace believes in mobilizing stakeholders for synergistic implementation in order to deliver peaceful elections that would ultimately usher in a successful political transition:

- Enhance co-ordination and collaboration at the National, County and Community levels
- Upgrade the National Conflict Early Warning and Early Response System, and establish County-conflict early warning and early response Units;
- Facilitate County and Community conflict assessments, mapping, scenario building; development and implementation of Conflict Prevention, Management and Resolution (CPMR) strategies;
- Facilitating Peace caravans for Peace Brigades within the various EVRIs;
- Training and deployment of focal Persons, Monitors, Mediators in hot spots and/or County level;
- Facilitate rapid/emergency response to conflict across the Country;
- Enhancing collaborative political leadership;
- Sustained and robust media engagement;

CONCLUSION

Uwiano Platforms' experience during the 2010 referendum demonstrates that through joint action, conflict and violence can be anticipated and successfully prevented. This focus, coupled with effective action by state institutions and civil society to ensure the organization of successful elections, the protection and promotion of human rights, the full utilization of the rights of the citizen to choose their leadership will contribute to a transformative and defining moment for Kenya. It is therefore imperative that all

stakeholders – police, government, civil society, statutory commissions, the wananchi and the international community- must come together to plan and work towards a successful elections. Uwiano Platform commits to providing the spaces necessary for the stakeholders to develop harmonized and coordinated action plans to ensure that these aspirations become reality. Independent institutions are the backbone of a stable and prosperous Kenya

Genuine change and transformation will only result from the people’s active participation. It will only be achieved if it comes from the grass-roots

It is important that we continue the dialogue on building a peaceful and progressive Kenya.

“Only truth and reconciliation will make Kenya a united nation.”

(Barrack Muluka, The Standard, March 3, 2012)

Millicent Otieno

Peace-Practitioner and Do-No-Harm-Trainer¹

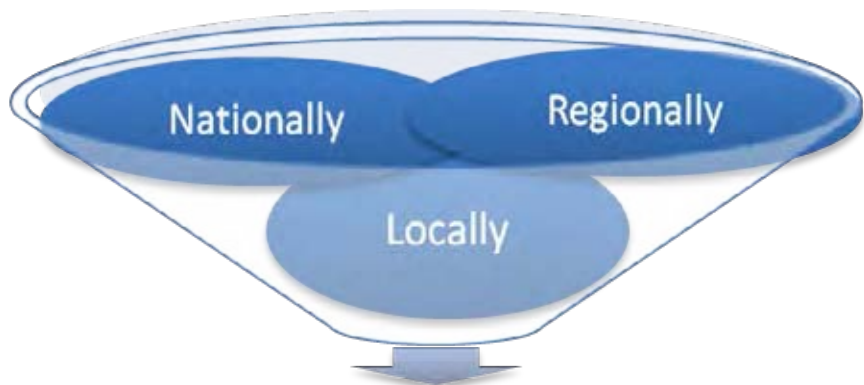


CONFLICT IN KENYA: UNDERSTANDING HISTORIC AND PRESENT PERSPECTIVES IN RELATION TO CONFLICT SENSITIVITY AND EFFECTIVENESS IN PEACE-BUILDING

This write up focuses on the presentation made on 24th March 2012 with a view to highlighting some of the conflict related issues in Kenya and how different efforts geared towards addressing the underpinning conflict factors as well as initiatives to mitigate the conflict risks through direct peace work or development, humanitarian and media interact and impact with the contextual conflict dynamics positively in some cases and negatively in others.

Violent conflict has been recognized as one of the main significant impediment to development, poverty reduction and security in Kenya, where the context of conflict is characterized by divisive elements as well as factors promoting cohesion at different levels that form and feed into the conflict dynamics. Although Kenya has for a long time was considered to be peaceful unlike her neighbors, a closer scrutiny reveals an unprecedented wave of internal and cross-border conflicts. Conflict levels in Kenya can be traced regionally, nationally and locally.

¹ Founding member of the Local Capacities for Peace International (LCPI). With over ten years experience in Conflict Sensitive Programming, Peace Building and Conflict Transformation working in the Greater Horn of Africa – Kenya, Uganda, Ethiopia, Tanzania, Sudan, Burundi and other countries including Liberia, Ghana, presentations in the USA, Germany and Norway.



Integrated Levels of Conflict

The structural factors of conflict in Kenya include historical injustices mainly around land ownership and control, politically instigated violence along ethnic lines, commercialization of cattle raids and stock theft, natural resource use conflicts compounded by population increase and environmental conditions, increased insecurity characterized by deterioration of public security and urban crime as well as industrial and institutional disputes which have often led to strikes and open confrontation between the aggrieved parties and the law enforcement agencies (Kut, 2007). These and other causes of conflict are deeply embedded in the complex socio-economic, political and cultural infrastructure of the different regions and geographical areas and have immensely contributed to the tearing of the societal fabric that tend to glorify war tendencies as the first step to addressing grievances.

Development actors through their actions and processes interact with and impact on the structural, proximate and trigger causes of violent conflict (Sherriff et al., 2005). The phenomena of peace-building and conflict transformation continue to take different dimensions and shapes as several actors grapple with reactive and proactive intervention to prevent, minimize and/or limit the devastating effects of destructive violent conflicts. In Kenya particularly, different events and factors have triggered, escalated and fueled violence, the trends are changing but some patterns remain constant such as the cyclic recurrent electoral related violence. In the post-colonial era and more so during the clamour for multiparty democracy (1992) and the subsequent dissolution of single party political system, the electioneering period and process continue to experience increased incidences of brutality and destruction mostly politically instigated along ethnic lines.

HISTORICAL AND THE EXUBERATED 21st CENTURY CONFLICT IN KENYA

Historically, although Kenya *officially* has 42 different ethnic communities, the violent conflict has become a major concern in the post-independent era. According to Oyugi (2002) ethnicity per se in the absence of its politicization, does not cause violent conflict, an opinion shared by Jones et al. (2009) and many others. For example Pkalya et al. (2003) in his report points out that, some conflicts within and between pastoralist communities, such as raiding and cattle rustling have a long history and have to some extent become an aspect of traditional pastoralist culture, nonetheless, one cannot ignore the ethnic dimensions of the practice which often results to heightened intercommunity animosity. Noteworthy, such 'traditional' conflicts have become increasingly destructive and less manageable using the both state apparatus and traditional mechanisms.

Politics has undoubtedly played a role in the emergence of human security as a policy issue. The fear of political instability, border conflict, and social chaos, following the disappearance of paradoxically stable Cold War boundaries and (often forced) alliances has focused politicians' minds on national safety. In different parts of Kenya, political party affiliation and territorial claims by political cliques in the form of brut gangs as well as vigilante groups continue to pit communities against each other thus widening the ethnic animosity at the expense of engaging in constructive political ideological issues that contributes to growth, stability and prosperity on the respective regions and the country.

The Conflict Sensitivity Consortium (founded in 2008), groups the causes of conflict in Kenya in six major categories namely:

- Natural resources (land distribution, IDP, politicization of land disputes, water, agro-pastoralists conflicts etc.)
- Environmental and ecological (climate change effects and population growth pressure on land)
- Political (political violence, corruption etc.)
- Security and justice (small arms and light weapons, ineffective security provision, law enforcement, non-state armed groups)
- Economic (inequalities, widening gap in the populace between the poor and rich)
- Societal and cultural effects (changing trends and patterns – effects of globalisation)

To put this into perspective, the figures of the Kenya national poll survey result by Media Focus on Africa Foundation (2009) highlighted the underlying sources of conflict as tribalism/ethnicity (22.7%), poverty (15.4%), politics (14.6%), land (10.6%), unemployment (8.1%) and corruption (5.8 percent). Additional causes of conflict include negative attitudes towards other tribes (4.8 percent), poor governance (4.2%), insecurity (3.2%), and inequality/unequal distribution of national resources (3.4%).

Conflict and displacement in Kenya are closely linked to land tenure issues, starting initially with forced displacement of an indigenous African population to give room to white settlements enforced by the colonial authorities. Not surprisingly, the current causes and patterns of conflict in the North Rift and North Eastern regions are complex and intertwined with ethnicity, environmental degradation, and competition over scarce resources, influx of illicit arms from neighboring countries (such as Somalia) continue to feed into the conflict dynamics; and cultural practices such as cattle rustling which has mutated to criminal acts of stock theft and commercialized raids also indicate the changing conflict trends. Others proximate factors to the conflict scenario include inadequate policing and state security arrangements, diminishing role of traditional governance systems, land issues, political incitement, ethnocentrism, increasing levels of poverty and idleness amongst the youth due to high unemployment rate.

Indeed the conflicts in Kenya could be directly attributed to the social, economic, and political exclusion of some of the regions from the centre; and especially the state's inability to provide security and the alternative livelihoods to the pastoral community whose lifestyle mainly depended on livestock that has reduced due to harsh weather conditions. The communities developed their own security systems including arming vigilante and home guards, which in some cases have not necessarily used the weapons for protection of the communities, alternate drought and floods continue to worsen the unabated famine condition which destroys the lives of animals and humans in these areas rendering the people more vulnerable and desperate. In the recent past, the influx of Somalia refugees mainly to the Dadaab district has contributed to the strain on the existing resources and has led to increase of cross border war spillover.

RESPONSES TO DEALING WITH CONFLICTS

Far-reaching evidences illustrate that government and other actors' response to conflict leaves a lot to be desired. In the case of the 1997 clashes in Mombasa, ethno-nationalist sentiments characterized relations between the indigenous ethnic groups and the immigrant groups, mainly the Luo, Kikuyu and Akamba at the coastal town of Mombasa. The indigenous groups long complained of domination by "upcountry" communities in terms of economic opportunities. The statements were barely taken by the police and the government or civil societies made no peacekeeping and

reconciliatory arrangement. Several coastal politicians were accused of being part of the plot (Oyugi, 2002). Today the conflict has graduated to be a running battle between the coastal people and the government in, 'Pwani si Kenya' campaign seeking secession for the coastal strip.

In the North Rift, ethnic tensions developed especially around the structure of redistribution of some of the land formerly owned by the white settlers. The policy that gave rise to large-scale land acquisition by "outsiders" in Rift Valley was the policy of 'willing buyer willing seller' that the government adopted for land transfers after the initial political settlement among the political elites on about one million acres. Different scholars and analysts have argued that proper analysis (context and conflict) leading to better understanding of the dynamics would support the relevant authorities and actors to design appropriate interventions. The same should be backed by good governance measures and policies that would go a long way in mitigating disputes before the agitation transforms to violent conflict.

In summary one would conclude that the early warning mechanisms have not necessarily yielded or lead to timely response. Instead the responses have mainly been short term reactive rather than proactive long term measures. The interventions have often involved the use of force to suppress, avoidance by the state to deal with the issues, accommodation by the populace and compromise between the political elites to pacify the complainants with the hope that the conflicts will go away and people will forget their grievances. There have also been instances where collaboration and cooperation mainly in the community driven processes have lead to longer term solutions of various disputes.

CONFLICT SENSITIVITY IMPETUS

'Conflict sensitivity' is herein defined as the ability of an organization or intervener to understand the context in which one operates; understand the interaction between the intervention and the context; and act upon this understanding in order to avoid negative impacts and maximize positive impacts on conflict (Zicherman, 2011). The maximalist and minimalist debates on the subject of conflict sensitivity has reduced and many interveners have come to the conclusion that understanding the context and conflict realities/dynamics is paramount to the designing of all interventions - development, humanitarian or peace initiatives. The realization that the interventions interact and impact on the contextual dynamics either positively or negatively (and vice versa) makes it imperative for the interveners to be deliberate and systematic about maximizing the positive and minimizing the negative results/impacts to avoid exacerbating tensions.

Ethnic tensions, killings and people living with fear characterizes Kenya's conflict prone areas. This has led to an influx of peace actors and a boom in the peace industry. Both

capacities for peace and connectors as well as capacities for wars, sources of tensions and dividers are evidently being affected by the conflict blind interventions. Religion and religious leaders have also acted as agents of peace in some cases, while on the other hand some of them have tolerated acts of violence and issued statements that are divisive. As reported in the Media Focus (2009) people view religious leaders as connectors and peacekeepers. However the majority of the citizenry in Kenya are demanding that the clergy and all religious leaders act and speak unequivocally against violence and polarizing tendencies including shunning and condemning tribal groupings that only serve to increase animosity through inflammatory rhetoric and demonizing others.

The various cultural and social institutions, for instance the ethnic based political alliance KAMATUSA (KAlenjin, MAasai, TURkana and SAmburo alliance) formed during the Kenyan African National Union (KANU) regime supposedly to drive away other tribes, mainly the Kikuyu from their land (Oyugi, 2002,) are also viewed by many as instruments that could be useful in promoting cohesion and resilience in the communities; thence such institutional arrangements like the ethnic based political alliances GEMA (Gikuyu, Embu and Meru Alliance) and KAMATUSA etc., are often perceived to be acting as capacity for war instead of a platform for connectivity and development which they were envisaged for. Similarly the police department is an institution whose role is to protect the citizenry but they are often manipulated by individual leaders to beat up and torture the citizenry in instances of dispute. No wonder the police forces were adversely mentioned in the Waki Report due to the killings and atrocities they allegedly committed during the post-election violence. There are numerous connectors that could be highlighted from the various regions of conflict in Kenya that continue to bring people together, some connectors include, fear of war by many, past experiences of cohabiting, attitudes and actions of resilience, markets, hospitals, common enemy, religion etc. (Anderson et al., 1999). It is therefore important for those intervening to find ways of exploiting the connectors and undermine divisions.

SOME OF THE EXISTING MEASURES FOR CONFLICT MANAGEMENT

The common measure of conflict management and mitigation is adjudication and arbitration recognized under the Kenyan law. Conflict resolution through the judicial system has been made difficult by a population poorly informed of its legal rights and responsibilities, high costs and complex procedures, inadequate staffing of the judiciary, strong links between the executive and judiciary, manipulation and selective application of the law in certain instances. The legislative framework, traditional justice mechanism (Council of elders, inter-ethnic marriages, ethnic group alliance), the African customary

law as well as Government led initiatives (security forces, policies, strategies, development plans and establishment of peace mechanisms at the district level (District Peace Committees) (Adan et al., 2006) are serve as instruments for conflict resolution, conflict mitigation and conflict management.

INSTITUTIONAL FRAMEWORKS FOR PEACE-BUILDING

With the rise in violent conflict the Government has put in place various government agencies to work on peace-building and national reforms besides the civil societies and international organizations. In the core is the National Steering Committee on Peace building and Conflict Management (NSC), which was established in 2001 under the Ministry of State for Provincial Administration and Internal Security in the office of the president. In a mirage NSC is an interagency committee that seeks to strengthen, coordinate, and integrate various conflict management initiatives undertaken by the government and Civil Society Organizations (CSOs). It brings together to coordinate and consolidate efforts geared towards peace-building and conflict management in Kenya as well as cross border peace stakeholders. Ministry of Justice and Constitutional affairs through the National Cohesion and Integration Commission (NCIC) and the Truth Justice and Reconciliation Commission (TJRC) are also government departments working directly on peace-building across the country. The framework of the early warning system - developed to the district level (district peace committees) is yet to achieve its effectiveness, because if it had, the 2007/2008 post-election violence could otherwise have been avoided.

The Kenya National Dialogue and Reconciliation (KNDR) Monitoring Project gives an in-depth national peace-building process from the 2007/2008 post-election violence (South Consulting, 2009). The agenda 1 to agenda 4 of national accord reflected the three requirements for peace-building namely: urgency of change, sustained change and proportionality of change. In them the four criteria of effective Peace-building inscribed upon effective implementation of the national peace accord the first one being the stopping of violence. In spite of the success in stopping the violence, the resettlement of the Internally Displaced persons (IDP's) remained an eye sore while the political militias are mutating and taking different form further reinforcing the culture of impunity. Embedded in politics and crime, the groups now tend to hold hostage the same politicians who brought them up and financed them. The situation of IDP's has not changed either; many continue to live in deplorable 'transit' camps with no access to services, the wheels of justice are rolling too slow for them and many feel that they have been denied justice. There have been several promises to resettle the families but the efforts are yet to reach all affected.

KNDR principals on reforms were not only limited to the post-election violence but the long-term healing of resource related conflicts, inter-clan and tribal conflicts and cross boundary conflicts (most of them historic in nature). The reforms would include: new constitutional, institutional and legal reforms, land reforms, poverty, inequity and regional imbalance, unemployment, consolidation of national cohesion and unity, transparency, accountability and impunity (KNDR, 2008). Despite the milestones achieved such as the promulgation of the new constitution and the reforms in the judiciary as well as the electoral commission, the government and the people of Kenya must work together to see that all the remaining steps are undertaken in a manner that restores confidence and addresses the underlying factors that sustain the conflicts. Peace-building in Kenya however continues to face numerous bottlenecks as conflict systems fight back.

CHALLENGES AND BOTTLENECKS IN PEACE-BUILDING

Agenda 4 of the post-election peace accord was critical in the achievement of a long-term national peace. However the delay and disputed clauses within the new constitution has resulted to increased disillusionment and feeds into the growing disappointment and anger against politicians. Slow pace of land reforms is a major course of concern. The conflict within the grand coalition government also undermines the pace of reforms.

The IDP resettlement has not only left the families in a deplorable situation but it is unfortunate that a section of politicians are using the condition as a political resource. Ensuring coordination of the activities of the different agencies to collectively address the issues e.g. Ministry of Special Programmes and the Ministry of Lands who are tasked with the role of acquiring land and resettlement of the displaced would have seen the matter resolved in less than one year. At the same time, one cannot ignore the fact that some communities refused and rejected the government's proposal to buy land and resettle the IDPs (e.g. Trans-Nzoia), instead they insisted the government should look for alternative land insinuating that they did not want to live with the people from the community that was to be resettled. This indicates the level of intolerance which was being propagated and manipulated by some politicians and elites for their own gains.

Instability in neighboring states has resulted in increased cross border tensions, proliferation of Small Arms and Light Weapons (SALW) as well as humanitarian crisis resulting in the loss of life and property. The attempt by the government to expand the Kakuma camp to accommodate more refugees has increased host community and refugee tensions and sharp division among the political class with some saying Turkana's will not yield any more land to the refugees who are being provided with all facilities while they suffer and see no benefit of their hospitality.

Institutional challenges such as the capacity of security forces and other government agencies to prevent, mitigate and manage conflict remain despite the growing recognition by the government of the need to proactively address conflict as a development issue in collaboration with other partners such as civil society, private sector and development partners. The harmonization of national legislation with those of neighboring states to give effect to the collaborative and cooperative nature of the international agreements and the enactment of laws and development of related policies that implement these international treaties and agreements (Adan et al., 2006) is still wanting.

There remain operational challenges manifested in the continuing need to improve effectiveness and cumulative impact of ongoing peace-building programmes and processes particularly those contributing to the traditional justice systems. Many actors have equally transformed peace-building into a full flagged money making business in the pretext that peace work is a process whose result are difficult to measure and takes time. Although peace-building is indeed a process and not an event, a lot of donor funds and government money has been used to call for unwarranted workshops, organize uncoordinated community forums and write nice publication on non-existence reforms on the lives of the communities.

FAR REACHING REFORMS THAT COULD BE APPLIED IN CONFLICT RESOLUTION

The government, multilateral organization and civil societies in conflict resolution have placed several interventions. The recommendations as listed by Pkalya et al. (2003) included:

Strengthening traditional conflict resolution mechanisms and linking them with formal police, court and government agencies; sensitization and awareness creation on issues pertaining to conflict and illicit arms; promotion and facilitation of inter-community dialogues, peace meetings, exposure tours and compensation schemes including trauma-healing sessions. Advocacy and policy influence on the state's inability to secure rights of its citizen to security, establishment of education facilities, provision of adequate health services and private property protection. Emphasis on communities' participation in policy advocacy, influence and participation in public discourse should be strengthened. Initiation of development projects, e.g. service projects such as schools, churches, and dispensaries act as connectors as the communities share the facilities and enjoy the services jointly. Also of importance is the gender and age mainstreaming in all peace initiatives also goes a long way in tapping the unexploited resources in the peace practice and conflict resolution.

Some suggestions in strengthening the culture of peace include the introducing of peace education (including drama, songs and poetry) in schools and public forum as well as strengthening and supporting media for peace programmes and campaigns. Provision of relief and other conflict related exigencies and assistance must be done in way that will not increase the conflict divides, this includes rehabilitation of destroyed social amenities. Resettlement of displaced families must be done in a participatory and inclusive manner that will foster acceptance, provision of basic needs and improvement of infrastructure which are important to all the parties can also be a way of bringing the groups together while highlighting the interdependency and economic value of each community. Develop community-based early warning system for early action and response thus making the community structures sustainable. All actions and processes named above should utilize tools for conflict sensitivity such as World Visions-Making Sense of Turbulent Contexts and the Do No Harm framework (Garred et al., 2006). However, agencies should conduct thorough and proper analysis from the onset and the findings should be used to inform the interventions throughout the project cycle.

