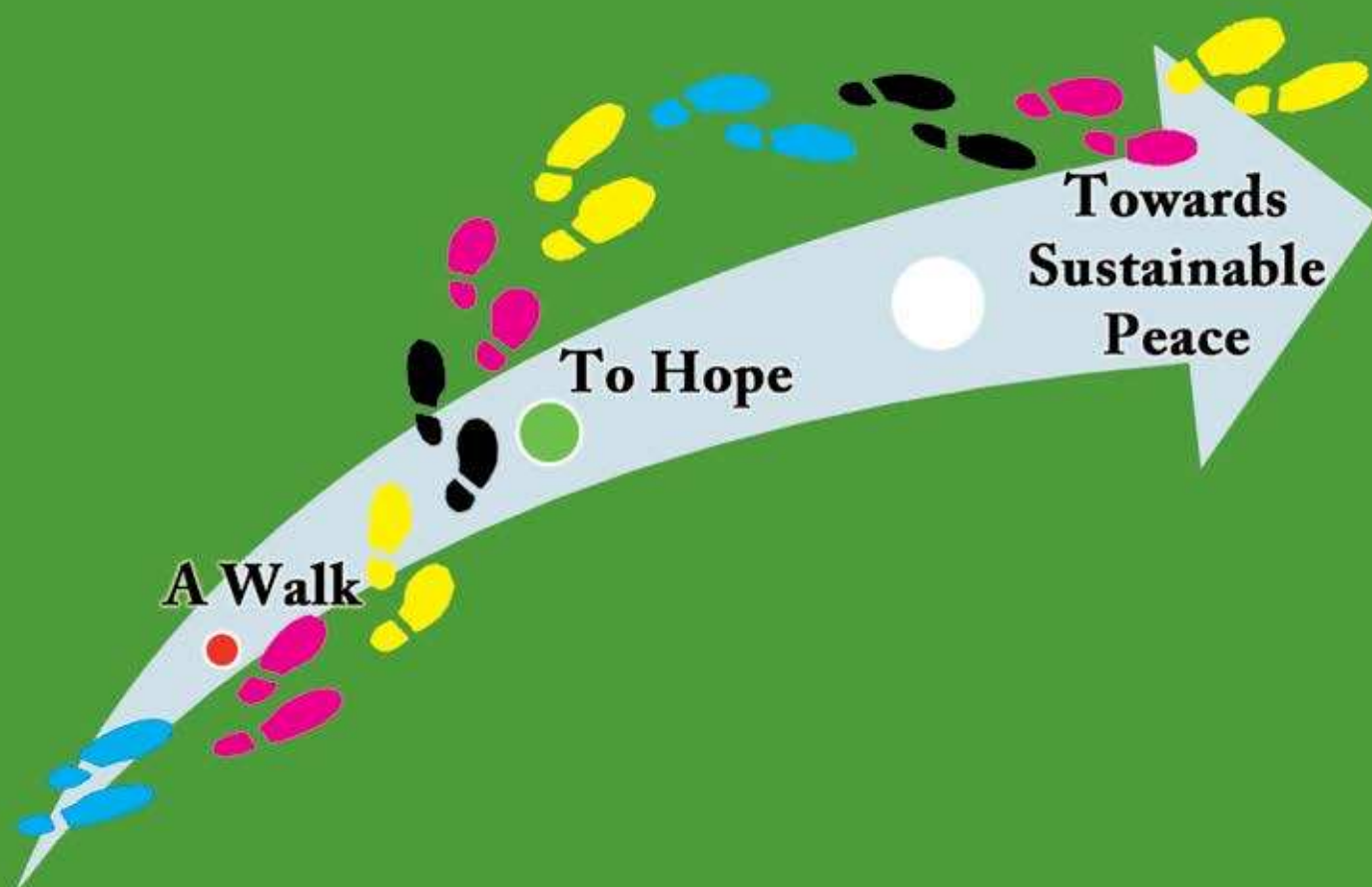


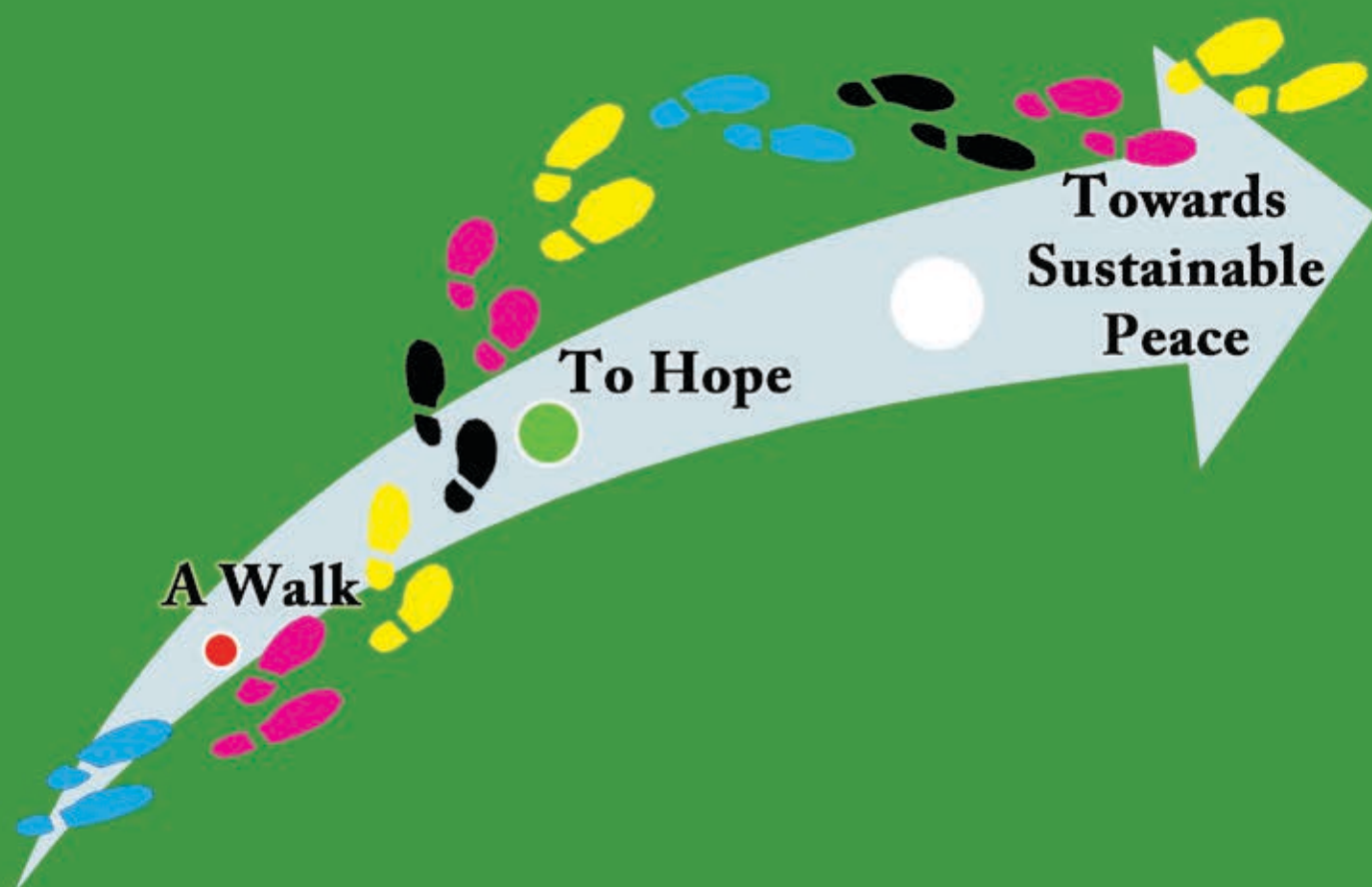
# BASELINE REPORT ON THE CHALLENGES AND PROSPECTS OF DEVOLUTION WITH RESPECT TO VIOLENCE



**diakonia**  
PEOPLE CHANGING THE WORLD

**CJPC**

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## ABBREVIATIONS AND ACRONYMS

BBC	British Broadcasting Corporation
CDF	Constituency Development Fund
CIPEV	Commission of Inquiry into Post-Election Violence
CJPC	Catholic Justice and Peace Commission
CRA	Commission on Revenue Allocation
CRECO	Constitution and Reform Education Consortium
CRS	Catholic Relief Services
CSO	Civil Society Organisation
DC	District Commissioner
ECK	Electoral Commission of Kenya
FIDA	Federation of Women Lawyers in Kenya
GSU	General Service Unit
ICC	International Criminal Court
IEBC	Independent Electoral and Boundaries Commission
IIEC	Interim Independent Electoral Commission
IOM	International Organization for Migration
JSC	Judicial Service Commission
KADU	Kenya African Democratic Union
KAMATUSA	Kalenjin, Maasai, Turkana, Samburu
KANU	Kenya African National Union
KCC	Kenya Cooperative Creameries
KDHS	Kenya Demographic and Housing Survey
KEC	Kenya Episcopal Conference
KHRC	Kenya Human Rights Commission
KNCHR	Kenya National Commission on Human Rights
K-NICE	Kenya National Integrated Civic Education
LCPI	Local Capacity for Peace International
MoU	Memorandum of Understanding
NARC	National Rainbow Coalition
NCKK	National Council of Churches of Kenya
NGO	Non-Governmental Organisation
NYEF	National Youth Enterprise Fund
ODM	Orange Democratic Movement
PESTLE	Political, Economic, Socio-cultural, Technological, Legal, Environmental analysis
PEV	Post-Election Violence
PNU	The Party of National Unity
TJRC	Truth, Justice and Reconciliation Commission
UDF	United Democratic Front
UNDP	United Nations Development Programme
UNHCR	United Nations High Commission for Refugees
URP	United Republican Party
USAID	United States Agency for International Development