OPPORTUNITIES AND EFFECTIVENESS OF PEACE PRACTICE

International mediation - the success of the international community and the Kofi Annan mediation team signified a positive step in the ability of joint efforts from external and local elites to influence the political elite within Kenya. At the national level, coalition government, constitutional review process, KNDR agenda 4, Waki Commission Report and the International Criminal Court and the endeavours to address the proliferation of SALW as well as the police reforms provided opportunities for communities, individuals and institutions to take stock and conduct an audit that is geared towards finding ways of dealing with the thorny issues plaguing the country. And at the local level, traditional conflict resolution mechanisms are being revitalized and retransformed to deal with the emerging trends and scenarios of conflict. Religious institutions have seized the opportunity to seek peace actively learning from the experience of the post-election violence. The push for grass-root activism and people to people making processes is encouraging in many quarters.

As noted by Anderson et al (2003), there are no specific formulae for peace because different contexts require different strategies. The mode of peace-building, interaction, attitude and the relationship formed between the conflicting societies and peace practitioner's matters in effective peace-building. Whereas committed practitioners strive to meet their goals in the local levels (peace writ little) they seldom monitor the impact of their activities from a global perspective. Consequently the impact of the programme on the broader peace (peace writ large) is minimal. Reflecting on Peace

Practice Project (RPP) highlights four criteria for assessing effectiveness in peace-building as efforts encouraging individual/community initiatives towards peace-building; the results leads to creation or reforms of political institution to handle grievances that fuel the conflict; the efforts prompt people to resist violence and provocation to violence and lastly the result increase in people's security (sense of security) (Anderson et. al, 2003). It is in this perspective that we can begin to assess the effectiveness of peace building initiatives in Kenya through the various approaches considering the urgency of change, sustained change and proportionality of change. Thus a positive transformation of conflicts will occur.

Sustainable conflict prevention requires effective systems, processes and institutions working together to manage disputes, address grievances and respond effectively to conflict. Recognized by the Secretary-General in the July 2006 progress report, this need lead to the United Nations urging member states to consider creating elements of a national infrastructure for peace at the same time making use of available external support. Democratic governance and participatory decision-making processes strengthen the foundations of the capacities for peace. Developing mechanisms for co-operation among all relevant stakeholders in peace-building by promoting co-operative and collaborative problem solving response mechanisms immensely supports the transformation of those conflicts. Based on the lessons learnt and best practices in peace-building and conflict transformation, the National Policy on Peace-building and Conflict Management should be seen to articulate creative and innovative strategies as well as methodologies to circumvent the gaps in current processes and approaches, thereby guiding peace-building and conflict transformation initiatives so as achieve just and durable peace in Kenya.

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Dr. Helmut Danner

Author of “*End of Arrogance. Africa and the West – Understanding their Differences*” (2012)¹



IS THERE A POLITICAL WILL TO AVOID ELECTORAL VIOLENCE?

Boniface Mwangi offered politicians to view his picture and video clip “Heal the Nation” – they refused. He intended to give the first copies of “Kenya Burning”, his photo documentation of the 2007/8 clashes, to the top two politicians of the country – they declined acceptance. Why?

The following is a view on the contemporary political atmosphere in Kenya before the upcoming elections with respect to potential violence. I will describe a problem; but I do not have a solution for it. To make the problem obvious I have to generalize and to simplify. The problem I mean concerns the politicians, namely their political will. This is a factor to be also considered in conflict management and peace building.

In the aftermath of the clashes of 2007/2008 we got this picture: Political warlords had planned, incited, and financed the atrocities; their foot-soldiers followed them fanatically on a tribal base. During the clashes, politicians called for “mass demonstrations” and, by that, incited to more violence. Those political ‘leaders’ must have been fully aware of the indescribable harm they inflicted on the ordinary citizens. Those – their subjects – had to pay for the political aims of their masters with blood, honour, and property. The political masters acted with utmost contempt towards their subjects. This is the core of the problem I am talking about: We are dealing with a *master-servant society*. The average Kenyan politician is not caring for the ordinary citizen. What counts is his/her political

¹ 1986-2005 country representative for the Hanns Seidel Foundation in Egypt, Kenya and Uganda
Lives in Nairobi since 1996.

power and material gains. Citizens are a pure means for this purpose. There would be no need to talk about this master-servant constellation now if this had changed during the last four years. Or did it?

Raising this question, I have to pour water into the wine of the innumerable efforts of local and foreign NGOs who focus on peace building and conflict management. I may be allowed to do this as I have been involved in the same endeavours for many years. Were we able to address the mentioned core problem, namely the contempt of the leaders towards the citizens? Let us be honest and sober: Dozens of foreign and local organizations had been involved in civic, political and voters' education for more than two decades. 'Leaders' and ordinary people should have been enlightened about good citizenship and conflict resolution, democracy and good governance, multiparty-system and party structures, the electoral system and voting, human rights and rule of law, patriotism and tribalism and land reform. There were workshops for all kinds of people. Foreigners and their African colleagues did a professional job, were didactically and educationally well prepared. But still, all the political and civic education could not prevent the Kenyan clashes four years ago. For, there exists a strong contradiction between efforts of civic education with all its ideals and the reality of Kenyan politics. The political culture is determined by a pseudo-elder system, tribal identity, disrespect of the ordinary people, by an appreciation of land that goes beyond its material value, but certainly also by greed for power and wealth. I doubt that the politicians of this political environment have changed during the last four years and that civic education was able to influence them positively.

How did those politicians deal with the fact and the effects of the post-election violence? Let us look at a few indications. For me, the most striking one is that up today hardly any legal prosecution has taken place in Kenya. Obviously, there is no political will to prosecute the organizers and the executors of the crimes. In a private talk, a party chairman and former minister blamed the coalition government as the reason for non-prosecution. It has created a stalemate which works like this: If you don't touch us, we will leave you untouched. For, both partners of the coalition have to be blamed of the post-election violence. However, as the prosecution of crimes is not primarily a political question, but a legal one, we also have to question the independence and efficiency of the Kenyan judiciary. There may be technical problems like the shying away of witnesses or shoddy investigation by the prosecution. But as a whole and in general, the inactivity to bring justice to the victims and to reconcile the society is inexplicable and inexcusable.

The victims perceive themselves as forgotten by the government. Up to now, there still are Internally Displaced Persons in make-shift camps. The government was not able and

willing to resettle them and to provide the necessary security during the last four years. Instead, the victims blame the government to protect the suspects of the violence. Their lawyer at Den Hague, Morris Anyah, says: “The victims perceive themselves as little people pitted against powerful individuals. It is a David-versus-Goliath scenario.”² This statement confirms my analysis, namely the master-servant-society. In addition, for instance a presidential candidate is accused of possessing land that was grabbed during the clashes³. Also this points to the role of politicians and raises questions concerning their sincerity to respect citizens as well as law and order.

The establishment of the Truth, Justice and Reconciliation Commission has to be commended. It is supposed to investigate injustices and atrocities of Kenya’s past, not only of the post-election violence of 2007/2008. However, the appointment of its chairman created a serious controversy. This resulted in a long delay to start its activities.⁴ The appointment as such and how the controversy was handled makes one question the political will to make such an important institution function.

This may only be a minor indication for the lack of political will. However, it really astonishes me that William Ruto and Uhuru Kenyatta now present themselves as political allies and even as presidential candidates – as if they were not fierce opponents in 2007/2008; as if they are not accused by the ICC; as if, by that, they are not the main suspects of the post-election violence; as if they are not charged of crimes against humanity; as if there are no victims still suffering today; as if those accusations are not tainting the office of the president... These are not legal questions, i.e. whether Ruto and Uhuru are guilty or not and whether they are allowed to stand for the presidential election although the accusations against them have been found worth a trial by the ICC. In my opinion, these are most and foremost *moral* concerns; it is a question of political culture. At least for moral reasons, they have to step back and wait for a legal clearance before they can again represent Kenyans as politicians. But they do not care; also here I notice contempt of the ordinary Kenyan.

The ‘Nation’ of 5 March 2012 reports clashes on the border of Nandi and Muhoroni districts. There, more than 1,000 people along the border of Rift Valley and Nyanza provinces were displaced; five people were killed; more than forty houses and hundreds of acres of sugarcane were torched; dairy cattle were lost. Youths with bows and arrows, spears, machetes and other crude weapons were seen amid burning houses and fleeing children. Residents accused a wealthy businessman of transporting hundreds of armed

² Nation, 4/3/2012, p. 23.

³ Nation, 6/3/2012, p. 10.

⁴ Nation, 4/3/2012, p. 35.

youths to the area. Police said that two MPs and veteran politicians were seen addressing gatherings of youths before the outbreak of the violence. The politicians dismissed the clashes as cattle rustling and as land disputes, blaming each other. However, these clashes occurred “soon after some commotion over electoral boundaries erupted with the release of the report by the Independent Electoral and Boundaries Commission”. Lukoye Atwoli comments: “Our politicians are scouting the situation to discover how much political mileage can be milked from these conflicts as they prepare for the next General Election.”⁵ This scenario distinctly reminds us of the post-election violence of 2007/8 and of earlier violence related to elections. How do we have to interpret such incidents just before the next elections?

I mentioned earlier that there hardly happened any prosecutions after the post-election violence of 2007/8 in Kenya although the necessity and possible ways of prosecution were widely discussed. Even a law was launched to establish a tribunal. But the parliament turned it down. “Don’t be vague, go to Hague!” was the slogan to avoid local prosecution. As nothing happened in Kenya, the ICC stepped in and took over. But now Den Hague was no longer a good idea. Politicians started to discredit the complete institution: Only Africans are tried at ICC! Foreigners attack Africans! G.W. Bush should also be in Den Hague! We can prosecute ourselves! And so on. Kenyan politicians even proposed to leave the Rome Statute and the ICC altogether; and they wanted to support the suspects financially. The Vice President and ministers were sent to other African governments and to the Security Council of the United Nations in order to stop the trial against the so-called “Ocampo Six”. But those had to appear in Den Hague; and when they returned for the first time they were received and celebrated by their tribesmen like heroes.

In face of the committed crimes and of the hundreds of thousands of suffering Kenyan citizens, the many attempts by politicians to avoid prosecution are embarrassing in my opinion. What do they tell us about the political will to avoid future violence? I am afraid that the politicians have not changed; but the threat to be tried by the ICC has hopefully changed the scenario. The ICC can be a support for ordinary Kenyans and a deterrent for their political masters.⁶ If the politicians are not willing to change the political culture, the ball is in the court of the ordinary citizens. This also concerns the students. But are stone-throwing students able to embrace non-violence?

⁵ Nation, 4/3/2012, p. 36.

⁶ Further reading on politicians and political will see George Ayittey’s publications; on the context of culture and politics: Patrick Chabal: Africa. The Politics of Suffering and Smiling. London et al., 2009; on cultural foundations: Helmut Danner: End of Arrogance. Africa and the West – Understanding their differences. Nairobi 2012 .

Dr. Jutta Bakonyi

Programme Manager,

Civil Peace Service Kenya (CPS)

Recently changed to the position:

*Senior Lecturer at the School of Government and
International Affairs, University of Durham, UK*



Kenya and the International Criminal Court Process: Challenges and Opportunities

The International Criminal Court (ICC) is observing the Kenyan situation since 2008, when Kenya was shattered by mass-violence after its presidential elections in December 2007. In March 2010 the ICC officially opened investigations against those bearing the greatest responsibilities for crimes committed during the 2007/08 post-election violence (PEV). Investigations and the subsequent decision to take up charges against four suspects, three of them high ranking state officials of which two are presidential aspirants, was met with controversial reactions in Kenya. After summarizing the events that led to the ICC engagement in Kenya I will outline the steps of the ICC investigations and the Kenyan reactions. I will then discuss the challenges but also the opportunities the ICC process provides for the Kenyan reconciliation process as well as for peace and stability in the country. In the end I will outline the engagement of the Civil Peace Service (CPS), focussing on its contribution to victims' participation in judicial and non-judicial justice processes.

The Post-Election Violence and the International Criminal Court

Kenya is often classified as among the most stable and peaceful countries in Eastern Africa. Nonetheless it has a long legacy of political violence. Considering only the post-colonial period, Kenya faced several phases and incidences of mass violence, among them the war of the Kenyan state against a Somali Secessionist Movement (1964-67) in the North Eastern Province. The Kenyan government labelled this war as Shifta War ("Shifta" means bandit in Somali) to denounce the secessionists as bandits. The war was followed by decades of intermittent violence and state repressions in the same region,

among it the so called Wagalla Massacere. In February 1984 the Kenyan army detained thousands of Somalis on the Wagalla airstrip in the northeastern Wajir district for several days and later killed most of the detainees.¹ Only in 2000 the Government of Kenya (GoK) admitted its responsibility for the massacre.

To date nobody was hold responsible for ordering, organising and executing the mass killings. In addition, Kenya's semi-arid border regions were and are still a staging ground for violent conflicts and phases of extended violence among pastoralists, most recently in the Moyale district in northern Kenya.

Mostly known, debated and analysed is however Kenya's legacy of election violence. Since the introduction of a multiparty democracy in 1991, Kenya has conducted four presidential elections, and three of them were accompanied by mass violence. Interestingly, the election which ended Daniel arap Moi's 24 years of dictatorial rule in December 2002, was the only peaceful General Election so far. Most national and international observers interpreted the peaceful transition of power as proof for the democratic consolidation Kenyas. The large scale violence that followed the presidential election in December 2007 came therefore as shocking surprise. Violence started on December 30, immediately after the Electoral Commission declared the incumbent president Mwai Kibaki and his Party of National Unity (PNU) as winner. Demonstrations and rallies against what was perceived by many as electoral fraud started in the strongholds of the contesting presidential candidate Raila Odinga and his Orange Democratic Party (ODM), in Kisumu and some of the urban slums in Nairobi, especially in Kibera. This protest was already accompanied by targeted attacks against Kikuyu, the ethnic group of the hastily sworn-in president.

The state reacted with extreme violence against protesters and rioters. The Kenyan police enjoys a sad reputation for human rights violations and illegal practices, among them executions and extrajudicial killings (Alston 2009, KNHRC 2008). It is estimated that Kenya's police forces were responsible for up to one third of the more than 1100 casualties of the post-election violence, with many victims shot from the back (CIPEV 2008: 385f., 189).

Another scenario of violence was soon visible in the Rift Valley, traditionally a hotbet of election violence. Between 1991 and 1997 violence was in the Rift Valley institutionalized as a means of political competition (Klopp 2001b). Since, impunity for those responsible for political violence was established in Kenya. In order to discredit democracy and to keep its grip to power, members and supporters of president Moi's

¹ The number of the people killed is not known, and estimates range between 3.000 and 365 (the latter the official number of the Kenyan state).

Kenya African National Union (KANU) party have sponsored ethnic gangs and tribal militias to harass, intimidate and eventually expulse members of the opposition and members of ethnic groups expected to vote for the opposition from the Rift Valley (Kagwanja/Southall 2009; Kagwanja 2005: 56). However, violence in the Rift Valley is also deeply embedded in conflicts over access to and ownership of land. Given the economic importance and symbolic meaning of land in Kenya, it is regularly used as a resource for political patronage (Mghanga 2010) and elite manipulation. Land therefore became a central theme in all cycles of election violence (Klopp 2001a: 34f.). Land conflicts are usually framed in an ethnicized discourse of marginalized “indigenous” people (i.e. Kalenjin in the Rift Valley or Mijikenda at the Coast), who have lost their ancestral land to politically privileged newcomers and other “non-indigenous land grabbers” (i.e. Kikuyu, Luhya, Luo, Kisi). In 2007/08 the election results were in the Rift Valley again used as pretext to use violence in order to “cleanse” the region from “non-indigenous intruders” (cf. CIPEV 2008; Harneit-Sievers/Peters 2008).

The third phase of violence comprised mainly organised revenge and retaliation attacks, executed in Naivasha, Nakuru and partly in Nairobi. Organised militias and violent gangs were already active during the violent upheavals immediately after the election. The forceful displacement of Kikuyus and members of other ethnic groups from the Rift Valley then initiated a series of revenge attacks by the well known ethnic militia Mungiki. Mungiki originated in the early 1990s as a Kikuyu dominated rural resistance movement against president Moi’s kleptocracy, but successively transformed itself into an urban based extortion racket (Kagwanja 2005). In 2007/08 and allegedly paid by PNU politicians, Mungiki members were transported to Nakuru and Naivasha where they initiated violent attacks against Luo, the ethnic group of the opposition leader Raila Odinga, but also against members of other ethnic groups identified or perceived as supporters of ODM (Harneit-Sievers/Peters 2008).

By mid February 2008 Kenya was at the brink of a civil war. Only after the opposing party leaders agreed to share power on February 28, violence came to a halt. At all, the effects of the post-election violence were dramatic: More than 1000 people were killed and more than 600,000 internally displaced. The violence also resulted in tremendous destructions of public and private properties, among them residential houses, commercial premises, schools, health centres etc.

Peace Agreement, Investigations and Attempts to end Impunity

Brokered by the African Union's Panel of Eminent African Personalities, and chaired by the former UN Secretary General Kofi Annan, the leaders of the conflicting parties Orange Democratic Movement (ODM) and Party of National Unity (PNU) eventually agreed to share power in a Coalition Government and to initiate a reconciliation process. Violence in Kenya ended with the signing of the Kenyan National Dialogue and Reconciliation (KNDR) Agreement on 28 February 2008. By March 2008 the *Commission of Inquiry on Post-Election Violence* (CIPEV)² was established "to investigate the facts and circumstances surrounding the violence" (CIPEV 2008: VII) and to give recommendations to bring justice to perpetrators and victims respectively. In October 2008, the commission released its report, which contained a detailed account on the causes and dynamics of the 2007/08 violence in Kenya. Among others, the culture of impunity for mass political atrocities and human rights violations was identified as among the main causes of election violence in Kenya. The report therefore recommended the establishment of a Special Tribunal, mandated to investigate and prosecute those "bearing the greatest responsibility for crimes, particularly crimes against humanity" (CIPEV 2008: 472). With the release of the report, CIPEV handed over to Kofi Annan six boxes of supporting material and a sealed envelope containing a list of people suspected of being the main instigators and perpetrators of the 2007/08 violence. It was agreed to forward the material incl. the envelope to the ICC in case the GoK fails to abide to investigating and to prosecute crimes related to the election violence.

Only few criminal cases related to PEV were prosecuted and even fewer resulted in convictions (HRW 2011: 25ff.).

Although the GoK publicly committed itself to follow the recommendations, national investigations of PEV crimes were initiated rather half-heartedly (HRW 2011: 16ff.). Several attempts to create the legal framework for setting up a Special Tribunal failed.³ Equally, the Department of Public Prosecution missed the opportunity to try perpetrators.

² The commission is popularly known as Waki Commission, named after its chairman appellate Judge Philip Waki.

³ Already in February 2009 a Bill for the creation of such a Tribunal was proposed but rejected by the parliament, other attempts followed in July and November 2009, but remained equally without success (HRW 2011: 23f.).



In Juli 2009, Kofi Annan eventually handed over the sealed CIPEV envelope and the boxes with evidence to the Chief Prosecutor, Luis Moreno-Ocampo, of the ICC in The Hague who in November sought authorization from Pre-trial Chamber II to open investigations. It was the first time in the history of the ICC that the Prosecutor sought to open an investigation *proprio motu*, i.e. on his own initiative.⁴ On 31 March 2010, the authorization was granted and by the end of the year, on 15 December 2010, the Prosecutor named six people suspected of having committed crimes against humanity relating to the 2007/08 elections. The six people were grouped in two cases, the ODM case with William Samoei Ruto, Henry Kiprono Kosgey, and Joshua Arap Sang (Case 1); and the PNU case with Francis Kirimi Muthaura, Uhuru Muigai Kenyatta and Mohammed Hussein Ali (Case 2). With the exception of Joshua Sang, who is a presenter in the Kalenjin language radio KASS-FM, the suspects were senior officers in the Kenyan government during the PEV:

<p style="text-align: center;">CASE 1 or ODM Case</p> <p style="text-align: center;">Charges:</p> <p style="text-align: center;">Murder, Forcible Transfer of Population, Persecution</p>	<p style="text-align: center;">CASE 2 or PNU Case</p> <p style="text-align: center;">Charges:</p> <p style="text-align: center;">Murder, Forcible Transfer of Population, Rape, Persecution, Other Inhumane Acts</p>
<p style="text-align: center;">William Samoei RUTO</p> <p>Minister for Higher Education, Science and Technology, ODM member of the National Assembly (Eldoret North Constituency)</p>	<p style="text-align: center;">Francis Kirimi MUTHAURA</p> <p>Head of Public Service, Cabinet Secretary, chairman of the National Security Advisory Committee</p>
<p style="text-align: center;">Henry Kiprono KOSGEY</p> <p>Minister for Industrialisation, member of the National Assembly (Tinderet Constituency), chairman of ODM</p>	<p style="text-align: center;">Uhuru Muigai KENYATTA</p> <p>Deputy Prime Minister, Minister for Finance (till January 2012), chairman of the Kenya African National Union (KANU) party, during PEV part of the PNU.</p>
<p style="text-align: center;">Joshua Arap SANG</p> <p>Head of operations at the Kalenjin language radio station KASS FM. At the time of PEV: radio presenter for KASS FM</p>	<p style="text-align: center;">Mohammed Hussein ALI</p> <p>Chief Executive of the Postal Corporation of Kenya, at the time of PEV: Commissioner of the Kenya Police</p>

⁴ Other situations dealt with by the Court were either referred by State Parties or, as in the case of the Sudanese President Omar Al-Bashir, by the United Nations Security Council.

In March 2011, the six suspects were summoned to appear for hearings at the ICC headquarter in The Hague. During the hearings from 1 to 9 September 2011 (Case 1) and from 21 September to 5 October 2011 (Case 2) the suspects were confronted with the evidence provided by the Prosecutor who had to prove that there is substantial ground for opening trials against the suspects. The suspects were accused of murder, rape, forcible transfer of population (violent displacement), persecution, and other inhumane acts.

The defense teams were given the opportunity to challenge the evidence, to ask questions, to comment and to provide evidence favourable for them. On 23 January 2012 the Pre-Trial Chamber ruled by majority to confirm charges against William Ruto and Arap Sang (Case 1) and against Uhuru Kenyatta and Francis Muthaura (Case 2). The confirmation of charges against Mohammed Hussein Ali (Case 2) and Henry Kosgey (Case 1) were declined.

Kenyan Reactions to the International Criminal Court

In Kenya public support for the ICC process is high. Opinion polls established that about 60% of Kenyans support the ICC process. The main reason given for this support was a general mistrust in a national prosecution mechanism. Hardly surprising the ICC proceedings gained the least support from citizens in Central and Rift Valley Region where most of the suspects come from (South Consulting 2012, March: 42f., South Consulting 2011, Oct: 45).

The ICC process, like politics in general in Kenya, is embedded in an ethnicized discourse on power and belonging. While the ICC is targeting individuals, some suspects and their supporters try to denounce the prosecution as a means to target certain ethnic groups and to disadvantage them in view of the forthcoming election in March 2013. A group of PNU parliamentarians from the Central Province for example claimed that the ICC has a bias against the Kikuyu, the ethnic group of the suspects in case 2.⁵ Similarly, “Leaders of the Rift Valley” have expressed their perception that the ICC process is targeting and criminalizing the Kalenjin, the ethnic group of the suspects in case 1.⁶ An ethnicized perception also dominates statements of the less supportive people, who

⁵ “PNU cries foul over Ocampo probe”, Daily Nation, October 1, 2010, available at:

<http://www.nation.co.ke/News/politics/PNU%20cries%20foul%20over%20Ocampo%20probe%20/-/1064/1024432/-/pyjmiq/-/index.html> (last accessed July 7, 2012).

⁶ Cf. for example the “Statement by Rift Valley Leaders on Transitional Justice, International Criminal Court Justice and General Election”: “Rift Valley is very concerned that there is an attempt within and outside Kenya to use the Hague proceedings to criminalize some communities one being Kalenjin.” available at: <http://www.kassfm.co.ke/news/2369-rift-valley-community-meet-to-deliberate-on-development> (last accessed July 7, 2012).

criticize that perpetrators do come from only two ethnic groups, while members of other groups, who also played a crucial role in the PEV were not persecuted. However, reasons for not supporting the ICC range from a preference for local mechanisms over critics of the selection of cases and suspects to the politicization of the ICC process (South Consulting 2012, Jan: 50).

In contrast to the majority of Kenyans, many members of the parliament and the GoK are less supportive of the ICC. The ICC proceedings are contributing to a growing rift within the Coalition Government and the political class in general. Even before the process went to The Hague parliament was not able to agree on a Special Tribunal Bill reflecting two opposed political positions: One by a group of human rights or law-oriented reformers in Parliament who opposed the bill because they did not trust the national judicial system and feared political manipulation of the Tribunal. The other group opposed the bill mainly because they banked on the bureaucratic tenacity of the ICC proceedings and trusted that it would leave enough time to uphold the next presidential elections. Among them were the two most prominent ICC suspects and current presidential aspirants William Ruto and Uhuru Kenyatta.

They were supported by many politicians who have a genuine interest in avoiding and sabotaging criminal accountability (ICG 2012: 6f.).⁷ After the ICC decided to open investigations, the same group of politicians suddenly opposed the ICC process. Having miscalculated the speed of the ICC process, they now challenged the jurisdiction of the ICC in Kenya and maintained that Kenya was well able and willing to prosecute PEV crimes.

The GoK followed this argument. Already in December 2010, shortly after the Prosecutor published the names of six suspects, the Kenyan National Assembly passed a motion seeking the withdrawal of Kenya from the Rome Statute. In February 2011, the GoK tried to secure a deferral of the Prosecutor's investigations from the UN Security Council, arguing that the ICC process challenges peace and security not only in Kenya but in the East African region. The GoK was supported by a group of parliamentarians and ministers grouped around Vice President Kalonzo Musyoka, who started to lobby for the deferral within the African Union (AU) and among members of the Security Council. In spite of Musyoka's "shuttle diplomacy" the United Nations Security Council declined to defer the case. However, the GoK managed to convince a majority within the AU who backed Kenya's request.⁸

⁷ Cf. also <http://humanrightshouse.org/Articles/11458.html> (last accessed July 7, 2012).

⁸ "Kenya: AU Endorses Bid for ICC Deferral", Daily Nation on the Web 1 Feb. 2011, available at <http://allafrica.com/stories/201102010961.html> (last accessed July 7, 2012).

On 31 March 2011, shortly after the six suspects were summoned to appear in The Hague, the GoK filed an application to challenge the jurisdiction of the Court. The GoK thereby embarked on the principle of complementarity, whereby the ICC can only become active if a country is not able or unwilling to prosecute serious human rights violations on its territory.⁹ The GoK argued that the implementation of the Kenyan constitution, which was adopted in August 2010, and the subsequent and ongoing judicial and security reform will enable the national courts to take over prosecution of crimes that fall under the jurisdiction of the ICC. The Pre-Trial Chamber II rejected the government's challenge to admissibility in both cases, arguing that there are no signs that Kenya has opened systematic investigation against the six suspects or other PEV crimes. The appeal of the GoK against this decision was in August 2011 equally rejected by the Appeals Chamber of the ICC.

Against these attempts it is hardly surprising that the GoK is perceived by many Kenyans as being complicit in impunity (South Consulting 2011, Oct: 48). However, as a reaction to the Pre-Trial Chamber's decision to take up charges, Uhuru Kenyatta and Francis Muthaura resigned their posts of Finance Minister and Cabinet Secretary respectively on 26 January 2012. Kenyatta however, retains his position as Deputy Prime Minister. Both, Uhuru Kenyatta and William Ruto, have declared their candidacy in the upcoming presidential election, while Joshua Arap Sang has announced his plan to candidate for the Senator seat for the Trans Nzoia County.

Opportunities and Challenges of the ICC proceedings

In the following, I will outline the impact of the ICC process for peace and stability as well as the reconciliation process in Kenya. I will list the challenges of the ICC process and highlight the opportunities it provides.

The major challenge for peace and stability in Kenya is the already visible danger of politicizing and ethnicizing the ICC proceedings. Public rallies and prayer meetings were already held to support some of the ICC suspects. The start of the trials is expected to coincide with the general elections in March 2013. This increases the likelihood that the trials become a topic on the election agenda, and will be ethnically framed and misused to mobilise election support. In case the trials start before the election, Ruto, Uhuru and Sang may not be able to organise or participate in the campaigns but instead have to attend the hearings in The Hague. It is also possible that legal restrictions hinder the

⁹ In the Preamble of the Rome Statute it reads that the ICC should be "complementary to national jurisdictions," with every state obligated "to exercise its criminal jurisdiction over those responsible for international crimes." Preamble, Rome Statute of the International Criminal Court (hereinafter "Rome Statute"), U.N. Doc A/CONF.183/9, adopted July 17, 1998, available at: http://www.icc-cpi.int/NR/rdonlyres/EA9AEFF7-5752-4F84-BE94-0A655EB30E16/0/Rome_Statute_English.pdf. (last accessed July 7, 2012).

aspirants to run for presidency and the senator seat respectively. Opponents of their candidacy argue that their running for a public office clearly violates the constitutional requirements for leadership.¹⁰ In both cases, however, there is a likelihood that the supporters of the suspects mobilise ethnic alliances against what they may perceive as unfair international intervention in the Kenyan electoral process, putting “their people” or “their communities” at disadvantage. In some press statements the fact that none of the suspects stem from Raila Odinga’s ethnic group, the Luo, was already interpreted as political plot of Odinga to win the upcoming election.¹¹

Since the GoK does not support the proceedings and the ICC has limited funds for outreach activities, the task to counter disinformation and the politicization of the ICC processes will lay mainly with the civil society of Kenya. Beside the organisation of information and outreach campaigns, it will also remain the civil societies’ responsibility to manage the expectations of victims and to prepare them legally and morally for the lengthy ICC trials. Not only can these processes take years, there is also no guarantee that victims, even if the suspects are found guilty, receive material compensation. In fact, the likelihood for getting individual reparations is small and there are many preconditions to it. Currently the Court has registered 327 victims of Case 1 and 233 victims of Case 2. Only registered “case victims”¹² who have applied for reparation are at all entitled to receive reparations. Reparation can take the form of restitution, rehabilitation or compensation, and the Court decides if individual or collective reparations are provided, and if they will be symbolic or monetary. However, case and situation victims can receive assistance from the Trust Fund for Victims,¹³ usually in the form of projects such as resettlement or medical support.

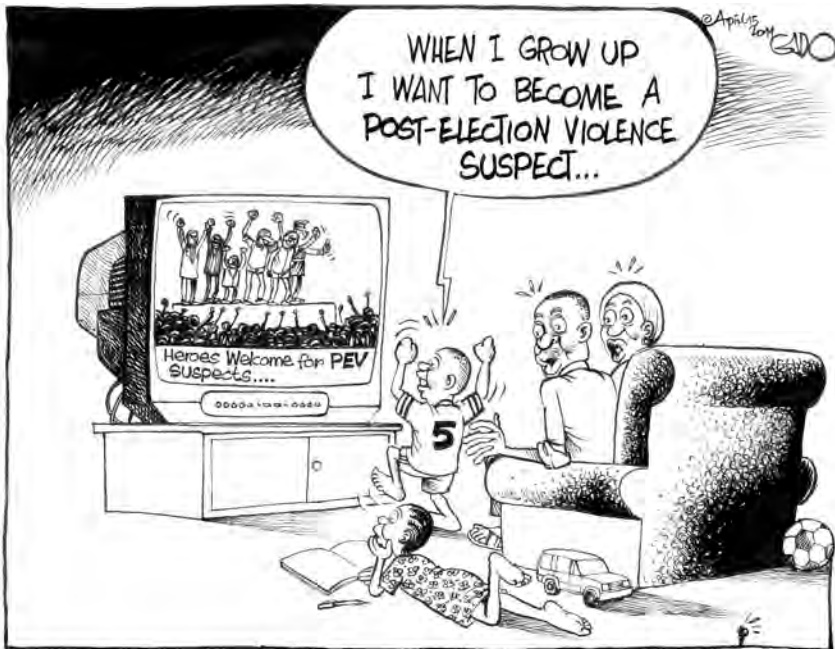
If the information on the potential duration of the process and the difficulties of getting reparations is not adequately shared with the victims and their families, they may get disappointed in the course of the process, withdraw their support from the Court and the

¹⁰ These requirements are outlined in Chapter 6 of the constitution, which is about Leadership and Integrity.

¹¹ Cf. for example <http://thinkafricapress.com/kenya/beyond-icc-divisive-politics> or <http://hardtalkkenya.wordpress.com/2012/03/14/raila-odinga-behind-the-icc-conspiracy-rift-valley-mps/> (last accessed July 7, 2012).

¹² Case Victims “are persons who suffered harm as a result of a particular crime from which someone has been charged by the ICC”. They are distinguished from so called “situation victims”, i.e. “all victims of alleged crimes against humanity related to the post-election violence 2007/08 in Kenya” (cf. Kituo/GIZ-CPS 2011: 10) .

¹³ Cf. <http://www.iccnw.org/?mod=trustfund>, The Trust Fund has been established by the Statute of the International Criminal Court. It mandates are 1) to implement Court-ordered reparations and 2) to provide general assistance for victims and their families.



ongoing Transitional Justice and democratisation process in Kenya or even articulate their frustration in other ways.

Especially since the ICC itself has only limited means to organise information and outreach campaigns, and equally the Victim's lawyers complain about insufficient funds to regularly consult with their clients, civil society organisations may have to jump in to inform and legally advise the victims about the proceedings and what they may have to expect from them.

Adding to all these challenges is the general lack of political will by the Kenyan elite to prosecute PEV perpetrators. Without its own police force or executive power, the ICC depends on the State Party's will to cooperate. The stand of the GoK therefore complicates the ICC process, especially so in investigating PEV crimes. There are ongoing discussions in Kenya on national accountability and which accountability mechanism could best complement the ICC's efforts. Undoubtedly national prosecution would be an important step to install deterrence for future political violence. Low and middle level perpetrators could be charged and further evidence could be collected against other high level perpetrators who escaped the ICC investigations. Systematic prosecution of PEV perpetrators in Kenya will also enhance the trust of Kenya's citizen in the judicial system. However, currently the approach to support national accountability has to carefully balance that it is not playing in the hands of local political elites, who may pay lip service to a national prosecution only to question again the admissibility of the ICC process.

In spite of all these challenges, it is indeed the first time in the history of Kenya that powerful individuals have to face charges for serious political crimes. Hence, the ICC is likely to already deter violence or at least to make potential perpetrators to think twice about instigating and resorting to violence. The ICC process therefore provides a crucial step for ending impunity and enhancing accountability respectively for political violence in Kenya. While the ICC is expected to bring criminals to justice, it also provides justice to the victims. Even if PEV victims may not get material compensation, they are provided under the Rome Statute with the opportunity to participate in the hearings. Represented by an own lawyer, victims have the opportunity to be heard, to present their experiences and concerns, their views and observations before the Court.

Civil Peace Service Engagement to Support Transitional Justice in Kenya

Civil Peace Service (CPS) works in Kenya with four partner organisations in order to support Kenya's commitment under the Kenya National Reconciliation and Reconciliation Agreement to addressing the past, to work on the causes of violence and to support Kenya's path to democratic consolidation. Among others, CPS works together with the Kenya Land Alliance (KLA) on historical and ongoing land injustices, which were identified as among the most serious causes of violence in Kenya, and to support a conflict sensitive approach to the implementation of the constitutional land reform. In addition, CPS is in cooperation with PeaceNet Kenya contributing to the implementation of an Early Warning and Early Response mechanism that aims at identifying potentially dangerous conflicts, but also attempts to instigate and organise violence at an early stage in order to prevent conflicts from escalating into violence. CPS, in partnership with the Media Council of Kenya (MCK) is further engaged in conflict sensitive media monitoring (television, newspapers and radio). In order to analyse the media coverage of the ICC Pre-Trial Chamber hearings, for example, MCK has additionally monitored the performance of ten vernacular radio stations in terms of "accuracy, balance, fairness and conflict sensitivity" (MCK 2011). As some vernacular radios plaid a crucial role in inciting and supporting PEV violence, this exercise aimed to find out if vernacular radios use the hearings as platform for further incitements. This fear was not confirmed. Instead, most vernaculars stuck to facts and covered the hearings mainly in the news sections.

In contrast, violence was before instigated mainly in so called call-in shows, where controversial issues were met with inflammatory speech by callers and left uncommented by the presenter. The ICC charges against the radio-presenter Sang may have already impacted on media reports, and some editors described the decision to limit ICC reporting on news sections as an "attempt to avoid ethnic tension and incitement". However, as MCK stated, "blocking controversial issues from public debate in call-in-shows is not a unconvincing editorial strategy" (MCK 2011: 24). Instead, training of journalists, presenters, reporters and other media workers on conflict sensitive reporting and in particular also on how to deal with inciting and conflicting statements should become a priority for media houses and media training institutes. However, further conflict sensitive media monitoring focussing especially on the political campaigns for the upcoming elections and on the media coverage of ICC trials, remains a crucial task.

Directly linked to the ICC investigations and reacting on the above outlined challenges of the Court to inform victims and manage their expectation, CPS partners with Kituo

cha Sheria, a non-governmental organisation dedicated to legal empowerment of Kenya's less advantaged population. Taking the general lack of information on the ICC seriously and considering the tendency to misuse the ICC proceedings for own political gains, Kituo is engaged in an Outreach and Information Campaign, informing people in urban as well in rural areas about legal mechanisms to ensure accountability for PEV perpetrators, about the ICC process in general and the specific Kenyan situation and about the challenges and opportunities it provides for the country and the individuals. Kituo is also engaged in supporting victims' participation in the process. Besides informing potential situation and case victims about their options for getting justice, Kituo also supports those victims who have decided to register at the ICC, assists them in filling in the registration forms and in obtaining the necessary documents to be represented at the trial. In addition, Kituo has established contacts with different ICC departments, among them the Registry and the Outreach and the Victims Trust Fund and with the two appointed victims lawyers and has facilitated meetings between the departments and victims (cf. Kituo/GIZ-CPS 2011).

While the ICC theoretically guarantees victims participation, its actual method and mechanisms of incorporating victims in the process are not yet convincing (Chung 2008). Kituo was therefore also a main driver in establishing a network of non-governmental organisations working on victim's justice. The network also aims at establishing a meaningful mechanism for Kenya's victims to participate in legal processes, but also to further advocate for national accountability. Kenya has in the past month undergone significant steps to reform its judicial system. This has provided new hope for the prospects of implementing national accountability. However, as already explained, organisations and individuals promoting national accountability have to carefully observe that the establishment of a national accountability mechanism does not serve as pretext for blocking the ICC process. The fact that till date thousands of high-, middle-, and low level perpetrators and organisers of mass violence and other political crimes have gone unpunished and often sit in public offices, poses a serious challenge on Kenya's path towards democracy and the rule of law. Without such and other deterrence mechanisms a repetition of Kenya's cycles of election violence remains highly possible.

VICTIMS AND WITNESSES IN THE ICC PROCEEDINGS

Q: Who is a victim?



A: VICTIMS MEAN NATURAL PERSONS WHO HAVE SUFFERED HARM AS A RESULT OF THE COMMISSION OF ANY CRIME WITHIN THE JURISDICTION OF THE ICC COURT.

Q: Who is a witness?



A: A WITNESS IS A PERSON THAT TESTIFIES BEFORE THE COURT IN PERSON AND IS NOT NECESSARILY A VICTIM. HE/SHE MAY BE CALLED BY EITHER PARTY TO TESTIFY.

Q: What are the main categories of victims?



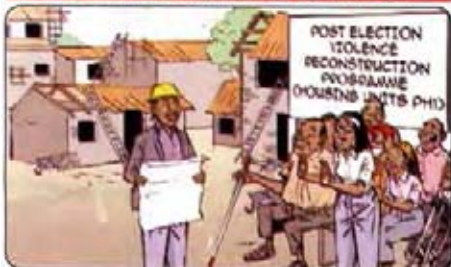
A: VICTIMS OF THE SITUATION (2008/2007 POST ELECTION VIOLENCE) AND VICTIMS OF THE CASE (PARTICULAR CRIME FOR WHICH SOMEONE HAS BEEN CHARGED BY THE ICC)

Q: What are the categories of Witnesses?



A: THESE ARE THREE MAIN CATEGORIES OF WITNESSES, THESE ARE EYE WITNESS, EXPERT WITNESS AND INSIDER WITNESS.

Q: Are victims compensated by the ICC?



A: VICTIMS CAN APPLY FOR REPARATIONS. THESE ARE ONLY MADE WHEN THE ACCUSED IS FOUND GUILTY. IF ACQUITTED VICTIMS DO NOT GET ANYTHING THROUGH THE ICC.

Q: Is a witness protected?



A: BOTH, WITNESSES CALLED BY THE OFFICE OF THE PROSECUTOR AND WITNESSES CALLED BY THE DEFENCE BENEFIT FROM THE WITNESS PROTECTION PROGRAMME.



KITUO CHA SHERIA
The Centre for Legal Empowerment

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“If Kenyans don’t address the need to reform, the events of January 2008 may look like a Christmas party in 2012.”

(Johann Kriegler, South African judge)

Workshop results of the discussion groups

Workshop on Peace-Building and Conflict Management (March 23 – 24, 2012)

Day I

The topics of the discussion groups of the first day of the Workshop on Peace-Building and Conflict Management, carried out on 23rd March 2012, were

- Women Empowerment
- Peace Education
- Cultural and Inter-Religious Diversity
- Peace-Building and Sports

The participants of the workshop could choose the discussion group and thus the topic they wished to talk about. Each group had about 10 participants. For the sake of orientation, each group had the same guiding questions which were to be discussed within their topic:

1. Which ideas, projects and strategies are being used by different civil society organizations (CSOs) to enhance peace?
What can every person contribute and what is the role of the Government in this process?
2. What problems and challenges are the CSOs confronted with? What are the reasons and what could be the solutions (with a special focus on networking between different CSOs and the cooperation between high politics and the community level/ grassroots level)?