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**As a Church organization we are cognizant that continued peace building and community dialogues are increasingly needed for national cohesion to be fully realised in Kenya. We therefore thank the Catholic Justice and Peace Commission staff both at the National Secretariat and at the dioceses, who devotedly put in their efforts in different areas of the research, their commitment to peaceful processes, and for technical and logistical support that enabled the smooth completion of the task. We hope that this baseline survey will add value to the ongoing efforts of peace building and national cohesion.**



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**Very Rev. Fr. Daniel Rono  
Ag. General Secretary  
Kenya Conference of Catholic Bishops**

## FOREWORD

The walk towards sustainable peace was occasioned by the spiral effects of the post-election violence of 2007/8 in Kenya, which have continued to be felt years after. Although the violence was uncalled for and unwarranted, it set in motion a number of activities aimed at bringing healing and transformation in our society. The mediation talks, led by the Panel of Eminent African Personalities under the chairmanship of former UN Secretary-General Kofi Annan, the signing of the National Accord, the setting up of independent commissions on post-election violence and the Interim Independent Electoral Commission, and the promulgation of the Constitution of Kenya 2010 by President Mwai Kibaki on 4th August, 2010, were all activities that were expected to lead to a more cohesive society. The Constitution provides the opportunity for a change in the system of governance that was to be implemented after elections in 2013. Since 1992, there has been a cycle of politically instigated violence that was linked to resistance of reforms to governance system in Kenya. After a long struggle, the Constitution of Kenya (2010) shifted the governance system from centralised to devolved governance system, which increases the citizens' civil mandate.

As a country, however, we need to ask ourselves critical questions. Have the efforts of the many organisations that embarked on civic education borne fruit? Do the citizens understand the expected changes in county governance? Is the calm in the country a sign of lasting peace?

The Catholic Justice and Peace Commission undertook a baseline study in September, 2012, in seven counties to find out the challenges caused by violence and the prospects for peace in these areas. This followed a desk review by the Constitution and Reform Education (CRECO) in April 2012 that sought to add empirical evidence and raise prospects for addressing the issues from a community's perspective. The baseline study is still critical and not only for CJPC programming but also for any other programmes that are addressing issues of peace within different communities. The key findings as summarised in the executive summary indicate that county level politics are just as important as national politics and both should be handled diligently. At the centre of conflicts and political competition is the control of resources and not necessarily ethnic influence. This, therefore, challenges the perception that that sensitised and empowered youth hold the key to peaceful electioneering. Land remains a potentially emotive issue that would be always manipulated for power. These and other findings cannot be dealt with through civic education only but should be integrated in all programmes undertaken within the communities. There should be an integrated approach to civic education with all projects targeting communities relating their activities with the relevant components of civic education.

In conclusion I recommend that CJPC programmes should seek to involve youth, women, men, people with disabilities and other groups to empower communities economically. Civic education needs to be mainstreamed and support local initiatives if there is going to be sustainable peace. If programmes consider these, then the way to peace may be slow but will be "A Walk Towards Sustainable Peace."



**THE MOST REV. ZACCHAEUS OKOTH**  
**CHAIRMAN - CATHOLIC JUSTICE AND PEACE COMMISSION**  
**KENYA CONFERENCE OF CATHOLIC BISHOPS**

## EXECUTIVE SUMMARY

The main goal of this study was to identify violence hotspots based on analysis of risk factors and the measures to put in place to mitigate occurrence or recurrence of violence. The study sought to identify the challenges and opportunities that present themselves in addressing violence in the country. It was anticipated that the study would inform the development of a programme for CJPC to intervene in the transition into the devolved system of government. The baseline study reached 582 respondents from seven counties (Kericho, Kisii, Kisumu, Nairobi, Nakuru, Trans Nzoia and Uasin Gishu). The sample included 531 individuals from youth groups and peace organisations, 32 constituencies, 28 districts, 16 District Commissioners, 18 area chiefs, and 17 diocese staff. Sixty two per cent of the respondents were below 30 years; 58 per cent were male; 88 per cent had secondary education and higher; and 65 per cent of the respondents were in some form of employment.

This study was conceptualised to complement the desk review study undertaken in April 2012 by CRECO in an bid to understand the history of the culture of violence in Kenya (with emphasis on the 2007 General Election); election-related violence (with emphasis on power politics and inequalities (land issues) and youth unemployment; and efforts to develop and realise sustainable peace. From the study, it is evident that the Government, in collaboration with other stakeholders, has made great effort to improve security and strengthen some of the institutions that will lead to improved administration of justice. The process of civic education, such as the Kenya National Integrated Civic Education (K-NICE), is being rolled out to address some aspects of the information or knowledge gaps in civic education on devolution. These are efforts that are geared towards mitigating issues that may lead to violence with the onset of the devolved system of governance.

The report's analysis is based on the constituencies in the 10th Parliament (2008-2013).

The key study findings have been enumerated below and detailed in Section/Chapter 4 of this report.

### Summary of key findings

- National politics is just as important as county politics: 72 per cent of all the respondents in the study indicated that the national politics may cause conflict in their counties, while 71.5 per cent of the respondents indicated that county politics, especially the sharing of positions, may cause conflict within the county. Kisii County is the most volatile on the issue of sharing positions (82.4 per cent) and Uasin Gishu the least volatile (60.5 per cent).
- Control of resources is a key cause of conflicts in all counties: 74.8 per cent of the respondents indicated the way resources are allocated at the county level may lead to conflict, especially if they are inequitably shared. Kisii County (86.4 per cent) was the most sensitive county on resource allocation with Nairobi (61.5 per cent) being the least sensitive.
- Sensitised and empowered youth are the key to peaceful electioneering: 82 per cent of the respondents indicated that they believed the youth can influence the direction of politics more than politicians. This view was felt more in Kisii (90 per cent) and Kisumu counties (88.9 per cent) and felt the least in Nakuru (70.5 per cent). On the other hand, youth unemployment was cited by 74.2 per cent of all respondents as a major cause of violence as politicians easily manipulate young people with no source of income. Kisii County (88.7 per cent) and Kisumu County (83.9 per cent) led while Uasin Gishu County (61 per cent) cited youth unemployment as the least factor.
- Land remains a potentially emotive and manipulative issue for power: 67.1 per cent of the respondents reported that land disputes and issues revolving around land were likely to cause tension and violence. Border disputes compound land conflicts in border areas. Respondents in Nakuru (82.7 per cent) and Kisumu (82.7 per cent) counties have the highest perception that conflicts related to land are most likely to occur while those in Uasin Gishu (39.6 per cent) recorded the least.
- Perceived dominance by one group (social, economic, political) is a potential trigger to conflicts: 58 per cent of all the respondents indicated that dominance by one group was a potential trigger to conflicts, with economic dominance perceived the most likely to cause tensions. Nakuru (71 per cent) had the highest number of respondents and Uasin Gishu the least at 42 per cent.
- Fears that devolution might intensify disunity: 23 per cent of all the respondents indicated that the devolved governments would cause more divisions. 51 per cent of the respondents in Uasin Gishu County believed devolution would intensify division while Nakuru was the county most confident that devolved governments would not cause division with only 14 per cent.

The table below summarises the main potential conflict factors identified in the study for all the counties and the general indication of the average of the seven counties studied.

From the conflict mapping, Kisumu County is at High Risk level with a total of 16.5. Counties at medium risk level are: Trans Nzoia (15.1); Nakuru (14.9), Uasin Gishu (14.5), Kisii (14.3), Kericho (14.0) and Nairobi (13.5).

**Table 1: Summary of perceived potential conflict factors by county (per cent)**

No	Potential conflict factor	Kericho	Kisii	Kisumu	Nairobi	Nakuru	Trans Nzoia	Uasin Gishu	7 Counties
1	Sharing county positions	70	82	78	61	70	72	61	72
2	Sharing national positions	65	76	75	57	72	80	81	72
3	Sharing devolved resources	65	86	80	62	76	74	77	75
4	Youth unemployment =violence	75	89	84	74	64	73	61	74
5	Dominance by group	57	43	67	55	71	49	42	58

6	Marginalisation by group freq	16	8	31	36	59	30	49	34
7	Land disputes	54	60	83	50	83	76	40	67
8	Border disputes	49	11	65	47	48	54	38	46
9	Youth representative is elective	94	90	80	72	40	60	81	71
10	County government leads to division	15	25	17	26	14	35	51	23
11	Risk rating	14.0	14.3	16.5	13.5	14.9	15.1	14.5	

### Risk Rating

E – Extreme risk	H – High risk	M – Medium risk	L – Low risk	N – No risk
[21 – 25]	[16 – 20]	[11 – 15]	[6-10]	[1 – 5]

The table below represents the conflict mapping based on this baseline study:

**Table 2: Summary conflict mapping**

	Kericho	Kisii	Kisumu	Nairobi	Nakuru	Trans Nzoia	Uasin Gishu
Political	3.4	4.0	3.8	3.0	3.5	3.8	3.5
Economic	3.5	4.4	4.1	3.4	3.5	3.7	3.4
Socio-Cultural	1.8	1.3	2.4	2.3	3.3	2.0	2.3
Environmental /Security	2.6	1.8	3.7	2.4	3.3	3.2	1.9
Legal	2.7	2.9	2.4	2.5	1.4	2.4	3.3
Total	14.0	14.3	16.5	13.5	14.9	15.1	14.5

The categorisations of the various issues/factors are as indicated below:

- Political

The political issues relating to power within the county and at national levels. The perceptions on the role of politics in destabilising the county.

- Economic

The economic issues include the aspects of resource allocation, employment opportunities and related factors. The perceptions on the role of devolved resources in destabilising/strengthening the county.

- Socio-cultural

The socio-cultural issues relate to the issues of ethnic and cultural perceptions including dominance and marginalisation of communities or clans. The perceptions on dominance by certain ethnic communities or clans over the others within the county.

- Environmental/security

The environmental issues relate to land disputes, pasture and water and related issues. While security issues are the commercialisation of cattle rustling and border disputes within the counties and across the counties

**Hotspot constituencies:** These are summarised in the Table 3 below:

**Table 3: Summary of hotspot constituencies by county**

County	Hotspot constituency	Key conflict issue
Kericho	Kipkelion/Ainamoi	Sharing of county resources
Kisii	South Mugirango/Bomachoge	Sharing of county resources
Kisumu	Nyakach/Muhoroni	Sharing of county resources
Nairobi	Informal settlements	Youth unemployment
Nakuru	Kuresoi	Land disputes
Trans Nzoia	Saboti/Kwanza	Land disputes
Uasin Gishu	Eldoret South/Eldoret North	Sharing of county resources

### Key conclusions

- a. Power vis-a-vis resource control: The relationship between the acquisition of power (national or county level) and the control of resources plays an important role in ensuring that peaceful transition is achieved.
- b. Politics and land issues: The study determined that there is a critical relationship between the sensitivity to land issues and the politics of elections.
- c. Civic education vis-a-vis resistance to change: Since there is a general resistance to change, civic education should be well designed or else the quantity and frequency may not result in any meaningful increase in knowledge levels among communities.

### Key recommendations

**Involve youth:** The proposed interventions should endeavor to involve youth as much as possible. The youth should be trained, resourced and skilled to be change agents.

**Economic empowerment:** There is need to map out opportunities available within the county government that can lead to the economic empowerment of youth and other groups.

**Mainstream civic education:** Stakeholders should mainstream civic education in all their programmes for effective dissemination.

**Support local initiatives:** Having community peace facilitators at the local level through local organisations will lead to sustainable interventions and early warning systems.

## **1.0. INTRODUCTION**

### **1.1. Background to the study**

Elections in Kenya have since the advent of multipartism been linked with violence. Since 1992 when the first multiparty elections were held, spontaneous and organised violence meted on opposing sides of the political divide has been witnessed with varied measure from one area to the other. As the Commission of Inquiry into the Post Election Violence (CIPEV ) puts it, elections have been used by communities to settle scores where communities have felt that there is injustice and the justice system was either taking too long or generally not addressing any issues.

On the other hand, it is not all about those feeling aggrieved who resort to violence. Studies mainly allude to a phenomenon preceding the elections where violence is orchestrated towards particular groups. This is well fashioned in the ethnic defines, especially in areas that are largely cosmopolitan (CIPEV, 2008). Apart from the mayhem that was witnessed in 2008 following the announcement of the presidential election results, most of the previous violence has been before elections.

The year 2010 was a landmark in Kenya's history. A two-decade campaign resulted in the birth of a new constitutional order. The Constitution was to revolutionise how the nation's affairs were managed, and participation of the people in political processes. The devolution of power and resources entrenched people's involvement in planning, management and evaluation of public resources. The Constitution recognised the county structures as major units of governance with a budget allocation of 15 per cent of the national revenue annually.

### **1.2. The Kenya Episcopal Conference**

The Kenya Conference of Catholic Bishops (KCCB), a faith-based organisation, is the assembly of the Catholic Bishops in Kenya united and exercising together their pastoral offices over Christ's faithful. The Catholic Secretariat is the administrative centre through which the KCCB implements and co-ordinates various pastoral programmes and undertakes all those responsibilities which express the mission of the Catholic Church in Kenya. KCCB undertakes its work through various commissions, amongst them the Catholic Justice and Peace Commission (CJPC).

Given its mandate of promoting justice and peace, CJPC has been actively involved in the resolution of conflicts among different communities in Kenya. It has also been involved in the support to victims of conflicts, building peace in the conflict-torn areas as well as promoting cohesion amongst communities. These efforts are designed and implemented at the diocesan and parish levels where most of these conflicts occur.

### 1.3. Purpose and objectives

The stated specific objectives of this baseline survey were to:

- i. Identify likely hotspots of violence in the counties in accordance with analyses of varied risk factors;
- ii. Identify the challenges and likely opportunities with regard to violence in the country; and,
- iii. Identify measures to be put in place to prevent and mitigate occurrence and recurrence of violence in the identified counties.

### 1.4. Scope of the baseline survey

The purpose of the survey was to assess the challenges and prospects of the devolved system of governance, effectiveness, relevance, and the potentials for conflict. The study aimed at achieving a fair, objective and an accurate assessment of the devolved system of government and its implications on peace processes. The study was limited to seven counties of Nairobi, Uasin Gishu, Kisii, Kisumu, Trans Nzoia, Nakuru and Kericho. It was conducted in September, 2012, and was building an earlier study by CRECO in April, 2012, that had similar objectives but was mainly a desk review of existing literature for the 47 counties in Kenya.

## 2.0. Methodology

### 2.1. Design

To meet the baseline objectives, mixed approaches (both quantitative and qualitative) were used instead of an individual approach. The seven counties studied presented varied socio-economic, political and geographical settings as well as cultural orientations. For instance, Nairobi is an urban community while Kericho is largely a rural community engaging in large-scale tea farming. On the other hand, whereas Kisii is typically inhabited by one community, Trans Nzoia, Nakuru and Uasin Gishu counties are largely cosmopolitan. Mixed research designs were employed to reduce the error, therefore, increasing the validity and usability of the results.

### 2.2. Population and sampling procedures

These seven sampled counties have a population of 9,658,170, which constitutes 25.2 per cent of the Kenyan population (KDHS-2009) . The selection was informed by the 2007-2008 post-election experiences where massive and intensive violence erupted from a combination of factors. The choice was also informed by the areas that the CJPC has peace-building programmes.

### 2.3. Sample size

The seven counties represented 47 administrative districts and 37 constituencies represented in the 10th Parliament (2007-2013) as shown in Table 4 below. This provided the sampling frame for the study. All the 37 Constituencies were analysed during the documentary review and 32 selected. The 37 districts (one from each constituency) were to be selected purposively using a developed criteria based on the desk review that will provide the background using a 5 by 5 risk analysis matrix. The study reached 582 respondents in 28 districts.



**Table 4: Target population description**

No	County	2007-2012 constituencies	Constituencies	Districts	Administrative districts
1	Kericho	Belgut, Ainamoi, Bureti, kipkelion	4	5	Londiani, Kericho East, Kericho West, Kipkelion, Buret
2	Kisii	South Mugirango, Bonchari, Bomachoge, Bobasi, Nyaribari Masaba, Kitutu Chache, Nyaribari Chache	7	10	Kisii Central, Kisii South, Masaba, Borabu, Gucha, Gucha South, Nyamache, Kenyanya, Marani, Sameta
3	Kisumu	Kisumu East, Kisumu West, Kisumu Rural, Muhoroni, Nyakach, Nyando	6	6	Kisumu North, Nyakach, Muhoroni, Kisumu West, Kisumu East, Nyando
4	Trans Nzoia	Saboti, Kwanza, Cheranganyi	3	3	Kwanza, Trans Nzoia East, Trans Nzoia West
5	Nairobi	Westlands, Langata, Dagoretti, Kasarani, Starehe, Embakasi, Kamkunji, Makadara	8	9	Njiru, Embakasi, Makadara, Starehe, Westlands, Nairobi West, Langata, Kasarani, Kamukunji
6	Nakuru	Molo, Naivasha, Nakuru Town, Subukia, Rongai, Kuresoi	7	11	Molo, Njoro, Kuresoi North, Kuresoi South, Rongai, Nakuru East, Nakuru West, Subukia, Bahati, Naivasha, Gilgil
7	Uasin Gishu (Eldoret)	Eldoret North, Eldoret South, Eldoret West	3	3	Eldoret East, Eldoret West, Wareng
	Total		38	47	

Source: Kenya National Bureau of Statistics (2010)

#### 2.4. Sampling procedure

The seven counties were made up of 37 districts that formed the target sample of the study. From the target sample, districts were selected based on the level of violence from the literature review for each county where focus was on the reported hotspot districts. For the district within the county where violence was predominant (hotspot district), the research team visited the District Commissioner, two chiefs, a diocesan coordinator of peace for the CJPC (or priest), and 2 youth groups. Respondents were selected purposively by snowballing and reference checking so as to give information relevant to the study. The table below shows the sampling procedure.

**Table 5: Total sample size and response rate**

	Group	Sample criteria	Total proposed sample	Sample achieved	Response rate
1	Constituencies/ Districts	Constituencies	38 constituencies	32 constituencies	84%
			38 districts	28 districts	74%
2	District Commissioners	21 hot spot (2007-2008) districts/constituencies	21 DCs	16 DCs	76%
3	Chiefs	21 districts (2 chiefs each)	42 chiefs	18 chiefs	43%
4	Priests/CJPC staff	21 parishes	21 staff	17 parish staff	81%
5	Peace & reconciliation, and youth groups	10 members from peace & reconciliation groups and 10 members from youth groups of all the sampled districts	760 respondents	531 respondents	70%
	Total		816	582	71%

## 2.5. Data collection and analysis

### 2.5.1. Data collection

The collection of data required multiplicity of methods and procedures to generate reliable data that would give the results the requisite validity. To ensure this, different approaches were used on the appropriate respondents. Each set of respondents was expected to help generate specific information as well as cross-check and internally check the reliability of information. For instance, a district commissioner could identify perceived hotspots but this could be validated by the area chief and vice versa. This ensured that the data received was of highly reliable and, therefore, requisite enough to analyse and draw meaningful and logical conclusions.

### 2.5.2 Data analysis

Data analysis has been done at two levels. Both descriptive and inferential analyses have been done on the data collected. The descriptive analysis has focused on opinions and factual establishment of peace levels, reconciliation efforts as well as models for promoting peace. Inferential analysis focuses on the sustainability of peace programmes within the major governance realignment expected with the new devolved system of governance.