During the discussion, the participants had the opportunity to make contributions, share their experiences and challenges in their CSOs and to write down their thoughts on peace on a poster. Afterwards, the results of the discussion groups were presented in the plenum by the moderators of the groups, which provided room for further discussion.

Results of the Discussion Group “Women Empowerment”

Pursuing women empowerment is not only important in terms of equality and human rights but also with respect to economic development and progress in society. Today's

Kenyan female citizens are often still excluded from certain social and political activities and in many regions women are victims of male aggression and violence. For this reason, the topic of “Women Empowerment” was one of the core issues during the discussions on the first day of our workshop.

In the beginning, the participants discussed the general question of why women in Kenya should be more empowered at all. They summed up the positive effects and benefits women contribute to the society, the political culture and peace in Kenya. Nevertheless, the social status of women is quite low. On the one hand, this is due to the general economic situation in Kenya but on the other side, it is a result of the gender-inequalities in power distribution. One discussant mentioned a study that shows close links between economic and political development and gender equality in Africa and for this reason he argued that it would be in the interest of the whole country, if women were generally on a par with men. Educated and empowered women can simply play a more effective role in politics and social life and contribute even more to the reduction of poverty and hunger in Kenya.



Simon and Charity moderating the group discussion on the topic of Women Empowerment in Kenyan society

The second part of the discussion dealt with the issue of women in conflict situations. Women and children are usually the most affected groups of mainly male violence in conflicts and therefore the protection of their rights and security should be of highest priority for all conflict parties. Another argument that was brought up was the differences between men and women in solving conflict situations. While men easily resort to violence, women prefer moderate ways of conflict resolutions and diplomacy. If women had a stronger political voice, they could influence the solutions of disputes and clashes in non-violent ways and contribute better to the peace-building process in Kenya.

In the end, the group discussed the role of the Kenyan Government in supporting women empowerment and assisting the highly committed civil society organizations. The conclusion was that the Government has been far behind its own targets and promises and with regard to the upcoming election there is a need for better coordination between state institutions and CSOs. In this context, the group also mentioned the need for improvement in harmonizing the work of the specific regional organizations. All discussants pledged for better communication and future cooperation with each other and appreciated the opportunities our workshop offered them as an exchange platform.

Results of the Discussion Group “Peace Education“

As peace education certainly is one of the central issues post-crisis societies have to deal with, it was a highly discussed matter in the context of this group discussion on day one of our workshop in Nairobi. After introducing the topic and the participants representing the main actors of the peace-building process in Kenya, which are the Government, the civil society and the school system, Mary from the Ministry of Education illustrated the national programs concerning the Government’s peace education and the campaign for the upcoming general election in 2013. Almost all of these programs had a special focus on schools as places where peace should be primarily enhanced. The present spokespersons of the school system underlined this by emphasizing their institutions as the main actors in the whole process. They gave insights into their work by elaborating on special youth trainings and teacher preparation programs that are meant to enhance the teachers’ abilities to put the topic across to their students. They also pointed out the importance of exchanging programs within the communities and organizing intertribal sports and art events. The CSOs seemed to have realized their role in accompanying the peace education process by bringing together the different stakeholders (e.g. schools, Government, church, parents) and supporting community-based education programs. According to James, one of the discussants, the Government is not able to introduce peace education and reconciliation top down to the society: “Peace education and change of attitude have to come out of us people!“

By putting the focus on the current challenges of peace education in Kenya, four main problems could be carved out during our discussion:

- the coordination of the different peace education partners,
- a lack of financial means for peace trainings for teachers,
- a lack of sufficient evaluation – especially of the impacts of different approaches and
- the competition between various NGOs.

The discussion group agreed that the main reasons behind the challenges were the defective transmission of the theoretically good national framework to the grass-root level, the general financing system of NGOs in Kenya and the introduction of governmental policies that often counter peace initiatives. Last but not least, the participants proposed a broad range of solutions to the challenges. They mainly agreed that there is no need for new structures, but the existing institutions (churches, schools etc.) should be used more consequentially and work in coordination with each other. Furthermore, they suggested new innovations in the training of teachers and an overall reform of the financial coordination between the involved organizations.

Results of the Discussion Group “Cultural and Inter-Religious Diversity”

Our discussion group consisted of participants who were part of several NGOs and as a result, they were interested in how cultural and inter-religious diversity could be dealt with in Kenyan society.

To get to know each other and to have a solid basis for the subsequent discussion, everybody was given time to introduce himself/herself and to explain his/her connection to the topic of the discussion group. Since the whole issue of the Post-Election Violence was related to cultural and especially tribal differences, this discussion was a point everybody could contribute to, regardless of the focus of their respective NGOs. All of the participants agreed that Kenyan society has to find a way to celebrate their diversity and to cherish the variety of cultural and tribal traditions. One of the participants highlighted the importance of the fact that the politicians in the country should not be given too much power in order not to misuse the differences between the different tribes and beliefs. Even though the group was aware of the problem with the politicians misusing the tribal issues, the belonging to a certain community is a very strong bond for Kenyans and the thinking of “What is against our tribe is against you” cannot be erased from people’s minds. In addition, one of the discussants brought up the point that once a problem arises, Kenyan society falls back into their tribal thinking. This means that during a period of peace, the cultural and tribal diversity is accepted and the society is living together peacefully, but this peace is in danger as soon as political issues come up.

From there, the group went on to discuss about possible solutions or measures to calm down the tension. One of the represented NGOs was conducting a project which brought different tribes together and made them aware that they have common needs and common interests. They started a project with several communities in the area and cut a water supply in order that the people get to know each other. Instead of merely seeing the stereotypes of the other tribe, they started appreciating each other and making friends. Above that, it was mentioned that civic education must be intensified in order to

overcome the atmosphere of hatred and prejudice to realize that at first we are all human beings who long for a life in a peaceful society.



The discussion group of Cultural and interreligious Diversity on the first day of our workshop at the YMCA Nairobi.

Another member of the discussion group worked for a radio station and shared the activities they were conducting in their respective area. By bringing people from different tribes together to share meals and participate in cultural activities, he believed that the society would come closer together and by that they would be stronger to resist the attempts of the politicians who want to infuriate one tribe against the others. In this case, the radio station announced the time and place of the meetings and arranged the programs in cooperation with several NGOs. “Radio and Internet are powerful tools to fight for a peaceful Kenya in future”.

One point of critique was raised by a member of the group: In his point of view, the landscape of Kenya’s NGOs is too wide and too fragmented. He suggested that it would be better, if the members and especially the persons in charge of the NGOs made a step towards a better organization and structure. Not every NGO in Kenya can cover all the areas of need – a specialisation would be a good solution to solve certain problems. Quality support would be better than quantity support.

For the conclusion of the discussion, everyone agreed that it is essential to strive for a peaceful society in Kenya. The requirements for action is not only on the politicians but also and mainly on the side of the society. Achieving peace should be the highest priority. And this – everyone agreed – has to be put into action by a society who is willing to take the challenge to overcome the hatred and antagonistic atmosphere which is so widely spread. The cultural as well as the inter-religious diversity does not need to be overcome but it should be peacefully celebrated among all the tribes in Kenya.

Results of the Discussion Group “Peace-Building and Sports”

The discussion group consisted of members of civil society organizations (CSOs) who were interested in sports as a way of building peace. During the discussion, it became clear that sport is very effective in creating peace.

As an introduction into the topic “sports and peace-building”, every participant was asked to state his/her expectations from the workshop in general and from this discussion group in particular. The members of the group remarked that they hoped to gain knowledge, to contribute to the workshop and to share experiences.

Right at the beginning of the discussion, it was stressed that the CSOs are the driving force behind change at the grassroots level, as they mobilize the youth on the ground by reacting and providing the implications of a politician’s words in the media. Many CSOs use the media to cool down political tension. Apart from the use of the media as one strategy of many CSOs to enhance peace, integration between the community and the police for information provision is necessary. With regards to sports, many interesting approaches to foster peace in the community became apparent by listening to the CSOs members’ first-hand experiences with sports as a way of building peace. An important partner of one CSO dealing with sports, whose representative was present in this discussion group, is the *Kenya Sports for Development Partnership*. KSDP is an umbrella association of 20 Community Based Organizations across five regions in Kenya, namely, Nyanza, Western, Nairobi, Rift Valley and Coast provinces. In general, sport is used to create a platform for exchange, reconciliation and healing. In northern Kenya, for instance, pastoralists are engaged in sports for the raiding warriors and creating of such a peace forum. In addition, sports can be used for peace campaigns, to enhance a peaceful transition, for sensitive reporting and for working with the education sector to sensitize peace.

The discussants’ experiences have shown that sports tournaments offer an adequate platform for civic education, holding peace talks, sensitization and advocacy. In fact, theme based (e.g. peace, love, unity or HIV/AIDS) social events and sports events in low income areas and slums have far-reaching effects. To illustrate, sports figures who are

accepted and recognized by the community can preach peace and act as role models the inhabitants and especially the youth can look up to. These sports games are usually structured according to the target group. In order to prevent violence and competitiveness during these games, one CSO changed the tournament rules so that the focus is on fun and fair play instead of on winning. One rule is, for instance, to swap team members after every game so that everyone has to play in a team with everyone. A member of another CSO based in the slums of Kibera, which was a hot spot during the Post-Election Violence, elaborated on the procedure of such a sports tournament. At the beginning, talks for civic education are held, thereafter a sports game is played and afterwards a talk for peace and co-existence with everyone in the community takes place. To sum up, what sports makes so special is the fact that it transcends all classifications, i.e. race colour, creed, income and tribe.

To the question of the role of the Government in the peace-building process, the participants stated that the Government had worked by setting up civic education, public forums and County Peace Committees. The first steps taken by the government were the launching of peace policies and the New Constitution.

However, many challenges the CSOs are confronted with when it comes to peace-building still remain. Undoubtedly, there is a demand for a duplication of peace activities. However, it was emphasized that duplication alone is not enough. The CSOs need to come together with one common goal in mind, i.e. to preach peace. During the discussion, it was suggested that the Government should regulate the activities of the CSOs on the ground. Furthermore, there is a lack of cooperation with churches and mosques in this area as well as of networks. With regards to the New Constitution, a slow implementation by the Government was criticized. The steady increase of CSOs cries for accountability and a proper scrutiny by the Government. Last but not least, the media was criticized for its inadequate sensitization of the masses and the discussants demanded for the reporting of real issues on the ground.

To conclude this discussion, every participant agreed that peace is paramount; peace encompasses socio-political and economic empowerment. Solutions to the aforementioned challenges are the avoidance of conflicts and of competition. Continuous work after this workshop was considered to be mandatory. To close this discussion, peace was defined as follows: "Peace is not the absence of war, but the development of human capacity."



The groups were given about two hours' time for their discussion and exchange of ideas. Afterwards they were asked to present the outcome in front of the plenum, so that all the participants would have an idea of what had been spoken and discussed about in the several small groups. The fruitful discussions of the groups enriched the whole workshop and enabled the participants to exchange ideas and find new ways to connect among each other and develop new ways in their work towards peace in Kenya. According to the representatives of the NGOs who participated, the workshop and especially the discussion groups turned out to be very efficient and a good platform for exchange between the several organizations.

Day II

On the second day of the Workshop on Peace-Building and Conflict Management, conducted on the 24th March 2012, the participants were able to choose between three topics for the group discussion:

- Networking
- Celebrating Diversity

Unlike the discussion groups on the first day, when every group had the same guiding questions, this time every group had its own question which was to be discussed. Just like in the discussion groups on the day before, the participants had the chance not only to make contributions, share their experiences and challenges in their CSO, but also to utter their individual thoughts on the topic and personal experiences in their everyday life.

Results of the Discussion Group “Networking”

“Network divides the task and multiplies the success!”

One of the major findings of day one of our workshop was the cognizance that a general improvement in coordination and networking between the different CSOs is one of the main challenges the civil society in Kenya has to deal with. It is the backbone of a coherent nationwide peace-building process. Thus, it was nothing but logical to put “Networking” on top of our discussion agenda for the second day. The focal point in the debate was to find out some answers to the question to which extent the networking between the CSOs in Kenya should and could be improved with special regard to the upcoming elections.

To open the discussion in the two groups, there was a great need to define what the participants understand by the terms “network” and “networking” and what their advantages are for having a common basis for the discussion. They pointed out the reasons to cooperate with each other:

- to avoid duplication of work
- to get different views on an issue
- to work on one another’s skills and learn from the partner/s
- better mobilization of human resources and financial resources
- to present one’s own work and do marketing
- spread of contacts
- capacity building and sharing information
- to reach out to a broader audience

With these points in mind, the two discussion groups came to the important question of the greatest challenges of networking between the CSOs in Kenya. One demanding challenge the participants mentioned was the lack of transparency in the work of the partnering CSO, for example when it comes to the use of resources. Other challenges were the need of a result-oriented work as well as the poor transfer of communication and resources. Moreover, many CSOs are afraid of the disregard of their own interests, mainly while cooperating with a larger CSO or NGO. As the members of NGOs usually have an educated background, ethnological or social issues do not play a role in the seeking for network partners.

At last, the participants of the discussion round were asked about the inter-regional organization of networking platforms in Kenya and about their personal experiences with cooperation and division of work with other CSOs. They basically all agreed that

the existing structures on the local levels within the framework of the DC's "Peace Commissions" were theoretically sufficient but could be more effective, if the meetings were held more regularly. At this point, they highlighted the very special role of the Government and pronounced that there could be no effective networking without using the Government's institutional facilities. The members of the press participating in the discussion also pointed out their important role in the documentation and communication for the work of the different CSOs. Through press releases and broadcasting, they can call the attention of CSOs to the work of other actors involved in the peace-building process and make their work transparent to the public. In this context, they also pointed out that perhaps not with regard to the elections 2013 but in the future, social media platforms like Twitter or Facebook could serve as adequate networking infrastructure for providing information about the organizations and sharing fieldwork experiences.

Results of the Discussion Group "Celebrating Cultural Diversity"

The discussion group consisted of members of CSOs as well as of students of Kenyatta University and the University of Trier who were interested in the topic celebrating cultural diversity as a way of building peace. Given the relatively high number of participants in this discussion group, there seemed to be a great need to talk about this topic. The guiding question of this discussion group was: "How can communities celebrate their diversity and enhance mutual respect, recognition and friendships?" In addition, the participants were asked three sub-questions during the discussion:

- When is cultural diversity positive and when is it negative?
- Why does cultural diversity in Kenya end up in tribalism? What does it say about the society as a whole?
- How can diversity be changed in a positive way? How can diversity be celebrated?

As an introduction into the topic "Celebrating Cultural Diversity", every discussant was asked to state his/her expectations on this discussion and the motivation for choosing this topic. The participants' initial comments on this subject already provided a good impression of the present situation in Kenyan society and what diversity is considered as. For example, one participant remarked that "being Kenyans, we have our diversity, but in Kenya it hasn't been regarded as strength." He added that "as Kenyans, we have to start appreciating our diversity." The members of this discussion group emphasized the significance and the chance of diversity. As one participant, the son of parents of two different tribes, nicely phrased, Kenyans "have to use cultural diversity to overcome our issues; if you lack culture, moral decadence will occur".

In order to understand the omnipresence and extent of cultural diversity in Kenya as opposed to cultural diversity in Germany, it was emphasized by one German participant, who is married to a Kenyan wife and thus knows both cultures, that there is a different understanding of culture in Africa and Europe. He further elaborated on his statement by saying that every tribe in Kenya has a different language and the culture forms the members of these tribes a lot. For instance, there are differences in the role of women, chiefs (hierarchy), traditions (important events in life such as weddings etc.). This was, indeed, a very important and useful remark for the participating German students in order to understand the complexity of cultural diversity in Kenya. In Germany, on the other hand, people live in a relatively homogenous society and share a common language; in most cases, the differences in German cultures rather exist on the surface and are solely based on the region where people come from.

When is cultural diversity positive and when is it negative?

The often mentioned source of cultural misunderstanding and stereotypes are statements and campaigns by politicians and political leaders. According to some discussants, politicians sabotage Kenyans by spreading stereotypes and claiming that their tribe is better than others' tribes and should therefore win the election. However, the true intention of these politicians is to save their own status, power and wealth. In fact, conflicts like the Post-Election Violence 2007/2008 are conflicts on resources. Consequently, the question was raised by one participant "why am I in someone's war?" In other words, why should one fight a war in order to save someone else's resources? Thus, if culture is used negatively, it will end up in something like the Post-Violence in 2007/2008, when politicians bribed marginalized people to support them in any case, even if it meant to involve violence. During the election in 2007, culture was applied by politicians to divide the people, instead of uniting them. This negative use of culture is still present in Kenyan society, even among the younger generations. Candidates for student elections at Kenyatta University, for instance, have just the same strategy as state politicians. Often funded and supported by state politicians, students running for an election at university try to encourage students of their tribe to vote for them and thereby create hostility between students of different tribes. Outside politics, however, people of different tribes are living next to each other in peace. According to one discussant, there had almost been a feeling of forming a new, united culture before the Post-Election Violence 2007/2008. During the incidents of 2007/2008, however, people reacted upon the politicians' manipulation and young people, who had not bothered about tribes before, were suddenly discovering their own tribe. The reason for the people's responsiveness to manipulation is their lack of knowledge about other cultures apart from their own. To illustrate, if you are a Luo, anything that is not Luo is out of your interest. Therefore, you regard the Luo leader as your leader. Education, especially during childhood, influences the way one approaches other cultures. For example, if you

are taught at home that a Luo is a thief, you will believe it. Thus, the household is the breeding ground for either positive or negative culture. It is essential to start questioning the existing stereotypes and to change the point of view or as one participant said: “It depends on how you want to look at things; if you want to see stereotypes, you will see them, but if you want to see a person as a human being, you will regard him as one.” The same participant emphasized later that tribalism on its own is not bad. He also came up with a guideline on how to approach diversity: “Take the best from each tribe and combine it.”

The Chances of Cultural Diversity

The last quotation neatly leads to the chances of cultural diversity. The first step towards appreciating the chances of cultural diversity was the promulgation of the New Constitution, including its Bill of Rights granting equality and freedom from discrimination (Chapter 4, Article 27), amongst others. A discussant of the group also said that “from a human rights’ perspective, we are all the same.”

As mentioned above, the Constitution is merely the first step towards celebrating cultural diversity. What is much more important is to enhance appreciation and recognition of cultures at the grassroots level. Thus, uniting Kenya can only start by uniting the communities first. In order to be successful, it is necessary to learn about other tribes. One student of Kenyatta University enthusiastically suggested attending cultural events (e.g. musical festivals) of other tribes in order to get a more realistic image of their unique and precious culture. In fact, people of different cultures who share common interests or a common fate can get together and build a strong cohesion. To illustrate, in Kibera, the biggest slum in Nairobi, people of different tribes live next door to each other and share common problems (e.g. lack of clean water and sanitary fittings). The elected Member of Parliament of Kibera’s constituency does not support or help its inhabitants – no matter what tribe he belongs to. Only if the inhabitants of Kibera are united and show solidarity for each other, they will be able to make their voice heard and to change their situation. This also applies to the whole society. By uniting and appreciating everyone’s culture, an event like the Post-Election Violence 2007/2008 can be prevented. In the upcoming election, politicians will probably try again to exploit tribalism for their own purposes, i.e. to win the election and maintain power. However, if people start celebrating cultural diversity and get to know each other’s cultures better, the politicians’ strategy will not prove to be successful.

What are the challenges of celebrating cultural diversity? What can members of CSOs do?

The first raised question when thinking about cultural diversity is how to remove prejudices which might have been taught since childhood. To start with, one has to talk to people and pass messages on peaceful coexistence and equal recognition of every culture. With regard to civil society organizations, programs should involve all people and workshops should be offered for everyone, regardless of the people's tribe. It is essential that empowering people is part of every CSO's mission. Furthermore, in the communities events could be organized by CSOs to present the facets of individual tribes. For example, people could come together to eat each other's traditional food and to dance together. The presence of tribalism at university, a concern raised by many Kenyan students taking part in this discussion group, proves that this phenomenon does not only apply to older generations. It also involves younger generations, which shows that either this topic was not tackled in school or previous education failed to make young people resistant against politicians' manipulation. Undoubtedly, there is a need for education from a young age. The earlier to start educating tolerance and appreciation for each other, the easier it is to build peace in the long term. Therefore, CSOs need to include cultural and peace programs as well as activities for children, the youth and perhaps also for university students to reflect on Kenyan culture. As one participant pointed out, Kenyans "have to learn about other tribes and from there we have to see how to combine them." In the past, people focused on their own tribe and they did not care for any other tribe but their own. However, now as a Kenyan nation, this approach does not work anymore. The focus on one's own tribe also applies to CSOs, since some members are first of all concerned about their own tribe and interested in "what my people gets". Instead, a feeling of unity, or by quoting a discussant "we are all Kenyans", needs to be conveyed by the members of CSOs. Another mentioned challenge was that people tend to refuse taking responsibility for their own actions. The next step after talking and sharing each other's cultures is to take concrete actions towards celebrating and appreciating cultural diversity. Taking concrete actions to enhance awareness and engage people in the process of celebrating diversity belongs to the CSO's scope of duties. Only with concrete actions to foster peace-building and cultural diversity an event like the Post-Election Violence 2007/2008 can be prevented. Or to put it in other words, if there was a choice between fighting a war and celebrating in peace, who would not prefer peace?