**Table 6: Data Analysis procedure**

	Data collection methods/tools	Type of data	Data analysis method
1	Structured questionnaire	Quantitative (coding responses)	Quantitative – univariate analysis Qualitative - descriptions
2	Desk review	Qualitative Quantitative (coding responses)	Documentary analysis
3	Open questionnaires to group leaders	Qualitative Quantitative (coding responses)	Thematic analysis
4		Qualitative	Thematic analysis

### 3.0 - LITERATURE REVIEW

#### 3.1 History of violence in Kenya

The Post Election Violence (PEV) experienced in Kenya after the 2007/8 general elections claimed over 1,300 lives and left over 350,000 others internally displaced. This was the single most widespread election related conflict ever witnessed in Kenya, compared to other electoral related violence, since the re-introduction of multiparty elections. Arguably, there were claims that PEV initially seemed to be spontaneous whereas previous violence was systematically organised. The stalemate and instability in Kenya persisted for about two months, with former United Nations Secretary-General Kofi Annan, leading the two parties, President Mwai Kibaki's Party of National Unity (PNU) and Raila Odinga's Orange Democratic Movement (ODM), to sign the National Accord and Reconciliation deal, which created a power-sharing arrangement and laid the framework for broad-based political reforms to address the root causes of the violence. The accord was also to lay the framework for the development of reforms in the public sector as well as failed and ineffective systems, such as the justice system, that would serve to bolster the peace process .

According to the Commission of Inquiry into the Post Election Violence (CIPEV) report , there are a number of factors that could have led to this violence in Kenya. The first is the growing use of violence for political gain over the years, specifically after the re-introduction of multi-party democracy in 1991. Over time, the deliberate use of violence by politicians to obtain power since the early 1990s and the weak judicial mechanisms to deal with perpetrators led to a culture of impunity and a constant escalation of violence. As a result, violence became a medium to gain advantage over political opponents. In some cases violence became institutionalized by politicians who formed vigilante or militia groups, such as Mungiki, Siafu, Amachuma, Sungusungu among others.

Second, is the growing power and personalisation of power around the Presidency. This has had a twofold impact. First, it has given rise to the view among politicians and the general public that for a community to access State resources, they must have one of their own as a President or holding a powerful office of the land. This has led to a deliberate loss of confidence by the public in the same institutions that they are supposed to provide justice. As a result, in many respects the state agencies are not seen as legitimate. This serves to escalate the suspicion, mistrust and the feeling of inferiority and superiority complex, which in turn fuel or become triggers of violence.

Third, is the grievance of historical injustices including marginalization, economic inequalities and unfair distribution of National resources. These factors contributed to heightened tension(s), hate and became potential root causes of violence.

Fourth is the problem of poverty, unemployment among youth, who are vulnerable and are easily lured to join militia groups or organised violent gangs. In some cases like in the informal settlements and some parts of the country, the gangs became "shadow government" that terrorized innocent citizens within their areas of operation . Some gangs were used by politicians as their security details and in some cases to attack their opponents.

### 3.1.1 The use of political violence in Kenya

Violence was part and parcel of the colonial state, which used it to ensure control. After independence, successive regimes used (or abused) the security apparatus to maintain power. Opposition parties were subjected to political harassment and those individuals who refused to support the existing governments experienced various types of repression and even detention without trial.

Rallies, by political activists and demonstrations by students and others, were dispersed by the General Service Unit (GSU) using force. Some individuals in the Government are believed to have been responsible for the murder of three political figures, Pio Gama Pinto, Tom Mboya and J.M. Kariuki. Mboya and JM were viewed as threats to the then regime and potential contenders for political power.

Elections related violence occurred not just in 1992 but also in 1997. In spite of the deaths and destruction that these methods caused and the reports from NGOs, such as the Kenya Human Rights Commission, Human Rights Watch, and two Government Inquiries - the Kiliku Parliamentary Committee and Akiwumi Commission - no one was ever punished for this wanton killings and destructions even though names of perpetrators to be investigated and those "adversely mentioned" were contained in the reports of both Commissions. The Akiwumi Report was not made public until 2002, even though it was published in 1999.

This led to a culture of impunity whereby those who maimed and killed for political ends were never brought to justice. This changed Kenya's political landscape with regard to elections, as noted by various reports. Each of these reports implicated politicians as the organisers of the violence and killing for political ends, and noted that the warriors and gangs of youth who took action were both paid and pressed into service. A pattern had been established of forming groups and using extra state violence to obtain political power and of not being punished for it.

Some of the displaced individuals, including youth from Laikipia District, moved to Nairobi and became members of Mungiki, which in the 1980s had been largely a cultural cum religious cult in the Kikuyu inhabited parts of the Rift Valley. Later it metamorphosed into a Mafioso style gang that grew and eventually became a shadow government in the slums of Nairobi and in parts of Central Province. Initially, the Mungiki were seen as substituting for a lack of public services in the slums. Later it started bullying individuals and businesses, including matatus and owners of real estate, into making payments for services which it would provide, including connecting electricity, providing pit latrines, and meting out justice. Mungiki and other gangs across the country (e.g. Taliban, Chinkororo, Kamjeshi, Baghdad Boys and many others) grew and multiplied within the context of a political culture that both used and tolerated extra-state violence.

Gangs and militias continued to proliferate all over the country, thereby increasing the presence of institutionalised extra-state violence both during and after elections, a pattern that continued to increase up to the 2007 elections, even after President Mwai Kibaki took over power in 2002. Mungiki and other political gangs continued to sell their services of violence on a willing buyer willing seller basis. As late as 2007, long after the Government had banned Mungiki and other such groups, a number of gangs, including Mungiki, still continued to operate albeit less in the public.

As extra-state violent gangs began to grow and continued to be used by politicians, the political terrain was transformed. Violence trickled down into daily life and the State no longer commanded the monopoly of force it once had in a previous era. Extra-state violence was distributed all over the country, where it could be called up and tapped at any time, including being used to arbitrate over elections as it has been doing since the early 1990s.

### 3.1.2 Role of the media

One thing that will remain memorable about the 2007 election is the role played by all manner of information from all sorts of sources, unsolicited and solicited - SMSes, blogs, emails, newsletters,

leaflets, not to mention the newspapers, TVs and radios sources. One scholar has described the 2007 General Election as a poll that was characterised by misinformation. In a closely contested election such as this one was, the large media outlets became contested spaces by the leading parties and in some cases it became difficult to differentiate between a particular media house's position and that of the party, politicians, or its chosen political analysts and commentators. Commenting on the conduct of the media during the 2007 elections, an analyst of the Kenyan media has concluded that a lot of co-option happened”.

While it would be an oversimplification of issues to appear to blame the media for fanning the fires, the uncritical reproduction of careless statements by politicians may have contributed to reinforcing perceptions of political problems as community problems. Since the 2005 referendum, the imagery and idioms being used by politicians in the campaigns did not merely ridicule their opponents, but were aimed at entire ethnic groups. For example, Kikuyus, who circumcise their male children, profiled Raila Odinga and the Luo community, who do not circumcise, as unfit for leadership; and ODM aligned communities such as the Luo and Kalenjin projected the Kikuyu as assuming always the right to lead the country, as well as being arrogant, grabbers and corrupt. While the media on some occasions criticised negative ethnicity in its editorials, in its newsgathering and in its programming, it failed to aggressively hold political leaders to account for their actions and utterances. Instead, in the closing days of the election, the media covered the goings-on as they would an electrifying football match.

The opinion poll figures contributed to the frenzy and the verdict of the presidential election being ‘too close to call’ by the most respectable of the poll houses. Steadman Associates helped animate a determination by voters that saw an unprecedented turnout throughout the largely peaceful polling day on December 27, 2007. Barely after a few polling stations completed their count in a few constituencies TV and radio stations began reporting who was leading with only 10 per cent of the vote. As such, an imperfect picture was kept alive. When some stations hosted analysts who, on the morning of December 29, 2007, were talking of ‘an invincible’ lead for ODM’s presidential candidate Raila Odinga, several constituencies in Kibaki’s strongholds had still not filed in their results. When those figures began coming in and Kibaki figures started a steady climb and close-in on Raila, and the PNU side became bullish, tension began to build amongst ODM supporters and leadership. Live coverage of the exchanges between the leadership of PNU and ODM on the night of December 29, 2007 set the country on the delicate path it had to walk in the months ahead.

### **3.2 Election related violence**

According to the CIPEV report, violence is the method of choice to resolve a range of political differences and to obtain political power. There are historical issues that have been perceived as the main causes of violence in Kenya as mentioned below.

#### **3.2.1 The personalisation of presidential power and the deliberate weakening of public institutions**

Power has been personalised around the presidency and this has been increased by changes in the Constitution under each President since independence. Laws are routinely passed to increase executive authority. By 1991, the Constitution had been amended about 32 times. Among the amendments was the insertion of Section 2A, which made Kenya a de jure one party state after the failed 1982 coup bid until that provision was repealed in 1991. Hence, as noted in the Akiwumi Report and in a number of articles on Kenya politics, the checks and balances normally associated with democracies were very weak in Kenya and deliberately so. Hence, the State was not seen as neutral but as the preserve of those in power. The above syndrome had various consequences.

The first is a sense of lawlessness that led to Government institutions and officials to be seen as lacking in integrity and autonomy. One result of this in the 2007 election was the perception by sections of the public that Government institutions, and officials, including the judiciary, were not independent

of the presidency, were not impartial and lacked integrity. Hence, they were perceived as not able to conduct the election fairly. That public sector institutions were seen as biased and unlikely to follow the rules increased the tendency to violence among members of the public. Furthermore, as the Akiwumi Report and other sources demonstrated, members of the provincial administration and the police also understood that it was sometimes in the interest of their personal survival to follow what they understood to be the directives or inclinations of either the President or MPs in their areas rather than to uphold the law. This led to some officials not following the law themselves, and sections of the provincial administration and security forces even engaging in acts of violence themselves.

The second is the public perception that given the power of the President and the political class everything flows not from laws but from the President's power and personal decisions. This also has led the public to believe a person from their own ethnic community must be in power, both to secure for them benefits and as a defensive strategy to keep other ethnic groups from taking jobs, land and entitlements. All of these have led to acquisition of presidential power being seen both by politicians and the public as a zero sum game, in which losing is seen as hugely costly and is not accepted. Hence, there is a tendency on the part of a variety of political actors to do anything, including engaging in violence to obtain or retain political power, leading to what one specialist has called a race to the bottom because of a fear of being dominated by other ethnic groups and being subjected to the associated consequences of that. This has created a climate of fear and suspicions which politicians easily exploit and use to mobilise violence.

Even though the 2005 referendum was peaceful and the results were accepted rather than contested, the parameters were, nevertheless, drawn and the ethnic political fault lines clearly demarcated. The need to win the presidency was seen as paramount and tensions began to mount. The post-election violence therefore is, in part, a consequence of the failure of President Kibaki and his first Government to exert political control over the country or to maintain sufficient legitimacy as would have allowed a civilised contest with him at the polls to be possible. Kibaki's regime is said to have had the best chance after the 2002 elections to unite Kenyans but failed to do so and allowed feelings of marginalisation to lead to what became the post-election violence.

### **3.2.2 Land and Inequality**

Kenya consists of 42 ethnic groups who live in 47 Counties. Many areas outside the major cities and towns are relatively homogeneous ethnically. Problems of inequality and marginalisation thus are often viewed in ethno geographic terms even though the inequalities between individuals of the same ethnic group are sometimes more pronounced than those between different ethnic groups and geographic areas. Studies done elsewhere have not found that the presence of a large number of ethnic groups or inequality per se explains large scale violence. In Kenya, citizens from every place are concerned that resources, including land, and services are distributed equitably and are quick to point out inequities. Constitutionally, individuals may own land in any place in Kenya and in law no part of the country belongs to an ethnic group. Nevertheless, this has been negated by the creation of ethnic named districts that have in turn created the notion of "insiders", who are native to a place and "outsiders" who have migrated there, a notion that has been tapped by aspiring politicians.

Apart from the above, gross corruption in the acquisition, registration, and administration of land matters has been a major problem in Kenya. The Ndung'u Report noted that throughout the 1980s and 1990s, public land was illegally and irregularly allocated "in total disregard of the public interest and in circumstances that fly in the face of the law". "Land grabbing" and the allocation of public land as political patronage were part of the gross corruption of this period. Those involved in this allocation were senior public servants, but also local land boards, the courts, and a range of officials including members of the provincial administration, politicians, and others. Land allocations were therefore used to reward "politically correct individuals", and became heavily politicised. Given that

the recommendations of the Ndung'u report were never implemented, this has increased the sense of frustration in attempting to deal with land tenure disputes. The fact that institutions, which could have been used to resolve land disputes, have not been impartial has encouraged individuals to take matters into their own hands and to use violence to resolve them.

Furthermore, land being an emotive issue, politicians have capitalised on issues surrounding it, including encouraging violence during elections. In discussions of post-election violence, many Kalenjins argue that it is a product of longstanding anger over land distribution following Kenya's independence. They claim land was alienated by the colonial government and then unfairly parceled out to Kikuyu and other groups whom they view as outsiders. Many Kalenjins believe that issues relating to land were the reason for both the pre-electoral violence in the 1990s and the post-election violence after the December 2007 elections. Others, including the Akiwumi Report, dismiss this explanation pointing out that individuals from different groups lived side by side for many years until the advent of multi-party democracy when violence was used to kill and displace opposition party voters to keep them from voting. Hence, the Report argues that even though the promise of getting land from those who were displaced was used to entice youth into violence, the desire for political power and not land hunger was the causal factor.

Notwithstanding these views, the Ndung'u Report noted that there has been corruption in the allocation of land both in settlement schemes in the countryside and in the urban areas. The recommendation of Ndung'u Commission was that the Government ought to address the issue of irregular allocation of land to solve the conflict associated with land. The unresolved land question has led to apathy leading to people moving to areas that are cosmopolitan to ethnically homogenous areas. Beyond the above, another issue that looms on the horizon is that some communities have done better than others, which are poorer, less well developed, and more marginalised from the mainstream. This in turn has generated feelings of resentment and powerlessness, sentiments that can and have been mobilised violently. Furthermore, there is a large and growing underclass of urban poor who are not landowners and are unlikely ever to be landowners. The tendency has been to think of Kenya almost exclusively as agrarian and of land issues as paramount even though the number of Kenyans living in urban areas is increasing, a tendency likely to continue.

### **3.2.3 Unemployed youth**

Although Kenya's population growth rate has been reduced and is now reportedly down to three per cent, it still has an estimated two million unemployed youth. Furthermore, between 1992 and 1996, the number of street children increased by 300 per cent. Many of these initially rootless children are now adults. They have grown up on the streets and are inclined to violence. In addition, although many youth speak English, something that has raised their expectations, they have no hope of formal employment. The combination of being rootless, having survived amidst violence, plus their need for an identity and a livelihood makes them ready recruits for violent gangs, which exist all over Kenya and are tapped by politicians, particularly but not exclusively during elections.

The gangs are devoid of ideology and operate on a willing buyer willing seller basis. Given the hierarchical nature of gangs and the upwardly mobile hopes of their members to become as well off as their leaders, youth can be mobilised for a variety of reasons, not just to meet their daily needs. This explains why since the 1990s violent gangs have proliferated all over Kenya. Additionally, there is also a growing problem of unemployment among young university graduates, estimated to be around 40,000 a year. Only 150,000 formal sector jobs have been created since 2003, raising the spectre of whether these individuals will also be ready to engage in violence as well if they are unable to find work.

Violent gangs, consisting mainly of unemployed youth have been mobilised into gangs along ethnic lines. Their power, to the point of having become shadow governments in many areas, stems from two sources. First as the main aim of Government in the 1990s was to mobilise political support to

gain and maintain political power, a good amount of revenue was spent on patronage rather than on maintaining infrastructure and providing social services. This meant that the country started to crumble, visually evident in the decay of roads and the proliferation of uncollected garbage, even in the capital city of Nairobi, which once had been called the “city in the sun”. This crumbling as well as a decline in social services and security also paved the way for violent and extremely powerful gangs in many parts of the country, which gave unemployed youth work. Increasingly, citizens began to ask who, between the gangs and the Government, was in charge of Kenya.

The Government has been ineffective in dealing with the gangs for several reasons. First, many politicians have used these violent gangs to decimate their opponents, to protect themselves from a dictatorial state in the 1990s, and to gain power then and now. This has itself given gangs such as Mungiki, the Taliban, Chinkororo and others a life and the ability to operate without fear of being caught. Second, by the time government was serious about banning the groups, they were large, controlled a number of areas, and continued to operate in spite of the bans. Third, security forces including police often were victims of these gangs themselves and used draconian but ineffective force against them.

Furthermore, the fact that both the police and military were perceived historically to have been recruited along ethnic lines led to perceptions that they were unable or unwilling to maintain law and order impartially.

### **3.2.4 Violence perpetrators**

The post-election violence period increased gangs of unemployed youth with more power and added currency. While clearly there is a problem of youth who grow up in slums and make their living by joining gangs due to lack of better alternatives and the prospects of upward mobility, the issue is not one of poverty alone. Instead this situation intersects with other phenomena, including that of weak institutions, ethnic polarisation, and the willingness of the political class to hire gangs to engage in violence to obtain political power. The power of these gangs should not be underrated, including their ability to forcibly recruit other poor unwilling youth. In this sense, youth are both being exploited and have become exploiters themselves.

Furthermore, because the violence surrounding elections has been ethnically directed, this has increased distrust among different groups and vastly eroded any sense of national identity. Hence, ethnicity has now taken on a dangerous and negative connotation. The basic issue facing the nation is how to deal with these issues. Attempts have been made to crack down on gangs and reform institutions. According to CIPEV these attempts have been unsuccessful, in part because the Government has not been serious, or has not been willing to address generic issues or underlying causes of violence.

### **3.2.5 Challenges in the search of a solution**

The main perpetrators of systemic violence have never been prosecuted. Currently Kenya is at a critical juncture. Violence is endemic, out of control, is used routinely to resolve political differences, and threatens the future of the nation. Because of the ethnic nature of the post-election violence, ethnic fears and hatred have been elevated in importance and could turn violent again even more easily than has happened in the past. What is required to address the points discussed above is political will and some basic decisions to change the way politics is conducted, as well as to address its intersection with other issues related to land, marginalisation and inequality, and youth. Kenya needs to decide if it wishes to let violence, corruption and powerless institutions prevail or to introduce fundamental change. Simply put, the individuals and institutions who have benefited in the short term from the chaos and violence need to give up the methods they have used or Kenya could become a failed state. The report which follows is dedicated to discussing the Commission’s findings on the post-2007 elections violence and making recommendations on transforming the current situation.



### 3.3 Efforts on sustainable peace

The Constitution provides for the protection of the marginalised persons under the Bill of Rights. The State and every State organ have a fundamental duty to observe, respect, protect, promote and fulfill the rights and fundamental freedoms in the Bill of Rights. The State shall take legislative, policy and other measures, including the setting of standards, to achieve the progressive realisation of the rights guaranteed under Article 43. All State organs and all public officers have the duty to address the needs of vulnerable groups within society, including women, older members of society, persons with disabilities, children, youth, members of minority or marginalised communities, and members of particular ethnic, religious or cultural communities. The State shall put in place affirmative action programmes designed to ensure that minorities and marginalised groups participate and are represented in governance and other spheres of life, are provided special opportunities in educational and economic fields, are provided special opportunities for access to employment, develop their cultural values, languages and practices and have reasonable access to water, health services and infrastructure. (The new constitution of Kenya,2010).