Conclusion

In summary, the following are the major results and insights which this project gave us.

One of our main aims was to find out which ideas and strategies on peace-building and conflict management already exist. We discovered that there were numerous creative and innovative approaches geared towards establishing and maintaining peace and preventing conflict, in the areas which were mostly affected.

During our two-day closing workshop, the various participating organisations had the unique opportunity of exchanging ideas. The precise and eloquent presentations of the guest speakers were very impressive and inspired participants to earnestly consider what steps could be taken to help prevent the resumption of such violent conflict in future.

The film which Boniface Mwangi produced and showed, “*Heal the Nation*” was of major importance at the beginning of the workshop. It brought to mind the traumatic and excruciatingly painful experiences of the previous Post-Election Violence. The harrowing images in the film were permanently present in the minds of the audience and gave us the strength and determination to convince others to take peace seriously and resolve to ensure that such incidents do not reoccur in the future. We however know full well that it is not easy to restore peace. Commitment and persistence are indispensable in bringing about and maintaining sustainable peace.

The ICC (in the Hague, Netherlands), can be seen as hampering the peace process, as the suspected perpetrators of crimes against humanity have never been brought to book since 2009. In fact, two of these suspects (William Ruto – Kalenjin and Uhuru Kenyatta – Kikuyu) intend to run for presidency during the next General Election in March 2013. The ICC process enjoys major public support, because many Kenyans have no confidence in a national prosecution mechanism. The political elite oppose the ICC process and are yet not willing to have the suspects prosecuted in their own jurisdiction. None of the suspects was ever tried in a court of law in Kenya. Current trends in the country indicate that due to the lack of political will to solve existing problems (ethnic cleansing, internal displacements, the high rate of unemployment, major political scandals, negative tribalism etc.), there is a high potential that such violent conflicts will erupt again. Clear examples recently took place in massacres in Tana River, Isiolo, Muhoroni/Nandi, Wajir and Sotik/Borabu. These are explicit warning signs that there will also be a major problem should the period of the trials coincide with the date of the General Elections, or if legal restrictions hinder the aspirants to run for presidency or the senator seat.

Graffiti murals bearing direct and courageous political messages have become a positive signal in Kenya in recent years. This is mainly the work of visionary, bold and imaginative young artists, calling for a “ballot revolution”.

The Organisation “**Faces of Peace Kenya**”, which was created by Kenyan students after our project, bears testimony to the fact that it sometimes requires just a little impulse to inspire people to build up impressive campaigns for peace. We therefore need to support the youth in the peace-building process, as they are highly motivated and have a strong desire to change their environment into a better place. At the end of the day, they represent the future of Kenya. There are many young Kenyans whose ambition to create a peaceful country is very strong as we have seen for instance in the graffiti movement. The members of “Faces of Kenya” who were participants of our project now enjoy a good reputation, as the media exhibits great interest in their activities.

The media in Kenya plays a very special role in the peace-building process and especially during this period running up to the next General Election. Journalists and media institutions, especially the radio, need to be aware of the power they hold in influencing and manipulating people and therefore filter the information they dispatch, so as not to intensify conflict. It would be recommendable that they rethink their role as an information resource in the peace process and civic education and focus on conflict sensitive reporting. They should for example encourage the public to give CSOs the feedback that their work is appreciated and constantly remind the public to also take responsibility themselves to be part of the peace process.

Civil Society Organisations took the opportunity to engage in constructive dialogue with each other during the workshop and were encouraged to see that some people in prominent positions in the Government were also present. This reinforced efforts to build a strong network.

The fundamental work of peace-building within communities and regions is borne by CSOs. They facilitate coordination of trainings on mediation and conflict management, the establishment of platforms and systems for distributing objective information (e.g. slum radio stations) and intercultural and intertribal events where new partnerships can be forged for a better social cohesion and neighbourhood. They also lobby for the poor and disadvantaged people in the society and often use methods such as demonstrations to put pressure on politics to push the process of peace and reconciliation forward.

During the workshop it was evident that CSOs consider good and effective leadership of vital importance in furthering the peace process. They therefore work to train and promote young people who manifest a sense of personal integrity and are willing to take responsibility. They do a commendable job and in general work for the common good of the society.

Nevertheless, we discovered that there is a significant diversity of civil society and international organisations working in Kenya. In the last years, the number of organisations in the development and peace sector has increased, creating a business arena with a high degree of negative competition and exploitation. Not all CSOs are

committed to the cause of peace-building. Some merely capitalise on the opportunity, aiming at obtaining financial security and then disappear as soon as they can.

The major impact of our workshop was that we contributed towards promoting efforts in networking. Several activists came together to share experiences and good practices and find perspectives and ways to prepare themselves for the upcoming elections and the challenges they will be confronted with. The enthusiasm of these people during our workshop showed that events such as these are very much needed and important for those who carry the peace-building process with all their capacities. Having the chance to share knowledge and feeling that their work is appreciated encourages the activists who are often faced daily with the hard reality of conflicts and violence.

Summing up the opinions of our guest speakers and CSOs, there is a much higher potential for violent conflict now than was the case after the elections of 2007. In view of the unresolved conflicts on land along ethnic lines, the forgotten situation of IDPs, the challenges of the ICC proceedings and the ignorance of the political elite in establishing a reliable judiciary to implement reforms for more democracy etc., it is most likely that there will be an outbreak of violence. It is however difficult to predict to what dimension. It is therefore understandable that during our evaluation in May/ June 2012 most of the staff of the CSOs feared the worst case scenario.

One issue that is not included in this report, but should however be mentioned is a recent development. The newly formed movement “**MRC**” (Mombasa Republican County) with a slogan dubbed (“*Pwani si Kenya*” - “*The Coast is not in Kenya*”) will definitely be a major cause of conflict during the next General Election.

The South African judge, Johann Kriegler noted: „If Kenyans don’t address the need to reform, the events of January 2008 may look like a Christmas party in 2012”. This opinion is shared by many who have been observing the situation in Kenya for a long time.

Last but not least, another statement from 2010 comes from the “Kenyans for Peace with Truth and Justice” (KPTJ). According to a survey they made with different actors from the civil society, they found out that three quarters of the respondents consider the recurrence of political violence highly likely. The danger of a break out of violent conflict will no doubt affect the economy. Many business people are therefore unwilling to expand economic activities in their current locations before the next election.

Our hope lies with the CSOs and all the individuals in civil society who rise above ethnic conflicts and have the moral courage to help to avoid them.

What are the lessons Kenya has learnt in the last five years and what is the way forward?

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Appendices

Documents of the plight of Internally Displaced Persons (IDPs): A still ongoing dilemma for Kenya

Preliminary remarks

In the course of the Post-Election Violence, an estimated 650,000 people in Kenya became refugees in their own country. Even today, a large number of Internally Displaced Persons (IDP) still live under deplorable circumstances, completely cut off from the rest of society. They reside in transit camps, in great fear that they will never be able to return to their original homes again. This problem which is largely ignored by politics continues to hide a high risk of conflict potential.

The following documents aim to depict the plight of these people and also the strained relationship on the political and social stability of the multi-ethnic state. A strong political will is the indispensable prerequisite for national peace and reconciliation.

The carefully elaborated Chapter Seven of the Waki Report (2008) on Internally Displaced Persons contains an apt description of their situation on pages 271 to 294. This chapter is not dealt with here due to lack of space, reference is however made to it.

HPG Policy Brief 31 April 2008

Crisis in Kenya: land, displacement and the search for ‘durable solutions’

Key messages

- Current post-election displacement in Kenya is not a new phenomenon but a recurring trend linked to unresolved land grievances, in a context of poor governance and socio-economic insecurity. This is of concern to humanitarians as the failure to understand the dynamics involved and the implications for recovery can exacerbate tensions and jeopardise attempts to resolve the crisis.
- Humanitarians need to engage with land specialists to ensure that their programming not only avoids exacerbating tensions, but is also consistent with efforts to address the structural causes of conflict.
- Return, relocation and local integration processes should not be promoted as durable solutions in the absence of serious attempts to resolve land-related grievances. If durable solutions are to be found, programmes must take account of those who were forced to move in earlier waves of displacement.
- The government’s urgency in encouraging IDPs to return despite continued political uncertainty and insecurity raises clear protection concerns. This includes both physical security and wider issues to do with rights, community reconciliation and sustainable access to the means of subsistence.
- In the absence of political progress and stability, urbanisation is likely to accelerate as displaced people seek alternative livelihoods.

Accusations of irregularities during the December 2007 elections in Kenya sparked widespread violence. Over 1,000 people were killed and as many as 600,000 displaced from their homes. Apart from the immediate humanitarian implications, the economic cost of the crisis is put at over Ksh100 billion (around \$1.5bn). Jobs have been lost, and people have not been able to harvest or cultivate their farms.¹ Meanwhile, the ethnic character of the violence has put Kenya’s coherence as a nation in doubt.² Although by April 2008 the violence had largely subsided, it was still unclear whether a political agreement reached between President Mwai Kibaki and Prime Minister-designate Raila Odinga would resolve the crisis. Events in Kenya took the international community by surprise, not least because the country is usually held up as a model of stability in an increasingly fragile region. Yet violence and displacement accompanied elections throughout the 1990s, leading some commentators to warn that Kenya’s long-term stability was in jeopardy.³ Central to both past and current upheavals have been long-

¹ International Crisis Group, *Kenya in Crisis*, Africa Report 137, 2008, pp. 1, 19.

² Africa Research Institute, *Kenya: A Nation Fragmented*, Briefing Note 0801, 2008.

³ See for example Internal Displacement Monitoring Centre, *‘I Am a Refugee In My Own Country’: Conflict-Induced Internal Displacement in Kenya* (Geneva: IDMC, 2006), pp. 6–7.

standing disputes over land ownership. This HPG Policy Brief explores the role that land issues have played in the current crisis, and why it is essential that humanitarian actors understand these issues as they seek to assist displaced populations and facilitate the process of return or resettlement.

Post-election violence, displacement and the humanitarian response

The violence began when Kibaki's Party of National Unity (PNU) declared victory in the elections. In response, the opposition Orange Democratic Movement (ODM) claimed widespread irregularities and fraud, sparking rioting across the country between supporters of the rival parties. The unrest also enabled some groups to act on long-standing grievances over land, and forcible appropriation has led to large-scale displacement, particularly in the Rift Valley and western Kenya. Estimates of the current number of IDPs range from 400,000 to 600,000, though patterns of displacement are fluid and accurate data is difficult to obtain.⁴ What seems clear is that many of the displaced – perhaps as many as half – are not in camps, but have sought refuge with host families, often in their so-called 'ancestral homelands'. The caseload includes landowners and farmers from the Rift Valley, who have fled to nearby towns and camps; migrant workers from the Rift Valley and Central Province, who are moving back towards western Kenya; and urban dwellers and business owners from main cities such as Nairobi, Kisumu, Eldoret, Nakuru and Naivasha.⁵ These are in addition to pre-existing IDPs displaced by clashes during the 1990s, mainly located in Molo, Kuresoi, Burnt Forest and Mount Eglon. A further 12,000 refugees are thought to have fled across the border into Uganda. The Kenyan government has led the humanitarian response through the Ministry of Special Programmes (MoSP). Within the ministry the National Disaster Operations Centre acts as the coordinating agent, with the Kenyan Red Cross (KRCS) the official implementing partner. The government's response has been supported by the international community. The cluster approach has been activated and an Emergency Humanitarian Response Plan was launched in April for \$190 million (revised upwards from \$40m).⁶ The initial appeal was 74% funded. There has also been a concerted response by civil society organisations, particularly Church associations such as the National Council of Churches of Kenya (NCCCK), which has historically played a significant role in assisting IDPs. From consultations with key informants, it is generally believed that the basic needs of the displaced in camps, in terms of protection, food, education, health, water and sanitation, have largely been met, although the humanitarian response has suffered from a lack of access due to insecurity, with roadblocks delaying the provision of relief. There have been some reports of national staff being targeted because of their ethnicity. Sexual exploitation, mainly of women and children, has been widely noted, in the camps and elsewhere. Furthermore, with the passage of time and the arrival of the rainy season, concerns have been raised over conditions in some of the

⁴ The estimate of 600,000 is the UN figure. See 'Some 600,000 Displaced in Kenya', BBC News, 11 February 2008, <http://news.bbc.co.uk/1/hi/world/africa/7239234.stm>. The Kenyan Red Cross Society (KRCS) estimates that over 200,000 IDPs are residing in camps, and it is widely believed among aid agencies that there is an equivalent number of non-camp IDPs. KRCS Kenya Humanitarian Forum Meeting, 28 March 2008.

⁵ OCHA Humanitarian Update, 16–19 February 2008.

⁶ UN, *Kenya: Emergency Humanitarian Response Plan*.

camps. The fate of displaced people outside of the camps is meanwhile unclear. Accurate data does not exist and there is no mechanism to identify, locate and assess their needs and intentions. This is a significant failing. In short, immediate relief requirements, for camp-based IDPs at any rate, have largely been met through the combined efforts of communities themselves, the government, civil society organisations, aid agencies and international donors. For many, the concern is now security in home areas: displaced people feel unable to return until the government addresses this issue, both in terms of physical security and in its wider socio-economic and legal sense. The situation remains highly complex and volatile, and is likely to deteriorate further unless the underlying causal factors are addressed. Here, resolving disputes over land must play a central role.

The land question and displacement in Kenya

Internal displacement is a recurring theme in Kenya's recent history. During the colonial period, British land policy favoured (white) settler agriculture, entailing the dispossession of many indigenous communities' land (mainly the Kalenjin, Maasai and Kikuyu) across the Rift Valley and Nyanza, Western and Central provinces – the so-called White Highlands. This process was legalised with the implementation of an individual freehold title registration system at the expense of customary mechanisms of land tenure.⁷ The land grievances colonial dispossession gave rise to were aggravated by Jomo Kenyatta's independent government. Kenyatta maintained the system of freehold land titles and did not question how the land had been acquired. To compensate the displaced, the government began a series of resettlement schemes based on a market system, which was biased towards those with the financial means to acquire land.⁸ Meanwhile, corruption and ethnic politics supported patronage networks and favoured certain communities, particularly the Kikuyu, who settled in the fertile areas of the Rift Valley, at the expense of others, such as the Luo, the Maasai and the Kalenjin. These land tensions were further exacerbated by Kenyatta's successor as president, Daniel arap Moi. In response to the political threat posed by the advent of multiparty politics in the 1990s, Moi (a Kalenjin) sought to portray the opposition as Kikuyuled, and multiparty politics as an exclusionary ethnic project to control land.⁹ This entailed evoking *majimboism*, a type of federalism that promotes provincial autonomy based on ethnicity. To recover 'stolen' land, Kikuyu were evicted from the areas they had settled in the Rift Valley and western Kenya.¹⁰ Associated clashes throughout the 1990s left thousands dead and over 350,000 displaced, allowing Moi to gerrymander elections in 1992 and 1997.¹¹ Rampant land-grabbing further undermined customary mechanisms of land

⁷ Kenya Land Alliance, *Righting the Wrongs: Historical Injustices and Land Reforms in Kenya*, Policy Brief (Nairobi:

KLA, 2004), pp. 1–2.

⁸ Kenya Land Alliance, *The National Land Policy in Kenya: Addressing Historical Injustices* Issues Paper No. 2/2004 (Nairobi: KLA), pp. 6–7.

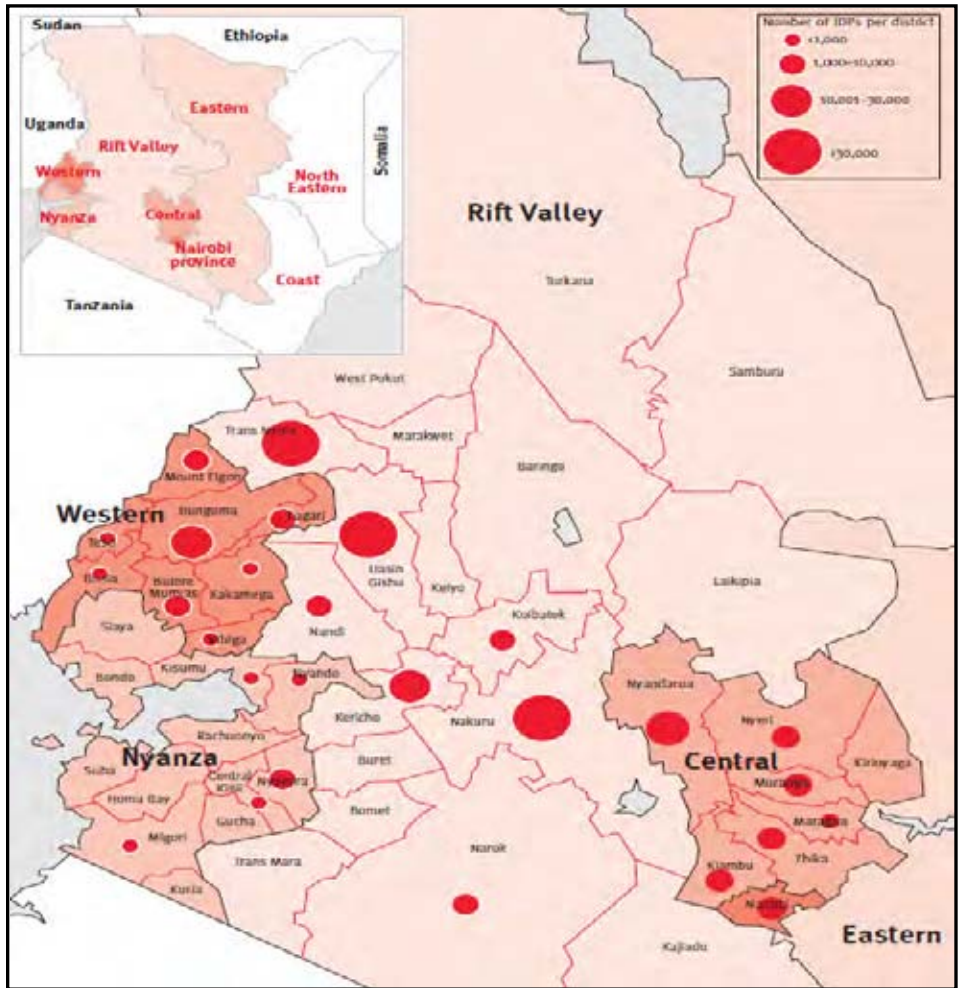
⁹ J. Klopp, 'Kenya's Internally Displaced: Managing Civil Conflict in Democratic Transitions' in D. Bekoe (ed.), *East Africa and the Horn: Confronting Challenges to Good Governance*, International Peace Academy Occasional Paper Series (Boulder, CO: Lynne Rienner, 2006).

¹⁰ P. Kamungi, 'Land and Internal Displacement in Kenya', briefing for donors at the Canadian High Commission, Nairobi,

¹¹ September 2007. ¹¹ Klopp, 'Kenya's Internally Displaced'.

governance, while growing hardship among the majority poor and rapid population growth increased pressure on the country's arable land.

Kenya – IDP situation map



Source: KRC March 2008, Kenya Humanitarian Forum Meeting, 28 March 2008

The displacement crisis following the 2007 elections is thus not an anomaly; rather, it is part of a sequence of recurrent displacement stemming from unresolved and politically aggravated land grievances, in a context of population growth, poor governance and socio-economic insecurity. Simply focusing on facilitating the return of people displaced in the current crisis, in the absence of efforts to address the underlying structural causes, risks creating the conditions for further rounds of violence and fresh displacement.

The search for ‘durable solutions’

Despite continuing political uncertainty, the Kenyan government has called for those displaced by the post-election violence to return to their homes. In order to support this process a fund of Ksh1bn (\$15m) has been established, and the international community has been asked to contribute a substantially larger amount, to be administered by the newly created Mitigation and Resettlement Unit within the MoSP. In this endeavour, the government will seek to increase physical security in the areas from which people were displaced, rehabilitate key services, provide assistance for the first three months of return and promote and engage in reconciliation activities.¹²

Box 1: Land, displacement and humanitarian action

Humanitarian agencies often lack an adequate understanding of land issues – ownership, use and access – and tend to dismiss the problem as too complex, politically sensitive or outside their remit.¹ Yet conflicts over land often drive complex emergencies, particularly in agrarian societies where land is central to livelihoods. Forced displacement and appropriation can be a means to reward allies, acquire or secure access to resources, manipulate elections or create ethnically homogenous areas.¹ Even where land is not a central driver, secondary conflicts can emerge, particularly if there is protracted displacement and land is occupied opportunistically. The result is often overlapping or competing land rights and claims, lost or destroyed documents, lack of adequate housing stock and increased land pressure, often in the absence of an institutional framework that can effectively resolve these conflicts.¹ Policy responses usually favour returning populations to their areas of origin or habitual residence and the restitution of land and property. Often, however, displaced people have no land to return to, or are unable to access their properties. They may have had no alternative but to occupy someone else’s land, or they may be in direct competition for land with other groups, including the state.¹ For all of these reasons, land issues pose a substantial challenge to humanitarian agencies as they engage in the assisted return, reintegration and recovery of displaced populations.