The Constitution also provides for the protection of right to property. Every person has the right, either individually or in association with others, to acquire and own property of any description; and in any part of Kenya. Parliament shall not enact a law that permits the State or any person to arbitrarily deprive a person of property of any description or of any interest in, or right over, any property of any description.

According to CRECO (2012), the 2010 Constitution has widely been seen as a cornerstone for the development of a national ethos that unites us as a country and a precursor to peaceful co-existence. The letter and spirit of the Constitution have thus to be operationalised through connected actions, such as reforms in government arms and organs, legislative effectiveness and efficiency, respect for the rule of just law and civic engagement.

The role of the citizens in ensuring that as a country we realise peace and prosperity cannot be gainsaid. Kenya's diversity is perhaps its strongest asset, but in the past it has been used as a fulcrum for divisive politics and marginalisation. We have an opportunity as a country to change that by accepting the fact that we are one nation, one people and are bound by one destiny. (CRECO baseline report on violence, 2012).

### 3.4 Role of internal processes in facilitating peace in Kenya

Electoral violence has become part and parcel of Kenya's political culture since the re-introduction of multiparty politics in the 1990s. However, the nature, level and intensity of the 2007/8 PEV was unprecedented. The National Accord signed in 2008 created a power sharing arrangement and laid the framework for broad-based political reforms to address the root causes of the violence.

Some of the notable reforms that were carried out included the establishment of commissions of inquiry into the conduct of the elections and post-election violence; formation of a Truth, Justice and Reconciliation Commission (TJRC); and completion of constitutional reforms that had aborted after the 2005 constitutional referendum. Consequently, the Electoral Commission of Kenya (ECK) was disbanded and an Interim Independent Electoral Commission (IIEC) established to oversee electoral processes prior to adoption of a new constitution. An Independent Boundaries Review Commission was also set up to address grievances arising from unequal representation.

The commission that inquired into post-election violence recommended the prosecution of Kenyans suspected to have held the highest responsibility for the violence, which was not done. The International Criminal Court (ICC) took over the matter, resulting in the arraignment of six Kenyans at the ICC. The cases against Major General Hussein Ali, Henry Kosgey and Francis Muthaura have been dropped but those facing Uhuru Kenyatta, William Ruto and Joshua Sang are continuing.

Perhaps the greatest achievement of the post-2007 reforms was the adoption of the 2010 Constitution, which ushered in new institutions.

In Kenya's highly patriarchal environment, women have constantly faced numerous electoral hurdles when seeking political office. These range from gender biases in party nominations to negative socio-cultural attitudes from the electorate and electoral violence instigated against women. The Constitution of Kenya provides opportunities for leadership not only for women, but also for the youth and persons with disability. Furthermore the constitution states that Parliament should not have more than two-thirds of one gender. A mechanism for this is yet to be put in place.

The youth have been condemned for the role they have played in electoral violence in the recent history of Kenya. They have been accused of being the foot soldiers of the political and ethnic barons who have either sponsored or presented violence as the only alternative to perceived or real conflict. Inasmuch as the Constitution has a lot of promises for the youth, mechanisms of ensuring that they benefit and work towards the realisation of the constitutional dream have not been put in place. Kazi kwa Vijana and the National Youth Enterprise Fund (NYEF) have remained either inaccessible or inadequate to most youth. It is true that poverty, unemployment and unfulfilled promises remain factors that frustrate the youth and, therefore, their likelihood to participate in lawless activities of militias and other groupings are high. A ray of hope, however, is dawning on the nation as more youth engage in peace initiatives across the country. It should also be mentioned that more youth than ever voted in 2007.

### **3.5 Role of internal processes in facilitating peace**

The internal processes put in place to counter the effects and ensure there is no repeat of the post-election violence in Kenya was the community peace building. This approach has been effective in the resolution of the tribal clashes in Isiolo.

Peace is a socio-political condition that ensures justice and social stability through formal and informal institutions, practices, and norms that create equilibrium in society. Community peace building is done to avoid the recurrence of violent conflicts and ensure sustainable peace in the community. Peace building starts when both parties realise it is time to initiate peace initiatives. For a successful community peace building, the participants in Isiolo, for example, were trained that they should know where, when and how this process can be conducted for sustainable peace and that all stakeholders in the community should be involved in the process.

#### **Types of peace**

**Negative peace:** This is the absence of direct physical (overt) violence, i.e. where there is no violence attributed to a particular party. Therefore, negative peace is peace as the absence of direct violence, born out of law and order.

**Positive peace:** The absence of all forms of violence (whether physical, economic, political or cultural) supported by a set of relationships or harmony that exists at all levels. Positive peace, therefore, exists where people are interacting non-violently and are managing their conflict positively with respectful attention to the legitimate needs and interests of the parties.

**Holistic peace:** “Shalom”, a situation free from all forms of violence, brings hope. It is the absence of all selfishness and greed that seeks wellbeing and prosperity at the expense of others.

### **Approaches to peace**

**Peacekeeping:** Keeping conflicting parties apart to prevent or contain violence. This is also equivalent to conflict prevention and conflict management.

**Peacemaking:** Using diplomatic or dialogue approaches to persuade parties in conflict to cease hostilities and to negotiate a peaceful solution to the conflict. This is also equivalent to conflict settlement, conflict management and conflict resolution.

**Peace building:** Processes that seeks to prevent, reduce and transform conflict with a view to helping people recover from all forms of violence. This is equivalent to conflict transformation.

Sensitivity in peace building was stressed and that positive conflict transformation should include men, women and children. Inclusive peace process may be achieved by linking gender issues to multi-stakeholder process, creating space especially for the marginalised and legitimising marginal voices to address gender issues.

### **3.6 Role of external processes in facilitating peace**

It is the role of the Government to protect people living in Kenya. There are structures and processes that have been put in place to ensure this, such as the Kenya National Commission on Human Rights (KNCHR) which is the statutory institution mandated to protect and promote the human rights of all individuals living in Kenya.

Judicial reforms are also a major milestone in ensuring peace in Kenya. The Constitution emphasises the doctrine of separation of powers, especially independence of institutions such as the Judiciary. It is common knowledge that before the coming into force of the Constitution 2010, the Judiciary was at the mercy of the Executive. The President could appoint and fire judges at will and nobody could question his actions. This cast doubts in the eyes of the public as to the integrity of the Judiciary. Kenyans were no longer sure who held the strings of justice and so people resorted to other means of dispute resolution, some very barbaric such as lynch mobs, commonly known as mob justice. This led to an escalation in insecurity and so while seeking to establish security reforms, the Judiciary is a strategic point (Brenner, 2005, p. 68).

The Constitution provides that the President can only appoint two of the 13 members of the Judicial Service Commission (JSC), and so the Executive has less control in the appointment of members of the JSC. Article 168 vests the power to remove a judge on the Judicial Service Commission. Article 173 establishes a judiciary fund to cater for the administrative expenses of the judiciary. The Chief Registrar of the High Court prepares estimates, which are presented to the National Assembly directly. These reforms will secure the independence of the judiciary and ensure that public trust is once more bestowed upon the Judiciary so that people are willing to present their disputes to the judiciary for resolution instead of taking justice into their own hands.

Other reforms include those involving the electoral body. The formation of the Independent Electoral and Boundaries Commission (IEBC) was a great leap in securing elections because IEBC is devoid of any political interference by virtue of its formation (Ndungu, 2011, p. 5). The Constitution also drastically reduces presidential powers and in so doing reduces the incentive for violence. The 2007 PEV and the consequent peace talks made it obvious that vesting too much power on one position was detrimental to all other competing candidates since if one loses, they lose it all. Therefore, as part of the solution to PEV, Kenya ended up with an arrangement, which distributed power between the President and his prime minister.

Finally, Kenyan political parties are required to comply with the Political Parties Act of 2011 or risk deregistration after the expiry of the deadline in April 2012 (Kisiangani, 2009, p. 4). Consequently, leaders in Kenya shall be held accountable for their actions by the systems put in place at various institutions to which Kenyans can turn to for help should conflicts arise. This will somewhat reduce the risk of recurrence of PEV.

It is important to realize that the PEV was fanned by numerous reasons including complex socio-economic and political interactions. Violence was, therefore, used as a tactic in the ensuing political game as well as a weapon or a tool for settling disputes concerning the distribution of national resources (Namayi, 2010, p. 2). However, this was all to the detriment of Kenyans and they paid the price with their own lives and property. It is thus important that the same does not recur in 2012/13 and this paper has discussed in brief some of the measures taken by the government and other players to enforce security reforms since 2008 in a bid to prevent recurring violence. The reforms have gone beyond addressing technical deficiencies and they have also touched on other governance challenges with the effect that the entire country feels included in the reform activity. A good example is the referendum which ushered in a new era for Kenya. At this point, it is important to remember that the reason why previous attempts at social security sector reforms were unsuccessful was the lack of a constitutional reference point grounded in democracy. The new constitution provided just that.

## 4.0 BASELINE FINDINGS

This section discusses findings at three levels.

- Subsection one summarises the background analysis for all the seven counties based on the CRECO baseline survey report (April 2012).
- Subsection two discusses the findings for each county premised on a PESTLE analysis model. The analysis is based on the following understanding of PESTLE components:
  - Political: The political issues relating to power within the county and at national levels.
  - Economic: The economic issues include resource allocation, employment opportunities and related factors.
  - Socio-cultural: The socio-cultural issues include ethnic and cultural perceptions, dominance and marginalisation of communities or clans.
  - Environmental/security: The environmental issues include land disputes, pasture and water and related issues. While security issues are the commercialisation of cattle rustling and border disputes within the counties and across the counties.
- Subsection three highlights the key interventions undertaken in each county to address the issues of victims. It also indicates some of the key stakeholders in the interventions.

## 4.1 KERICHO COUNTY

### 4.1.1 Background analysis

Kericho County is situated in the former Rift Valley Province and shares borders with Nakuru County to the east, Kisumu to the west, Bomet and Nyamira to the south, Nandi to the north-west and Baringo and Uasin Gishu to the north. It occupies 2,479 square kilometres and has a population of approximately 758,339 (KNBS, 2009) people who are predominantly of the Kipsigis sub-group of the Kalenjin community. Most of this population is rural-based with an estimated 200,000 in urban centres. The most affected areas during the PEV were Kipkelion and Londiani where non-indigenous communities had settled, and Kericho town.

During the 2007 elections, the county had four constituencies: Kipkelion, Belgut, Ainamoi, and Bureti.

Politically, a majority of Kericho inhabitants have aligned themselves to Kalenjin politicians, especially retired President Daniel Moi in KANU, then Mr William Ruto in ODM and later United Democratic Movement (UDM), United Democratic Front (UDF) and United Republican Party (URP). The issues around the ICC process are important to the county politically because of the case against Mr Ruto and may have an effect on inter-communal relations.

On security, the county is fairly secure, with the exception of Kipkelion and Londiani that had non-indigenous communities, and Nyagacho in Kericho town. These were the hotspots during the PEV.

Economically, the county depends on commercial business tea farming with large companies such as James Finlay, Unilever and Williamson. The companies employ many non-indigenous workers from other communities in the neighbouring counties. The county has good roads, surpassing the national average of good/fair roads by 15.3 per cent to stand at 58.5 per cent. This may be attributed to the benefits derived from previous regimes and the presence of commercial tea farming, which requires good means of transport to factories and to the airports for export.

The County is served by a High Court based in Kericho. It also has magistrates' courts, which are complemented by similar courts in the neighbouring Sotik and Bomet towns.

Socio-culturally, the Kipsigis are the dominant community. There is also a modest presence of migrant tea plantation workers from the Luhya, Luo and Kisii communities. The Kikuyu are in Londiani and Kipkellion. Migrant workers usually return to their 'home counties' to vote.

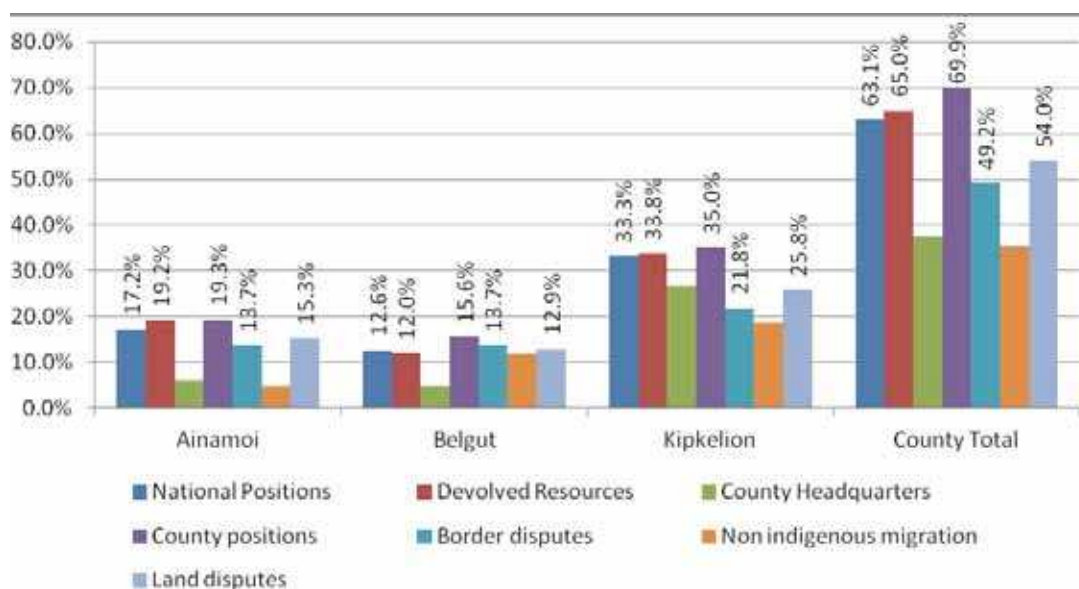
Environmentally, Kericho is in the highlands within the Rift Valley, which has some of the most fertile lands in Kenya and enjoys rainfall most of the year. The county is one of the greenest in the country.

#### 4.1.2 Analysis of Kericho County findings

The baseline targeted Ainamoi, Belgut and Kipkelion constituencies. The findings below indicate some of the key factors that contributed to the violence and are likely to affect the stability of the county.

**Table 7: Perceptions on potential causes of conflict by constituency (per cent)**

Causes of conflict (in county)	Ainamoi	Belgut	Kipkelion	County Total
Sharing national positions	17.2	12.6	33.3	63.1
Sharing devolved resources	19.2	12.0	33.8	65.0
County headquarters location	6.0	4.8	26.6	37.4
Sharing county positions	19.3	15.6	35.0	69.9
Border disputes	13.7	13.7	21.8	49.2
Migration of non-indigenous	4.8	11.8	18.8	35.4
Land disputes	15.3	12.9	25.8	54.0



**Figure 1: Perceptions on potential causes of conflict-Kericho County by constituencies**

A highlight of the key findings on the issues and factors in Kericho County from figure 1 are discussed below:

##### 4.1.2.1 Political issues and factors

The respondents from Kericho County feel strongly about the politics related to the devolved governments. For instance, 69.9 per cent and 63.1 per cent of the respondents feel that politically related factors, such as sharing political positions at the county level and national government respectively are likely to cause conflict in the area.

Kericho seems to have a potentially politically explosive status on the issues of positions at the county level. This situation should be monitored and this may be a trigger factor to violence. Kipkelion constituency seems to still be potentially explosive.

##### 4.1.2.2 Economic issues and factors

The economic factors that may trigger violence is the perception on opportunities to access resources. Some 65 per cent of the respondents felt that inequitable share of the devolved resources within the

county could result into violence. The control and distribution of resources is therefore a major factor in the county with Kipkelion being the one likely to be at most risk (33.8 per cent) and Belgut constituency being at lowest risk (12.0 per cent).

In addition, 74.7 per cent of the respondents believe that youth unemployment is a likely cause of political violence in the county because of the high unemployment rate among the youth in the area.

#### 4.1.2.3 Socio-cultural issues and factors

Non-indigenous communities migrating or living in the county is not a major issue but it may be triggered by other factors. Only 35.4 per cent respondents felt that this may be a cause for violence with Kipkelion (18.8 per cent) and Belgut constituency (11.8 per cent) feeling more strongly about it. These areas were the hotspots during the 2007-2008 post-election violence. This is an indication that even though the ethnic animosity has subsided, there is still a likelihood of this being a factor in future elections.

#### 4.1.2.4 Environment and security issues and factors

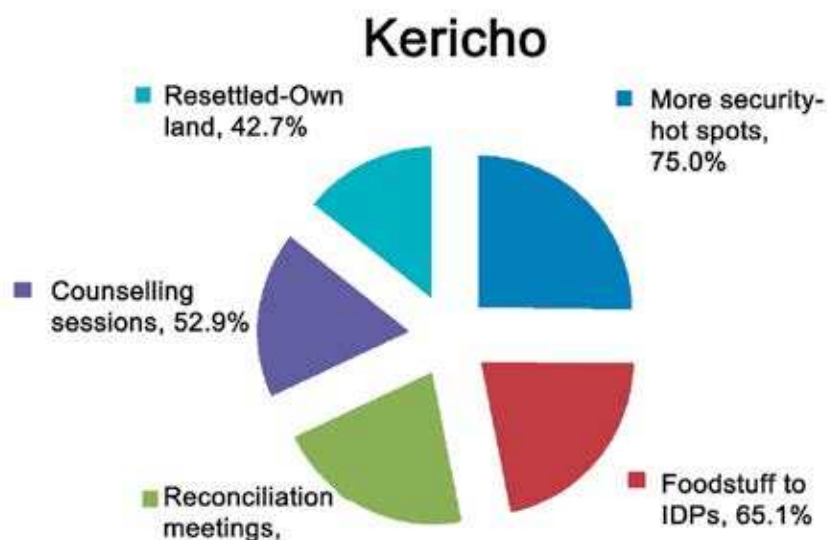
On security, 49.2 per cent of the respondents believed that border disputes both within the county and with neighbouring counties as a likely cause for conflict within the county. While 54 per cent of the respondents believed that land disputes may be the main cause of conflicts in the county, this indicates that there are still tensions related to land and border disputes that need to be monitored, especially towards election.

#### 4.1.2.5 Legal issues and factors

The study also looked at the knowledge levels of the respondents on devolution related legal issues that are likely to generate tensions if misunderstood. The selection process of the youth representative seemed to be misunderstood, with majority of the respondents (94.0 per cent) believing that the youth representative would be elected while 76 per cent believe that there will be Constituency Development Fund (CDF). This misconception on the legal and constitutional position may be triggers to violence, especially by the youth. Generally, 14.8 per cent respondents believe that the county government will bring division.

### 4.1.3 Stakeholder efforts

#### 1.3.1 Addressing issues of post-election violence victims in Kericho County



**Figure 2: How post-election victims issues were addressed in Kericho (per cent)**

From the chart above, respondents indicated that emphasis was laid on securing the hotspots (75.0 per cent), basic needs (65.1 per cent), reconciliation (63.1 per cent), counselling sessions (52.9 per cent) and resettlement on own land (42.7 per cent) in Kericho. The specific stakeholders involved in the interventions are highlighted below:

- The Government provided security in all the hotspots for the victims, with the combined efforts of regular and administration police through the office of the District Commissioner.
- The government, the Red Cross, general community members (well-wishers), USAID, UNHCR, the

Church (Caritas, CJPC) and other local organisations provided basic needs and food. The Red Cross and the Government were the main stakeholders in the distribution of food.