Despite these pledges by the government, return has so far been limited and isolated. Some 50,000 IDPs from Kakamega have returned to their home areas and people displaced close to their homes are commuting to work on their farms; overall, however, people are reluctant to return, particularly in areas affected by land disputes. IDPs are calling for preconditions, such as assurances on security, systems to compensate for or restore lost property and measures to ensure that land issues are resolved. Many, particularly those with no, lost or destroyed titles, are sceptical that such conditions will be met, and are asking to be resettled in alternative sites, including in main urban areas

¹² Report of the National Accord Implementation Committee on National Reconciliation and Emergency Social and Economic Recovery Strategy, March 2008.

such as Nairobi. The government has pledged to adhere to international guiding principles on IDP return, resettlement and reintegration. In addition, the Inter-Agency Standing Committee (IASC) has developed a framework designed to ensure a 'durable solution', covering return, relocation (settlement in another part of the country, including movement to ethnically homogeneous areas or so-called 'ancestral homelands', where the IDP has links to extended family or to an identifiable ethnic group) and local integration in areas of refuge.¹³ As is usually the case in situations like this, the preferred option, for the government, donors and the humanitarian community, is the return of the displaced to their areas of former residence. This is seen as less controversial than other options, which might lead to significant changes in the structure of a society, and is a visible and quantifiable process. Furthermore, it is in line with international standards such as the Principles on Housing and Property Restitution for Refugees and Displaced Persons (the Pinheiro Principles), which call for the restitution of land and property to the displaced.¹⁴ In the current crisis, there is a sense that return must happen soon, so that some at least of the displaced can tend to their lands ahead of the rains and the upcoming planting season. The government is also keen to show that the crisis is over and that normality has resumed. According to government estimates, most IDPs should have returned within 100 days. Given the complex conditions IDPs have placed on their return, such an arbitrary deadline is both unfeasible and unhelpful, and could see some returned against their will. Nor does such a rapid response allow time to instigate the processes needed to ensure a viable, durable return. Even if the conditions for return are deemed to be in place, such a process should not be framed as a durable solution but rather a temporary stop-gap until such time as clear processes are established to tackle unresolved land issues and other related grievances. Such processes must enjoy the support of leading local and national politicians. The alternatives to return outlined in the IASC framework are relocation and local integration. IDPs who do not have land or who are too traumatised to return seem to favour resettlement on alternative sites, but this is a complex process and cannot be considered durable unless accompanied by a resolution of the land question more broadly. In any case, resettlement may simply aggravate existing land grievances, particularly in areas such as Central and Nairobi provinces, where population density is high and land scarce. Furthermore, solely focusing on those that have been recently displaced, as is currently the case among both the government and the humanitarian community, will create resentment among long-term IDPs (including the wider landless), who have been waiting many years to be resettled and are currently living in very difficult conditions. Relocating IDPs to so-called 'ancestral homelands' is of particular concern. While this may offer a temporary refuge for communities that have retained strong ties with their extended families, many host families are starting to reject the continued presence of displaced people for fear that they will make claims on their land. Resettlement in areas of ethnic kinship also sets a dangerous precedent as it implicitly supports the goals of those engaged in violence and

¹³ IASC, *IASC Steps Towards Durable Solutions to Post-Election Displacement in Kenya* (Nairobi: IASC, 2008).

¹⁴ For more information on the Pinheiro Principles and their implementation, see Multi-agency Handbook, *Housing and Property Restitution for Refugees and Displaced Persons: Implementing the 'Pinheiro Principles'*, 2007.

displacement as a means of ethnically cleansing certain regions. It also fails to take into account that the concept of ‘ancestral homeland’ is often an artificial construction of the colonial state, rather than a reflection of historical rootedness.¹⁵ Ethnicity is not a static, homogenous entity, but rather a fluid concept subject to generations of intermarriage.¹⁶

Any efforts to return

IDPs to presumed ‘homelands’ would need to determine which communities actually belong to certain areas, and how far back in history one would need to go to find this out, a process that would surely further divide Kenya’s communities and could even threaten the country’s cohesion. The third possibility – integrating the displaced in the areas where they have sought refuge – depends on their characteristics and the willingness of both the displaced and host communities to accept integration. In reality, pressures on local resources are already high, and integrating IDPs in rural areas is probably not going to be feasible. In the towns and cities unemployment is a serious concern, particularly among young people, and access to land and housing is already inadequate. Despite these problems, if the political process stalls and land issues are not effectively tackled it is likely that urban migration will accelerate, which means that the government and humanitarian agencies must prepare to support integration in urban areas. These efforts need to be linked with the government’s wider recovery strategy, which aims to improve services in slum areas and increase employment opportunities, and must be carried out in partnership with development agencies concerned with tackling the wider problems of socio-economic insecurity in the urban peripheries where the bulk of IDPs live. Questions of land tenure will also demand attention: many of the displaced will squat in public buildings or other public spaces, threatening the informal property interests of the existing urban poor.¹⁷ The expertise of development agencies engaged in urban planning will be needed to support measures to secure tenure for the displaced and the wider population of concern. Any solution to displacement, whether temporary or durable, must enjoy the active participation of Kenyan civil society, particularly the faith-based organisations that have historically played an important role in supporting IDPs.¹⁸ These groups will be important stakeholders in promoting reconciliation and peace-building activities, and will bring important pressure to bear on the government to effectively deal with the issues outlined in the political agreement between Kibaki and Odinga.

Conclusion

This HPG Policy Brief has sought to highlight the importance of land issues in forced displacement in Kenya, and to draw out their implications for current humanitarian and early recovery interventions in the wake of the violence and displacement that followed the 2007 elections. Even before the latest crisis, grievances over land had generated over 350,000 IDPs. Displacement is thus not a new phenomenon and portraying return as a durable solution in the absence of clear processes to resolve the underlying issues giving

¹⁵ J. Lonsdale, ‘Soil, Work, Civilisation and Citizenship in Kenya’, *Journal of Eastern African Studies*, forthcoming.

¹⁶ Personal communication with Dr. Lotte Hughes, Ferguson Centre for African and Asian Studies, The Open University.

¹⁷ Alden Wily, “It’s More Than About Going Home”.

¹⁸ Klopp, ‘Kenya’s Internally Displaced’.

rise to it risks embedding the conditions for further violence in the future. If a durable solution is to be achieved, historical grievances must be acknowledged and addressed.¹⁹

Box 2: Urbanisation

Complex emergencies tend to represent fundamental processes of change and societal transformation.¹ These changes can often accelerate the process of urbanisation as the displaced migrate to urban centres in search of safety and alternative livelihood strategies. Displaced people will tend not to return to rural environments, particularly if their land grievances are not resolved or if they see a brighter future in the cities. These trends have been seen in previous episodes of displacement in Kenya, where the government has failed to support return or provide suitable resettlement schemes. As a result, the majority of IDPs live in informal urban settlements and are marginalised amongst the urban poor.

This goes beyond the core humanitarian agenda, but is nevertheless an important element in the way humanitarians engage in relief and return processes. Although many of these grievances have been acknowledged, it is not yet clear whether adequate processes will be put in place to address them. As a result, many local communities oppose the return of displaced people, and displaced people themselves are not keen to go back to contested areas. The possibility of coerced return raises clear protection concerns, particularly given the government's stated desire to 'resolve' the displacement problem as rapidly as possible. The humanitarian community should be very cautious about facilitating return in the absence of adequate physical and socioeconomic security. Well-informed advocacy, which incorporates land tenure expertise, is required to encourage the government to meet its obligations to ensure that the conditions for return are in place. If such processes are to represent a truly durable solution, they must be accompanied by an acknowledgement of historical grievances and the need for reconciliation processes. In the absence of such change, it is imperative that the humanitarian community monitors the fate of IDPs after their return, to ensure that their rights are protected and their needs met.

Recommendations

- Humanitarian agencies must be better informed about the underlying causes of displacement, including grievances over land. This will help ensure that their responses do not aggravate existing sources of tension, and are aligned with processes that aim to resolve the fundamental issues at stake. The housing, land and property sub-cluster and the early recovery cluster should engage more deeply with land tenure specialists.

¹⁹ J. Klopp, 'Can Moral Ethnicity Trump Political Tribalism? The Struggle for Land and Nation in Kenya', *African Studies*, vol. 61, no. 2, 2002.

- Humanitarian agencies should ensure that the protection needs of displaced people are met, and should resist premature returns that threaten the security of IDPs. In the absence of mass return, the needs of the displaced should continue to be met.
- Return to areas affected by land grievances should not be promoted as a durable solution but rather as a temporary measure, to be accompanied by clear efforts to resolve the underlying causes of displacement.
- Permanently relocating IDPs to so-called ‘ancestral homelands’ risks promoting ethnic cleansing and further fragmenting Kenya’s communities, leading to renewed outbreaks of violence. It should not be promoted as a durable solution to Kenya’s displacement crisis.
- Agencies should prepare for an influx of IDPs into urban areas, particularly if the political process stalls and displacement becomes protracted. This will require engagement with development organisations in order to align efforts to integrate IDPs, whilst addressing wider socio-economic insecurity in urban areas.
- The recovery process must include a systematic mechanism to collect adequate data on IDPs inside and outside camps, and from previous displacements, in order to determine their profile, needs and intentions so that interventions can be catered to them. The data should also include relevant information on land, and land tenure specialists should be enlisted to help collect and analyse the data. Efforts in this direction by national and international agencies should be coordinated and shared with the government.
- The search for durable solutions needs to include civil society organisations, which have an important role to play in promoting reconciliation and peace-building, and in exerting pressure on the government to tackle the underlying causes of displacement.
- Donors should ensure that their support to the Kenyan government is contingent on adequate conditions for return, including progress in addressing underlying issues, including land.

Overseas Development Institute

111 Westminster Bridge Road
 London SE1 7JD
 United Kingdom
 Tel. +44 (0) 20 7922 0300
 Fax. +44 (0) 20 7922 0399
 E-mail: hpg@odi.org.uk
 Website: www.odi.org.uk/hpg



Beatrice Kimani,

a victim of the PEV 2007/08 belonging to the Kikuyu tribe, married with a Kalenjin man. As she is a teacher she initiated and leads a primary school in an IDP-Camp near Eldoret.



MY EXPERIENCE IN 2007/2008 POST-ELECTION VIOLENCE

When the casting of votes was going on, the tension was high. As a fan of any team I was torn between two teams PNU and ODM.

The reason was, being a Kikuyu woman married to Kalenjin, I couldn't shout PNU, as my husband told me he was on ODM side. May I say I stayed in the background when the great day came on 29th December after the counting of the votes. During the skirmishes of 1994 I left the rural area and came to live in Burnt Forest town. On 29th December 2007, I was in our house which had three rooms. It happened that I had two television sets, so this particular day my husband, who, I said earlier is a Kalenjin, came with two other Kalenjin men and started watching TV

Coincidentally, I took it at that time my stepson, also a Kalenjin, brought five young men. Realizing PNU votes are leading I told them that "Kibaki tena" (Kibaki again) and his slogan "Kazi iendelee". My stepson told me please don't be happy, if PNU wins you will go back to "Othaya" presidents home. But if ODM wins, the Kikuyus would run for thirty minutes. I laughed and he told me things were serious. At 6:00 pm announcements were made and hell broke loose. I saw people running helter-skelter. My husband came to the house running. He asked to have tea and as he was drinking outside I saw our neighbours, who were Kikuyus, preparing their pangas. I asked whether the Kalenjins would fight since the PNU had won. He said he wasn't sure but 20 minutes later we saw a house burning in a village near the town. I took the tea he was drinking and told him to go to the rural area where Kalenjin live, for in the town there were many Kikuyus. The town dwellers started packing and moving out, some to the Catholic Church, others to the police station. I didn't know where to go, for, an orphan, who is HIV positive and was sick at that time, I had two other children, who were Kalenjins.

I stayed in the house but the houses surrounding us were burning around 4:00 am. The arsonist came. The two Kalenjin heard them speak. They called me and told me there were people on top of the house. I pleaded with them, but at 6:00 am, the two tribes met outside our house. The war intensified. In my house I had given refuge to a woman of Kisii by origin who had given birth only two weeks earlier and also was member of my family.

That's when I started my peace work. Like a mad woman I got myself shouting "Stop it! Stop it! We are all guilty of voting and stealing votes but this child here knows nothing. Let the mother pass!" They were like magic words. They stopped and both parties looked at us. My children and the Kisii woman with the child passed through the gate, but a Kalenjin man threw an arrow that hit one of the Kikuyu men's face. I shouted again and it's like I was the commander. They moved and I was left alone. I heard screams. As it was morning I followed my children to the Catholic Church, where the Kikuyus were.

On arriving at the Church, some Kikuyu women saw me, they told me, "Come here and see what your "HUSBANDS", the Kalenjin, have done". I was shown those who had been cut with pangas, had arrows in their bodies, raped women and young girls. I was so much shocked that they insulted me for being married to a Kalenjin man. I remained dumb. They instructed me to make porridge and feed the maimed people. I was supposed to get fire wood from a burning Kalenjin house but one man who was not seriously injured came to my rescue but the flour was not enough, cooking pots were not big enough to feed more than fifty. It was a nightmare. As my tormentors were watching me, I decided to use my wits. I went to the Church compound where I knew they had big cooking pots. I pretended that I was so sympathetic to the hurt that I was given the pots and other women volunteered to help me feed them. Those who didn't know I was being punished for example the shopkeepers that had brought their goods in the Church, I convinced one to give me flour.

May I say that is when I realized that I had to do something being a member of a peace organization known as Rural Women Peace Link (RWPL) founded in 1994 due to skirmishes – experienced in North Rift Valley. I felt peace was the required thing, for I was being chased by my fellow Kikuyus. I stayed for two days, Monday and Tuesday, in the Church. They were my worst days as I was always guarded and was told that in all calls I would answer, to use my mother tongue, Kikuyu, but not English or Kiswahili or any other language.

On Tuesday evening I received a phone call from the Kalenjin elders instructing me that if the school got burnt I should answer that the Kikuyus were planning to burn it. By good luck police came to stay in the school. I decided to stay in the school near the police.

It was on Thursday that I received a call from the Rural Women Peace Link. They asked me to start working and I connected to my chairlady who is a Kalenjin. She started telling me about the old, disabled Kikuyu people who were left behind and were being hidden by the Kalenjin. I was asked to direct the police and get their relatives. The Kalenjin started directing me where dead bodies were found uncollected. I helped the police by giving directions. It was a nasty experience as most of the bodies had been eaten by dogs. Like we found an old man who had been cut with a panga at the back and the black ants were eating him. He was making a terrible noise.

As days went by, the roads were opened for people to go to Central Province so I felt safer as those who knew me started leaving. People who were in the camp were by now 32,000. Some elders made themselves leaders and by this time the Red Cross had come and was busy dealing with serious humanitarian cases.

There were many pupils and teachers and due to lack of law, rape cases started being experienced in the camps. I was separated from my husband and my children as were so many of this.

In the refugee camp, parents forced teachers to teach pupils in the open. The trained teachers and those who knew how to read were made teachers. As by rank I was a deputy head teacher of my school. Now I was again made the deputy of the refugee school consisting of over 2,000 pupils and 64 teachers. I had known little that this was a revival of intermarriage hatred. As the January sun became too hot for teaching outside and we didn't have tents, I asked the elders and teachers that we should take the pupils in my school which was nearby and they agreed.

On 25th January 2008 we went to school as I had informed some of the school committee members who were there to be in school to welcome the refugees. I took them to the football pitch, where I was introducing the pupils by tribes as the school is a cosmopolitan school. When I asked the chairman of the school who happened to be a Luo and from ODM to greet them, hell broke loose. They told me that I had taken their kids to ODM zone and seemed to have forgotten I was an ODM sympathizer, being married to a Kalenjin. One of the teachers who was acting as the head teacher slapped me and wanted to break my neck, the chairman came to my rescue. They demanded for the office keys and I told them point blank that I would not surrender the keys and the school would be opened for all pupils even Kalenjins for it was not a refugee school.

The teachers, pupils and parents went back to the Catholic refugee camp screaming. After some time the District Officer came with Administration Police and teachers and committee members and any interested party were called for a meeting, during the meeting I repeated my words of not opening the school to one tribe. I urged them to ask UNICEF which dealt with school to give them tents to start a school in the camps.

The Red Cross, Save Children, UNICEF and other organizations came to assess the school and it was decided the school should be opened for all pupils. The Kalenjin on the other hand sent a SMS telling me that if their children were not taken in, they would kill me. My life was threatened in all walks.

As the school opened I assembled teachers and pupils and told them that if I got any of them trying to belittle other tribes, I would take them to the police who had put tents in the school. May I say their presence gave me courage to move forward and after a week of opening school I had received 40 Kalenjin pupils with a stern warning that anything that would befall them would bring my death.

The 64 teachers were all Kikuyus. I communicated with my Peace Organization and we felt peace would be easily achieved through the pupils. The mode of dressing was also another thorny issue. Kalenjins had uniforms but the others hadn't, as theirs had been burnt. I asked them to stop putting on uniforms. By this time the Burnt Forest town was a PNU area and the outskirts for the Kalenjins. Therefore no Kalenjin would pass through but after opening of the school the Kalenjins would follow the school children so as to pass through the centre. It was great achievement to me to see movement resuming.

Another blow came when Save the Children brought the learning aids to pupils again. I asked all pupils to assemble to receive each a bag, exercise books and other stationeries. I gave all tribes this time round. I was dis-communicated completely and I would only stay in the school compound and near the policemen, I received many death threats.

As I realized that Save the Children would pay the volunteered teachers I started mixing my staff bringing in even the Kalenjins through the assistance of the District Officer. I was able to preach peace to both teachers and pupils; we never experienced any ugly incident of pupils or teachers insulting each other.

On May the operation "Go back home" ("Rudi Nyumbani") came. It was an eye-opener to me. I used the pupils from the burnt down school. I convinced their parents that school wouldn't be built again if there were no pupils. I allocated duties to teachers who were near those schools which had completely burnt down, with the help of a very strong lady from UK working with Save the Children (Charlotte). We toured the destroyed schools checking what was required; I restarted the schools by taking the pupils and teachers myself and appointing the head teacher. One of the schools where four people were buried in one of the school pit latrine was great challenge to me. Many parents from that area were not willing to go back. Only 18 pupils agreed to go back. It was a 7 km walk from my school, I decided to open it and head it and I worked for three months.

One of the greatest challenges was that among the 18 pupils there were two whose fathers had been killed a class and they couldn't agree to enter the school compound. Another 9 year-old girl had been raped when they took refuge in the school on 29th

December 2007. Again when the Red Cross unburied those buried in the pit they left a part of rotten hand of the dead body. The school was far from the Police station. I had to go to the Kalenjin homes trying to persuade them too bring children, they called me a “mad woman”, some ran away from me. Through the help of Charlotte of Save the Children I was given pupils learning materials and I used them to entice the Kalenjin parents. Within two months I had won 8 Kalenjin parents and the school had a population of 87. Through the restart of schools peace slowly started coming back and the school pupils helped in bringing interactions and sharing of different commodities from the two tribes.

Being also a member of Rural Women Peace Link I used to go to the Kikuyu camps to pick their feelings. I wanted to know whether they would forgive their enemies. At first they were so bitter but after discussing with them, they agreed that we hold a joint meeting with Kalenjins’ women. We held a meeting of 20 Kikuyu women and 20 Kalenjin women and they abused each other that first day. We held three meetings, and after the meeting the women agreed to forgive each other, and they came up with an idea of market place, a common meeting place and peace instrument. USAID agreed to fund the market, which is here even now. Women meet there to exchange and sell goods. We also held meetings with youth and elders but I can’t say they were as successful as those of the women. One, I still work with is a peace organization in school. We formed peace clubs that are not active now. What drove me to work for peace was that nobody had trust in me due to being married to a Kalenjin. The Kalenjin saw me as an enemy while my fellow Kikuyu saw me as a betrayer of their tribe. It was not as simple as it sounds. The death threats motivated me to work and try to bring about peace again. The images of the many dead and hurt people hang in my mind as a reminder that I would follow. The day I went to restart the school with many traumatized pupils I received 11 SMS written “I will kill you”. I never thought I would travel on tarmac the 7 km alive and I knew nobody in that area.

Due to the many stresses I underwent I was taken for trauma counseling in the process. I felt that apart from being a teacher, a peace mediator, I needed counseling skills and joined Psychology class in 2009 – 2011.

Interview with two ruffian Kalenjins

Interview (lead from BBC on 23rd of February 2008) with a young Kalenjin, who was one of those who burnt the church near Eldoret and a Kalenjin elder, James Kibor, who issued the command to burn the church. Segment of a BBC interview where Jackson Kibor confesses to BBC reporter, Pascale Harter in Eldoret, Kenya regarding his role in ethnic cleansing.

BBC: What was the impulse to burn the church?

Young Kalenjin: You know as we are young men, in our culture we don't go over what an elder is telling us. The elder says no, we step down and don't react. But if the elder says yes, we cross in and react immediately.

BBC: So you are sure that you have been told to do it?

Young Kalenjin: Surely I've been told to do it. I did it because it has been permitted by our elders!

BBC was told that the elder's name was James Kibor, I went to visit him in his house in the outskirts of Eldoret.

BBC: Why target your neighbours, they didn't fake the elections?

James Kibor: People had to fight the Kikuyus because Kibaki was a Kikuyu. People thought that all Kikuyus were the supporters of Kibaki, so they had fought them so that Kibaki would be pinched. We are 42 tribes, the other tribes were supporting ODM. The Kikuyu were the only one supporting Kibaki. How can one tribe defeat all the others? That was the Kikuyus' plan.

BBC: So targeting the Kikuyus holding them responsible of Mwai Kibaki and his PNU-party is a political strategy for you. When was that decided?

James Kibor: It was nobody's plan to beat the Kikuyus, it was a reaction. People just reacted and they chased the Kikuyus.

BBC: What's the plan now? What are you telling the Kalenjin to do?

James Kibor: We will not sit down and say one tribe leads Kenya. We will fight. This is a war. We will start the war. One tribe cannot lead the other 41 tribes. This is a war, now we are fighting for power.

BBC: Can you live in peace again? Will you, as a Kalenjin leader, tell your people to accept Kikuyus are coming back to their homes and living here again?

James Kibor: No, we will not let them come back because they are thieves. We will never let them come back.

BBC: Do you want to drive them out of the Rift Valley, out of Western Kenya all together?

James Kibor: Correct, correct! Kikuyu should own their own! We will divide Kenya!

Source:

<http://muigwithania.com/2008/02/23/shocking-bbc-interview-of-kalenjin-church-burners-and-jackson-kibor>

<http://youtu.be/eG4rDSXr3us>

Personal Statements of the Students of Kenyatta University and the University of Trier

Douglas Angote



First and foremost, a scholar was quoted as saying “There is no 'way to peace,' there is only 'peace'.” (Mahatma Gandhi).

I would like to concur with him on this and say that the whole project experience in itself was aimed a form of peace and enlightening minds from different cultural backgrounds on the importance of this word. Interacting with the students from Trier was extremely helpful and fun and also showed the interest of developed country's citizens with our growing nation of Kenya. All in all, getting on the ground, sharing ideas, gathering information and having discourse with you was fabulous and it has painted a great picture of Germany on my mind.

Milan Anton

The case study in Kenya enlarged my personal and professional horizon much more than I had previously expected. The coordination of our work with the Kenyan students and organisations proved to be difficult from time to time but in the end Kenya as well as German students participating in the studies learnt a lot from each other. During the five weeks in Kenya I did not only discover a wonderful landscape, another culture and way of life as well as great people but also a lot about myself. The socio-economic and ethnic problems, poverty, a daily fight for survival in some parts of the country and especially in the slums have shaped me. It was really a great experience to participate in this field study which has enriched my studies and my personal development.



Fabian Backes



During our preparation time from June 2011 to February 2011 we gathered a lot of information about topics related to our project studies and tried to prepare mentally the upcoming weeks. Although the time actually spent in Kenya was the target of our activities, fundraising and other organizational issues were on our agenda.

In Kenya we were allowed to interview and observe the cooperating organisations on our own. For the majority of us it was the first time that we were actually able to practically apply the methods and knowledge we theoretically learnt in our studies. The timeframe to visit every organisation was quite short but this helped us learn how to work efficiently even under time pressure. The

workshop was an excellent chance to see the result of our activities. To sum it up, the project was a perfect opportunity to enable every single participant to contribute with his or her competences and willingness to realize our goal. It was an exciting time that certainly will have an impact on the live and career of every participant.

Sabrina Becker

The project in Kenya in March 2012 did not only help to expand the professional, but also linguistic and personal horizon of every participant. There were many opportunities to gain an insight in the culture, economy and the social aspects of Kenya, especially during our field trip before our study, where we also learnt about the geographical facts of the country. The cultural and scientific exchange with the Kenyan students was a valuable experience and an adventure that I would not want to miss. During the project we needed flexibility and creativity in our groups, as of course things did not always turn out as we had planned. Politics, corruption, human rights problems and a lot of interior conflicts became apparent to us. Furthermore we gained insights into the educational system of Kenya. I was deeply touched by the experiences and stories related by teachers and pupils we met in Nakuru. During the project we were able to look behind the scenes and observe the official appearance of a country. This would not have been possible by simply studying textbooks in Europe.



The accurate preparation and planning for the project and the workshop contributed to the personal and professional development of every single one of us. I hope that our workshop left a small mark towards establishing peace and networking in Kenya.

Nelly Marie Bubenheim



I am glad to have had the opportunity of participating in the project, as I learnt a lot through it. It was the first time I ever visited an African country and I was surprised at the friendly welcome we received from the Kenyan people. The combination of preparing the subject at home and then flying to Kenya to actually meet the CSOs and seeing their field work was a fantastic opportunity and experience both privately and academically. Unfortunately 2 ½ weeks are a very tight schedule, for it took each group several days just to meet with all organisations, introduce ourselves and our

work, etc. Besides, cultural differences also influenced our work in a way that I truly did not anticipate: time moves at a different pace in Kenya. Unfortunately I could not witness any field work and had to rely on interviews and documents to learn about their commitment as my cooperating CSOs were all umbrella organisations. I was glad when our CSOs told us that they made some interesting contacts during our workshop, for I had been a little afraid that they would all already know one another.

Concerning the methodical preparation, I would highly recommend that time be taken to calmly discuss and complete it in Germany and then just revise it in Kenya with the KU students. Conducting the questionnaire in Nairobi took a lot of time, was very controversial and the quality of the translation into English was not of good, for it all had to be done in a rush. I would not want to miss the manifold experiences which I gained.

Hanna Denecke

The intercultural case study was a great experience for me, because I learnt about the important role a family and also culture can play in the lives of human beings. It was impressive to see how especially younger people like our Kenyan students live and learn together as friends, although they come from different tribes which are not always well-disposed towards each other. As a German student I felt welcomed to Kenya most of the time. All in all, the project helped me to understand the cultural and tribal problems which exist in the country and that the only way to build long lasting peace must come out of Kenya, because the Kenyan people are strong enough to help themselves. We only have to trust them.



Kevin Ehmke

I learnt a lot during our project on peace building and conflict management. My knowledge about African culture enhanced significantly. I believe especially after this study that if you want to do research in a cultural environment which is unknown to you, you should work closely with people from the region concerned: by mutual experiences, knowledge and motivation it contributes a lot to your final results, your research and development as a student. Our methodical approach as a qualitative study was the right decision. We wanted to gain an overview about the situation of the CSOs in the peace building and conflict management process in Kenya. In order to structure our work, we handed out a standardised questionnaire to the CSOs involved. Moreover, we visited their offices and their field work which helped to increase my knowledge on practical research. Every little detail had to be organised before we had even set foot on the ground. I feel honoured to have the extraordinary opportunity to work in these surroundings. The project has been a success for me subject-specific and individually.



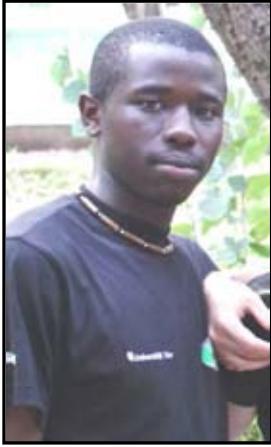
Michaela Frießem



I feel very lucky to have been part of this project and this unique group of German and Kenyan students. Thanks to this project, I have started to appreciate living in peace. Before I went to Kenya, I had no idea how difficult it was to create sustainable peace and to trace back the roots of conflicts. During the workshop and my conversations with Kenyan students and members of Kenyan CSOs, I found out that these conflicts between tribes are due to deeper reasons. Thus, CSOs as well as schools need to start educating and conducting peace projects for pupils at an early age. As a future teacher of social studies at secondary schools, I became more aware of my duty and responsibility not only to teach knowledge on politics and states, but also to bring across values, such as tolerance of other cultures, respect, open-mindedness and commitment, in order to sustain a life in peace. While listening to the Kenyans' experiences during the Post-Election Violence and their fears concerning the upcoming elections, I could get an insight into what life must have been like in those days. I admire the strength and the

commitment of some members of CSOs who I got to know in Kenya. Despite the plight they have gone through, they have not given up. Instead, they have devoted their lives to fighting for peace and do not lose hope. This project was a very valuable experience for me that has not only deepened my skills for my future profession, but has also shaped my personality.

Alex Gitau



Kenya is at a very crucial stage of its existence, a “turning point”. The deciding factor for this turning point will be the upcoming general elections. The magnitude of the importance of a successful, free and fair, and more importantly, violence free general elections cannot be over emphasized. Therefore the opportunity to undertake this project with the German students could not have come at a better point in time. In addition, the involvement of the youth in the heart and soul of the project gives it even more credibility, as it is the youth who are not only the future leaders but also they make up the largest part of the population of the Kenyan voting block.

Our interactions with various NGOs and CSOs and government agencies during the project gave us an in-depth insight into the various individual as well as collaborative undertakings to ensure a peaceful election and a smooth transition to a new government under the new constitution. The consolidated efforts carried out both at the local and national level, by government agencies, NGOs and CSOs, as well as other individuals, are all focused on ensuring a peaceful, free and fair election. However more effort needs to be made to supplement what is currently going on.

I personally had an exceptional insight from the entire project and I can comfortably state that it opened up opportunities that I previously did not know existed: we founded a new organisation that we registered called **FACES OF PEACE KENYA!** Consequently, I am more socially, psychologically and politically aware of the importance of a peaceful coexistence of Kenyans regardless of their economic, social, racial and/or ethnic connotations. **AMANI NI SISI WENYEWE!**

Lisa Gottheil



Participating in the project study was a unique and rich experience for me. I appreciate that during the excursion before the project we had the chance to get in touch with the country, its local community and CSOs, especially in the hot spot regions of the Post-Election-Violence 2007/2008. I think it is very helpful to get an insight in local circumstances in order to understand the situation in Kenya before conducting any research.

I believe that the project was successful because we, Kenyan and German students, were a good team and we achieved a great deal together. The group especially benefited from the interdisciplinary structure, as everyone had different views on issues. At the same time this fact sometimes also complicated and to a certain point delayed the work.

As a negative aspect I would like to mention the time management because the Kenyan students had to study for their upcoming exams during the survey period. As they had limited time and a lot of appointments there was less space for spending leisure time together. All in all I gained unforgettable impressions and new experiences. Furthermore, I improved my analytical skills for my geography studies. This and conversations with organisations in Kibera expanded my knowledge on informal settlements. I was particularly impressed by people I met during the project. They were committed and motivated to achieve peace through several activities despite their limited resources.

Lena Held

The simple fact is that we did a field trip to Kenya. We did a project which ended with a two-day workshop. But these six weeks have been so much more to me than the simple facts and although my body left the country, Kenya has not left my mind ever since. It is not the professional knowledge which I gained during our collaboration with CSOs or the possibility to see what political science in practice actually means that I appreciate the most. Indeed, we learnt a lot about coordinating tight schedules, organising logistics and finding democratic solutions for a variety of polarizing issues.



But above all I rather learnt a lot about myself and the world we actually live in. I had known that Kenya had been struck by Post-Election Violence, that it is a developing country my imaginations had not even come close to what actually experienced: poverty, violence, corruption and people's quotidian struggle to survive. We experienced a European Union that funds human rights projects in areas where people do not even have access to water, development aid that rather seems to exist for its own benefit than for the benefit of the people and dozens of co-operational "aid" attempts with zero outcomes. And then on the other hand: Kenyan's welcoming and positive attitude and the open-minded spirit of its people, an impressive landscape and unbelievable richness of natural diversity. We experienced honest commitment at the social as well as professional level from our fellow Kenyan students who became our friends and with whom we shared experiences, knowledge and opinions as well as laughter, warmth and nights of social get-togethers which I certainly will guard in my heart for years and years to come.

I have a deep conviction that it is not *we* who can bring solutions to a struggling country and force so-called development on third states without even making the effort to ask before acting. There are many Kenyans who have the will, the ability and spirit to do so.

Bianca Janz

Thanks to the project I gained many new experiences. Of course it has not only been the Kenya's landscape that added value to my experiences. Rather the work with the Kenyan students and also the work with our selected CSOs have shown that two different cultures must join forces to work together productively. After first confusions, we have learnt to communicate better with each other. We all learnt from each other for example to combine German punctuality and Kenyan calmness.

I am therefore very happy that I had the opportunity to participate in the project and gained a lot of experiences.



Charity Kabaara

The joint project held between Kenyan and German students came at a very significant time when Kenya is going through massive change, especially after its new constitution. Working with peace-building organisations and other government organs has been important for me. This is because I happen to be in the political field. Kenya is also preparing to go to the general elections. The world at large is waiting to see what happens especially after the disputed 2007/2008 general elections.

Through the joint project I got to know that there is a lot of work that is being done by us all to make Kenya a better place. The project brought a lot of organisations together and came up with different ideas that are geared towards reconciling communities and bringing peace and showed ways of preventing violence in Kenya. This was mainly in the workshop where there was a lot to learn for everybody and an exchange of ideas.

There was also a very good cultural exchange between the German and Kenyan students. Both got to learn from each other and also appreciate each other's cultures. The communication between the two groups of students has been so powerful in that it continues till today in the aim of making our world a better place.

The project has opened me up in to wide thinking about the fate of my country and how to deal with certain things like violence and conflict whenever it arises. My country can be a role model to other countries.



Michael Kettel



The project was a well initiated and offered possibilities to connect the different points of views of Kenyan and German students on the civil conflict management on the Post-Election Violence. I want to underline “view” in this comment because in my opinion people with different cultural backgrounds are in general affected by their respective ways of life, which includes the membership of different political and social systems. I had the impression, that we, the German students, were open- minded to learn about the situation of Kenyan citizens, but that we did not have the right and deep cultural knowledge to comment and to advice sovereign people. Communication with people

who had been differently affected by the PEV gave me an insight into reasons, developments and results of the conflict. On the other hand it turned out to be difficult to gain a deep view on the daily work of the CSOs involved and whether they were doing a convincing work regarding the consolidation of the peace process. From the start it had been clear that our support for a reflection of the PEV could just contribute a very small part and that we could not claim to present a solution. Rather it was supposed to give space for discussions among several actors of the peace process. I think our workshop did that. Now, with the distance to the project, I think that empowerment and encouragement of Kenyan people to solve their problems in their own cultural way is a main aspect, which has to be accepted by western communities. Western communities should rethink their role in the process and should take a distance from the philosophy that more money is the key for solving problems. Money from the west rather causes problems, conflicts and deepens differences in the society.

Maureen Kihima



It was a great experience seeing as we got facts on the occurrence of post-election violence and initiatives put forth to foster peace and unity and above all it was fascinating working with the German students.

Maureen Kiogora

The joint project was an eye opener to me because there were so many things that I did not know especially about the PEV but through visiting various organisations like Miss Koch I was able to learn more. The peace initiatives organisations enlightened me, too. I was able to network with various people from different organisations who gave me the feeling of being part of our peace process. I also got an opportunity of working as an intern with the Miss Koch organisation and I loved the experience. It would be wonderful if we could arrange another workshop but this time on a different topic. Thank you.



Thomas Klöckner



The project was very interesting, challenging and a unique opportunity to gather experiences on international and development cooperation. It required a lot of active work and self-organisation of the students and an intense preparation relating to the political environment and the social circumstances in Kenya. During the project, especially the intercultural exchange with the participating Kenyan students of the Kenyatta University and members of the participating organisations allowed an impressive insight in the Kenyan society which is quite different from the German society. Furthermore the German as well as the Kenyan group was

interdisciplinary. Therefore it was possible to get to know different professional approaches and opinions, to exchange those and to reach a differentiated outcome. All in all it was a great experience for me, which has definitely a significant influence on my further life.

Simon Leuschner

The time of the case study in Nairobi had a deep impact on me. First of all I have to mention that I really improved my cross-cultural competences while getting into contact with the Kenyan people. Our group work helped me to really get an insight into the topic of the PEV and the issues of fear, violence and ethnical conflict before and after each election. Nowadays people start to question politicians more critically and during our workshop I saw that the empowerment of women is gaining importance in the society. My view on development aid is much more critical than before. In this context I want to mention that my visit to the biggest slum in East Africa, Kibera (Nairobi) really gave me a new perspective.



Our workshop was very interesting and well organized. Still I think that in order to achieve a better connection among our participants, two days were just not sufficient. I think it would have been better if a concrete seminar would have taken place at the end. Another problem that we had to face was that each group worked with different methods. Although this is sometimes necessary, I think we would have needed closer agreements between each group as well as better guideline for our interviews.

Linda Makena



I am very honoured to have participated in a research based on the PEV which was carried out by German and Kenyan students.

It was a very special project, brought to fruition through the efforts of some very special people. I am deeply grateful to my superb students and to all those, whose enthusiasm and energy transformed my vision of this project to a reality.

I also learnt that life is no candle for me. It is a sort of a torch which I got hold of for the moment, and I want to make it burn as brightly as possible before handing it on to future generations.

Lawreen Masekla

The project was an impressive experience for me. When we arrived in February 2012 in Kenya, our main aim was to keep our minds open to the people, their challenges, their culture and way of life.

The overwhelming inspiration of individuals and groups working in the CSOs we visited in Nairobi's slums and their enormous faith and hope in their own abilities to change Kenya's face impressed me very much. This encounter was the point where my personal thinking about Kenya's situation and about development cooperation shifted from a more problem-centred view to a more optimistic approach. The means to achieve the goal of a peaceful pluralistic society in which people respect each other across the whole nation without emphasising the cultural differences of their various ethnical identities, are already there. We experienced students who wanted to live in unity and condemn the instrumentalization of ethnic cleavages.

To sum it up, the time in Kenya broadened my horizon in the matters of development cooperation and the role of grassroots-level civil society organisations and sensitised me more for the topic of PEV 2007/2008. It furthermore deepened my understanding on the matters of cultural identities.



Jane Mongina



The interdisciplinary research conducted between students from Kenyatta University and Trier University was a lifetime experience I will live to cherish. We interacted with various CSOs during the data collection stage and also during the evaluation stage. I highly appreciate the work they are doing towards peace building.

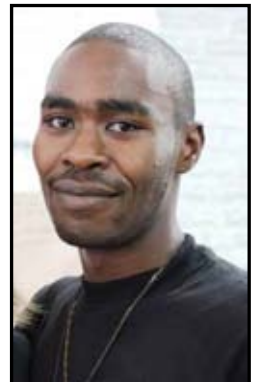
I saw how women are integrated in the peace-building process where they are trained on their active role of ensuring a peaceful coexistence among different communities. It was worth noting the efforts of various CSOs in empowering women to take on political positions. I also learnt a lot from “Kibera Women for Peace and Fairness” where these women form choirs and devote

themselves to sing peace songs during political rallies. I learnt what the youth are doing regarding peace-building by organising football tournaments and preaching the gospel of a peaceful coexistence among different tribes and how they also involve themselves in creative activities such as beadwork so as to raise money to support peace activities. I learnt a lot from the guests invited during the workshop such as Boniface Mwangi and his call to all the youth to embrace each other as Kenyans and not to divide into tribal cocoons.

It is evident that several CSOs have done a lot regarding peace-building. All these meetings, forums, conferences and workshops that have been conducted by various CSOs have shed light and empowered Kenyans on the advantages of having peaceful coexistence especially after general elections. It is hoped that all this toil will reap fruits come the next general elections. It is my hope that we as Kenyans, have learnt from our past mistakes and the old proverb, “once bitten twice shy”, shall turn out to be very applicable come next year March.

John W. Muiruri

The project involving students from Kenya and Germany on the role of CSOs and NGOs in the peace process since the occurrence of the PEV was a shot in the arm for people and organisations dealing with peace-building, conflict management and reconciliation. The project was a positive move towards bringing together the Kenyan and German students to work together, share cultural experiences and work towards a common goal.



It is important for Kenyans to share their problems with their German counterparts, in all the social, economic and political spheres. The political sphere is important as Germany is somewhat a big brother with more political experience and has undergone many obstacles which a young democratic country like Kenya can learn from – especially its experience after the Second World War. It is imperative to note that Germany overcame these problems and rebuilt its economy to become the most powerful economy in Europe and among the strongest in the world. Kenya therefore has a lot to learn from Germany.

Peace is a very important component in Kenya, especially during this delicate electioneering period as we approach the upcoming general elections. A smooth, free, fair and violence free elections will determine the future of Kenya. It is incumbent upon every Kenyan and friends of Kenya to see to it that the various Kenyan communities do not rise up against one another because of election.

Personally, I had a lot of experience from the project and more so from the interaction with Dr. Nebe and all the German students. It was an exciting learning experience for me and my other Kenyan colleagues and I am sure I am not the same and will continue to preach peace to all Kenyans.

Julia Muthiga



The whole project has really been an eye-opening experience for me. Despite having lived in Kenya and getting to see the violence that took place in Kenya, I did not have an in-depth concept of what really took place until Boniface shared with us the documentary on the events that were on the ground which was really heart-breaking and devastating. It made me ask myself so many questions, such as “Why would one be compelled to carry out such inhumane acts of violence against innocent persons?” The worst part is that most of us have not really taken up the responsibility to make sure that we are not used as perpetrators, nor have we worked really hard to make sure that Kenya will go back to its peaceful reign. It came down to what was I doing as an individual to

ensure that there is peace? This spearheaded some of us to start an association "Faces of Peace", which mainly aims at mitigating peace discouraging violence, especially between the police and the youths who are the conflicting parties in incidences of violence. We passionately work as a team towards peace initiatives despite facing challenges and we are experiencing positive results by and by. I am glad I participated in the project because I came out as a changed and more inspired person.

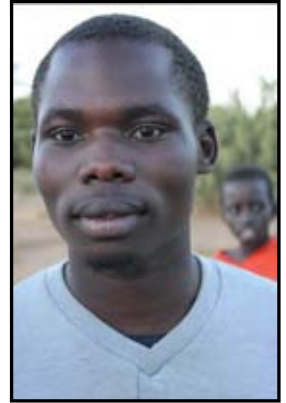
Vitalis Ogur

I am honoured to have participated in this project. I first got the news about the project through Dr. L. K. Ngari who is currently the Chairman, Department of History, Archaeology and Political Science.

Before the onset of the project, I had the privilege of joining the German students who were taking part in the field course around the country. The peak of my tour was the Samburu National Park where we had a two-day camp along the river Ewaso Nyiro. It was a good experience which I will live to remember.

At the end of the project we had a two-day workshop at the YMCA in Nairobi. This was the first time I ever participated in organising a workshop and to learn more about the CSOs. I also interacted with respected personalities such as Kipchoge Keino, Abdikadir Mohammed and the German Ambassador to Kenya H.E. Madam Hellwig-Bötte.

The project we carried out has brought a lot of positive changes in my life. I saw the need to start a youthful civil society organisation that will help promote peace-building among the Kenyan youth. This has been achieved and our organisation is known as “Faces of Peace” which is currently undertaking a peace initiative to bridge the gap between the youth and the police under the banner ‘URAFIKI WETU USALAMA WETU’ (our friendship our security).



Peter Ruraya



During our brief time together while conducting the joint project, I learnt that through joined efforts of students with one particular objective, much of what seems to be known is actually learnt. So much happened during the PEV that most Kenyans are unaware of and even much more is being done to reconcile people. It is the duty of all as individuals to bridge the gap with each other and to live in peace and to not to be so much dependent on government for aid but focus on what one can actually do with their own hands to care for their own needs.

Ruth Regnauer

The project was an enriching experience for me: It was very interesting to see how the organisations at the grass-roots level worked together to realize their vision of a better Kenya and a better world. In this context I have to mention that my group visited Chemchemi and the Undugu Family, two CSOs in Nairobi. The former is working in fields of civic education, community policy and inter-religious dialogue to promote peace-building. The latter is working in the slum of Kibera. There they are supporting school-projects amongst others. For me it was very exciting to see how the two organisations tried to educate people to avoid violence. To sum it up, I can say that the project was very interesting for me.



Gabriel Savali



The PEV was a painful, dehumanising and hard lesson. Though Kenya had always experienced violence after elections, its magnitude was in a small scale that did not catch the eye of the entire world as opposed to what happened in 2008. The election results triggered the unstable tribalism that exists in Kenya due to land and power sharing issues and resulted in more than 1000 deaths of innocent Kenyans, displacement of many people and even the loss of economic stronghold of the thousands of Kenyans affected. The violence left many people with psychological problems of which some will never recover fully. So, every Kenyan was affected in one way or the other. The research was good and well organised. It brought many Kenyan CSOs together.

Raphael Schaefer

The project has been a unique experience of an intercultural undertaking. Especially the work with our fellow Kenyan students showed impressively that we are all united in diversity and easily became close friends. The experience became even more fundamental when dealing with the background of the PEV. This made me question my own morals of justice and gave me an idea of how violence can traumatize an entire country. Also seeing the ineffectiveness of twenty years of non-working approaches to development aid, I highly doubt the sense of structural development aid (not speaking of emergency aid) mostly consisting of massive spending without proper monitoring. Personally, I gained a lot, experiencing global social injustices first-hand, seeing the reality of glue-sniffing children in the streets of Eldoret. Furthermore, the cooperation and the intensive contact with our Kenyan friends was more than an outstanding intercultural experience. This, among others, changed my view of the world as being globalised for the benefit of a few leaving the vast majority in poorness. Conclusion: I guess even because of the disenchanting aspects regarding the bitter poorness, an aid-dependent mentality, inequality between the genders and western-style civilization replacing the traditions of indigenous communities, it was an enriching time I would not want to miss. I would recommend it to everyone who wants to get out of the “welfare bubble”, seeking for a view on the economic reality of a globalised world.



Florian Schmitt



I had the unique opportunity to enrich my rather theoretical studies of political science with practical experiences and to face the political realities of development cooperation. During our time, we visited the CSOs and their projects and we were able to learn first-hand about peace-building and management, reconciliation and healing processes and the prevention of future conflicts. I was really overwhelmed about the outstanding work a lot of these organisations are doing by integrating daily-life projects in separated communities (e.g. common schools, markets, sports initiatives) to fight ethnic segregation. The most impressive experiences certainly were the meetings with victims of the

PEV and how they nevertheless engage through various local initiatives to overcome negative ethnicity in today’s Kenya. From the results of the workshop it became obvious

how difficult it is to coordinate and harmonize the work of various CSOs that work all over the country and what crucial role donor organisations play in the distribution of funds and realization of projects. My impression was that a lot of desired effects in development work get lost not only because of lacking cooperation among the CSOs – which I regard as a big problem – but mainly because of poor coordination between donor states and organisations, which all too often follow their own targets and show little interest in giving up authority about their funds. These impressions of practical development politics were both disenchanting but also motivating to rethink certain structures in the work of donor organisations and the distribution of their funds. This project really changed my personal perspectives on the broad topic of development cooperation and helped me understand and review the culture and politics of a developing country from its specific point of view. Finally, the meeting and cooperation with students from Kenya and the cultural exchange with these new friends was probably one of the most fruitful and important experiences of our project.

Anna Schober

The study trip broadened my horizon in a positive way – more than I had ever imagined and even some impacts will only appear in the future. The varied landscape of Kenya, the diverse cultures and the resulting different points of view that I got during our field trip and the case study did not lead to a clear picture of Kenya to me. I realized the heterogeneity full of contradictions and high complexity of the disparities living conditions. One personal key



moment for me was the visit of an IDP Camp near Naivasha. The random meeting with the District Officer symbolized for me the daily corruption, the weakness, slowness and dishonesty of the government and the craving for power at every level. Here I learnt about the big difference between “reading about a topic” like corruption and “experiencing it by myself”. Because of those apparent and frustrating circumstances everywhere I was very impressed by the energy, the high motivation and enthusiasm of the Kenyan students and especially of the members of the CSOs we worked with. Having been part of an interdisciplinary student group was an informative experience for me that clarified the necessity of coordination and communication. As it was not always that easy to master all the needs of our small group, it helped to understand the dimension of the whole Kenyan tribal situation and the existing tensions. Due to those historical complex issues, the high poverty rate and the unsolved land question I do not believe that most Kenyans will soon really feel and act as Kenyans. These are the reasons why I see the impact of our project and our workshop more on the individual and

academic side than as a push to change the national conditions. Nevertheless, I am convinced that only a development process from bottom-up in a self-dependent manner and efficient network between all levels can sustainably change the partly undemocratic structures in the future.

This study enriched me in a complete manner – personally, professionally and linguistically. Therefore I am very grateful for the deep insights into the Kenyan society and the teamwork with the KU students. I hope that I will keep a bit of the mentality of “pole, pole” and the incredible openness and hospitality. Asante sana na kuonana!

Vanessa Treike

This approach of our case study on the PEV in Kenya was of great interest for me, especially the opportunity to take a close and scientific look at the efforts which local CSOs are making to work on a more peaceful society. My expectations were quite high since we had a good number of CSOs cooperating with us and allowing us to come and experience their work. The methods we used were interviews and participation which fitted the purpose quite well. While visiting the CSOs in Nakuru, Naivasha and Nairobi I was touched and impressed by the intensity of the engagement as well as the commitment of the workers who work without payment in many cases. But from my point of view the connection between the different organisations is missing. I had the impression that they could reach far more people by specializing on a specific field of work and by building up a network amongst themselves. Communication and cooperation could be improved in order to reach their goals. However, here the money factor plays an important role. After we had finished our fieldtrip I felt a little deflated because all the good work which is being done by the CSOs seems to be useless because of the corrupt political system. The possibility to conduct this project in cooperation with the Kenyan students was very enriching and gave me the opportunity not only to learn about the situation of CSOs and their commitment to social society but also to learn about Kenyan lifestyle, traditions and the life as a student in Kenya in general. The encounter with the people in Kenya was intense, salutary, emotional and delightful.



Irene Wakasa



The PEV that rocked Kenya preceding the 2007/2008 general elections whose results were disputed was a historic event that changed the lives of Kenyans.

The project that was carried out by Kenyan and German students only served to give me a first-hand insight into the kind of suffering that we as citizens of this country went through during the violence.

However, in the midst of this chaos, it is very encouraging to know that the end resolution of this conflict lied and still lies with us. Having met IDPs working in collaboration with NGOs, CBOs, CSOs and FBOs, it dawned on me that peace building activities and conflict mitigation strategies that the warring communities came up with were the ones that would best work. Even though justice is being sought

for the PEV victims and their families at the higher helm of justice at The International Criminal Court in the Netherlands, this does not factually mean that Kenyans might not fight amongst themselves again. It is true that crimes against humanity need to be prosecuted and law dispensed accordingly but I realized that healing and forgiveness amongst the people of this nation is vital. It will be a sad turn of events for Kenya to become a failed or soft state as are a good number of African states owing to violence sparked off during polls. As we prepare for this coming general election, we are hopeful that the elections will be fair and just to facilitate a smooth transition to the next government.

With the new constitution dispensations under the new constitution (which Kenyans promulgated in 2010 and went a long way to show unity among Kenyans in for a constitution that is said to be one of the best around the world) we hope that Kenya can go back to its original state of being a safe and habitable country. Our theme “TUUNGANE PAMOJA TUJENGE AMANI” was indeed achieved.

Friederike Walz

Before the project study, I did not know much about the PEV. The whole scope of what the PEV meant and still means did not hit me until we met with our respective Kenyan group members. Coming from a western culture and a democratic political system, election fraud and ethnic conflicts are very abstract and hard to grasp. It was quite educating to hear first-hand experiences from our group members,



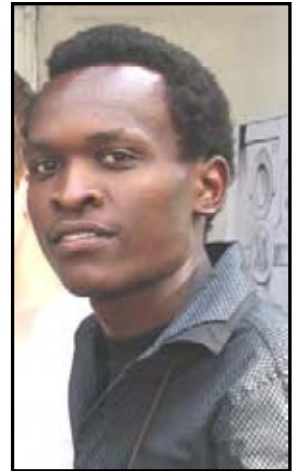
from civil society workers, and what really hit home were the pictures and the movie “Heal the Nation” by Boniface Mwangi which were shown during the workshop. I thoroughly enjoyed working in intercultural groups during the project. Sometimes the different cultural background caused some misunderstandings. To solve them, both the Germans and the Kenyans needed to be open-minded, have some sensitivity towards the other culture. This sometimes was quite challenging. The work with the CSOs was educating, enlightening and sometimes very adventurous. For example, we were threatened with imprisonment during a visit to an IDP Camp. We experienced and saw quite a number of different strategies to deal with conflict management and national cohesion. While each strategy and each organisation has its appeals and advantages, the idea to start network process to sync efforts for educating the Kenyan population, to create a safe platform for solving conflicts and the efforts to create understanding and cohesion between the different ethnic tribes seems to be unique and hopefully will be successful in the long run. After all, it is important to prevent history from repeating itself!

Simon Waweru

Kenya as a young democratic country has a lot to learn from more mature democratic countries like Germany. The Second World War that ended in 1945 was a turning point in the history of Germany and the Germans have continued to ensure that they do not return to those dark days. Consequently, Kenya can learn from this and ensure that the country never again sinks down to the chaos that was witnessed after the 2007/08 general elections.

With the general elections just beckoning, it is imperative for Kenyans to be very vigil and ensure a smooth, free and fair, violence free general election. This will require the input of all stakeholders in Kenya, from the citizens, the political leaders, the media, institutions, commissions and organisations, and other friends of Kenya.

On a personal note, the project between our two universities, has given me a lot opportunity to see my country in a different way and to appreciate the need for peaceful coexistence of all the people living in Kenya regardless of their tribal and racial affiliations, social, economic and political background. Hopefully more such projects can be undertaken to ensure more solutions to the peace problem in Kenya are solved.



Kaja Weinandi



Before commencing the project in Kenya we studied Kenya’s history, politics and society to get a better understanding of the country and its actual problems and challenges. However, on the day we arrived in Nairobi I realized that being in a country and making real experiences is something completely different. Projects facilitate students to create the connection between theoretical knowledge and reality.

Another important issue I would like to mention is our interdisciplinary team of students. It was not always easy to make decisions or to find consensus, but all in all it was a learning process on how to work and collaborate in an inhomogeneous team. Being in a sub-Saharan country for the first time, I was impressed by its cultural diversity and natural richness, and especially by the huge commitment of the civil societies in building a peaceful and democratic country. At the beginning, I felt a big difference between our cultures and daily routines. After a while, I realized that it is an essential lesson to develop respect and acceptance for another culture by changing the European point of view or as Germans would say to “take off the European glasses” and trying to understand and learn from other cultures without imposing our ideas. In conclusion, I would say that the key to solving conflicts and creating peace is more a question of mutual understanding and respect within the framework of a democratic and fair system.

I can truly say that I enjoyed the work together and I’m very grateful that I was given the opportunity to make such a valuable and unique experience.

John Wesonga

Research is important, not only for academic purposes but also for solving problems that face humanity. This project gave us an opportunity to dig into the cancerous problem facing our country Kenya. The PEV chaos in Kenya was described by many in what I summarize as ‘tribal war’.

Days before meeting our research partners from Germany, I was overwhelmed with questions. “How would we relate?” “How would we communicate?” There were incidences of culture shock but they were more of learning experiences than challenges. Language at first stood out as a challenge but after spending days together we devised ways of handling it. I can not forget the fun times we had



together and it is during these moments that I confirmed that singing and dancing is African and not European.

As a student in the wide field of Humanities and Social Sciences, I got a chance of putting my analytical skills into practice. My interviewing skills improved with every interview we carried out, similarly my observation skills were sharpened especially when being both a participant and an observer. It was evident from the research that tribes in Kenya still live in suspicion of one another. Tribes still hold the belief that political leaders fight for the interest of the tribes they come from hence you will hear sentiments such as “we want a president from our tribe”. These unfounded beliefs have been popularized by political leaders and therefore elections to most Kenyans mean time to eat the national cake. It is worrying that the future might not be different and this statement is justified by my experience in the University. Student leaders’ politics in Kenya has also followed the tribal trend.

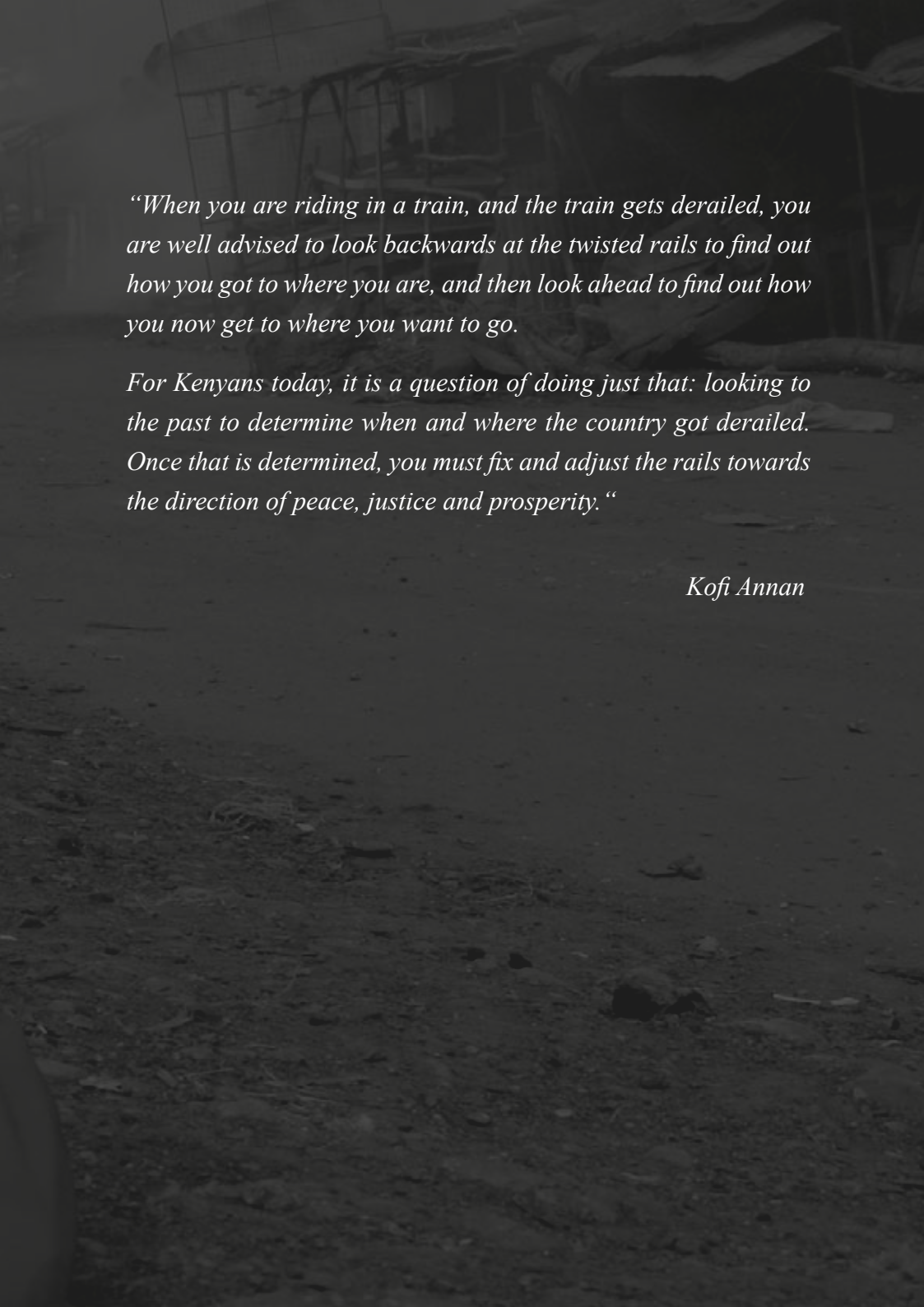
Manuel Zelzer

The project in Kenya offered me the chance to visit Africa for the first time. I did not really know what I was stepping into and the experiences I have made are still hard to describe in words, even some months later! But what I am sure about is that it has expanded my personal horizon sustainably. I have never had to face so many differences in one country before, from the social gap between the poor and the rich onto the varied flora and fauna. For me as a student of Geography, the focus of my studies is on the interrelation between nature and human beings and this project really sensitized me for the situation in Kenya, for example the problem of land grabbing, the climate change and the explosive growth of the cities.



When people think of Africa, corruption and poverty often are the first things that come to our minds. Surely those facts are not deniable, but what one forgets are the people dealing with this situation in an impressive way and who we had the chance to meet during this project. On one hand there are the members of the CSOs we met and who do a great job with a high motivation to improve the life of every Kenyan and on the other hand there are the Kenyan students who we had the opportunity to work together. The cultural and scientific exchange with these students from the Kenyatta University was a great experience and an adventure that I do not want to miss, although there are cultural differences that had to be overcome.

All in all, I have to say, that the experiences I have made changed my point of view on Africa and the life itself in a positive way.



“When you are riding in a train, and the train gets derailed, you are well advised to look backwards at the twisted rails to find out how you got to where you are, and then look ahead to find out how you now get to where you want to go.

For Kenyans today, it is a question of doing just that: looking to the past to determine when and where the country got derailed. Once that is determined, you must fix and adjust the rails towards the direction of peace, justice and prosperity.”

Kofi Annan