- c) The Government, through the District Commissioner's office, spearheaded reconciliation meetings . Religious leaders were also involved with community leaders/elders. Mercy Corps was the most active non-governmental organisation in addressing issues of reconciliation in the county.
- d) Counselling sessions were undertaken within communities and among village elders, community leaders and churches. Those involved included youth groups and counselors, USAID, Nairobi Women's Hospital and Friends of Londiani, CJPC and Caritas. The most mentioned stakeholders were the local elders and community leaders.
- e) Some of the displaced groups were resettled in their own land through Government (provincial administration) efforts supported by the local leaders and elders.

#### 4.1.4 Conclusions

From the analysis of the county, Kipkelion Constituency still remains the most volatile constituency followed by Ainamoi. The issues of sharing of resources need to be monitored and the way the nominations for county positions among the popular party in the county are done will be the ultimate test of Kericho's stability. At the national level, politics may also trigger ethnic tensions and this needs to be monitored.

## 4.2 KISII COUNTY

### 4.2.1 Background analysis

Kisii County has a population of approximately 1,511,422 (KNBS, 2009) living on 2,542 square kilometres. The dominant ethnic group is the Kisii, although there are pockets of the Luo, Luhya and other ethnic groups since it is an urban County.

Politically, Kisii has never had one single dominant party since 1997. The politics are largely influenced by clanism and perceived clan interests that often supersede party politics. With the retiring of Simeon Nyachae, there is no dominant political figure in the county.

On security, Kisii County has had previous border conflicts on three fronts, the Kisii-Migori, Kisii-Homa Bay and Kisii-Trans Mara borders. The latter two have been largely resolved but the one with Trans – Mara is still ongoing. There have also been clan rivalries as well as a significant presence of vigilante gangs who purport to serve a community policing role in the years before elections but have been known to be deployed for political motives during campaigns. Electioneering in Kisii County is prone to violence and intimidation, especially from illegal militias/gangs such as Nchinkororo, Sungu Sungu and Amachuma, among others (CRECO, 2012). Economically, Kisii is mainly agricultural with small-scale tea farming and horticultural crops being the main income earners for the inhabitants. Kisii town has also a substantial number of businesses and manufacturing plants.

On the formal legal system, the county has a total of 11 judicial officers in three stations. Its ration of 100,000 citizens to a High Court judge is 5.8 against a national average of 8.6 while its ration of a million citizens per court station is 0.38 against a national average of 0.37 (CRECO, 2012).

Due to high population density, farm sizes are growing smaller and there is increasing competition for land that often leads to violence. This has sometimes been linked to the common practice of killing of alleged witches within the county. The high population density is also a major contributing factor to soil erosion and deforestation. Waste disposal and sewerage systems are overstretched in the county's urban areas.

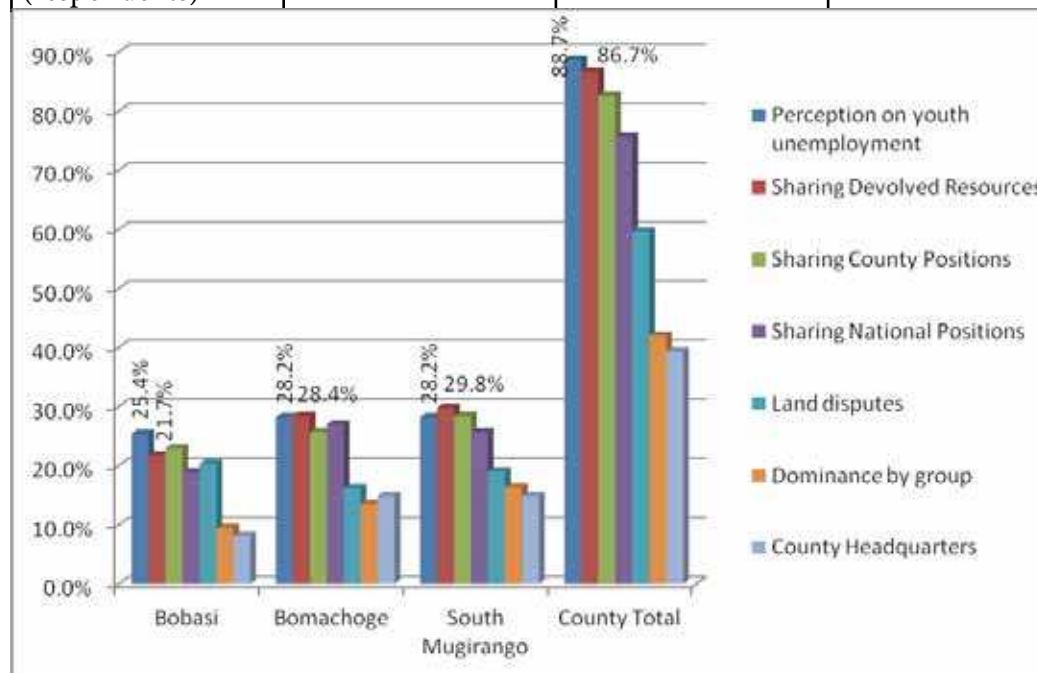


#### 4.2.2 Analysis of Kisii county findings

Below is an analysis of the findings from Kisii County on the causes of conflict.

**Table 8: Perception on potential causes of conflict by constituencies (per cent)**

Potential causes of conflict	Bobasi	Bomachoge	South Mugirango	County Total
Perception on youth unemployment	25.4%	28.2%	28.2%	88.7%
Sharing devolved resources	21.7	28.4	29.8	86.7
Sharing county positions	23.0	25.7	28.4	82.6
Sharing national positions	18.9	27.0	25.7	75.7
Land disputes	20.3	16.2	19.0	59.6
Dominance by group	9.5	13.5	16.3	42.0
County headquarters location	8.1	14.9	14.9	39.3
Youth unemployed (respondents)	7.8	11.0	4.7	23.4



**Figure 3: Perception on potential causes of conflict by constituencies**

Below is a discussion of the findings in Kisii County based on the above Table and Figure

##### 4.2.2.1 Political issues and factors

Sharing of political positions in the county seems to be the issue that may cause tensions, with 82.6 per cent of the respondents pointing it out. The national level politics are also cited as a likely trigger of conflict at the county level, with 75.7 per cent of the respondents indicating that sharing of national positions may cause conflict at the county level.

#### 4.2.2.2 Economic issues and factors

Economic related issues rank highest in this county as the likely causes of conflict. The perception that youth unemployment would lead to conflict is held by 88.7 per cent of the respondents with the inequitable sharing of devolved resources being stated as a likely cause of conflict by 86.7 per cent.

#### 4.2.2.3 Socio-cultural issues and factors

Issues of dominance by one group seemed to emerge as a likely cause of conflict, with 42 per cent of the respondents citing it. From the analysis of the findings and focus group discussions, it was noted that the dominance referred to was economic. This is summarised by one youth as follows: “One district taking all resources will lead to conflict, (Female youth, South Mugerango).”

#### 4.2.2.4 Environment and security issues and factors

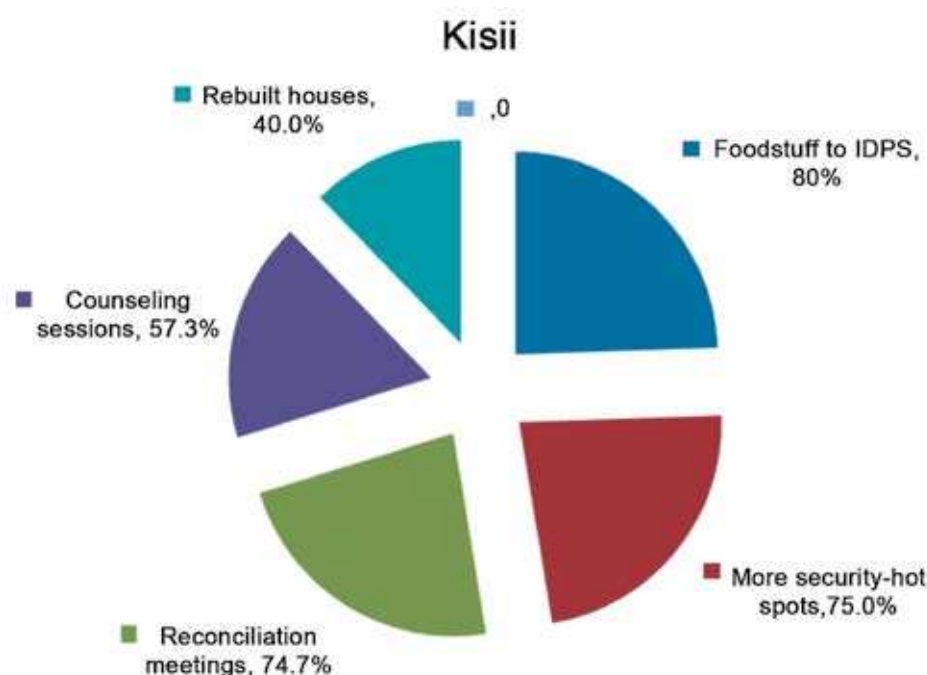
Land disputes (59.6 per cent) seem to be the likely cause of conflict under the environment factors in the County. Bobasi constituency seems to be the constituency most prone to be affected by land disputes (20.3 per cent) and Bomachoge least likely at 13.5 per cent.

#### 4.2.2.5 Legal issues and factors

On the knowledge of the constitutional changes and their legal implications in the run up to, and after elections, there seemed to be also knowledge gaps on key fundamental aspects such as the election process and the resource allocation. For instance, majority of the respondents (90.1 per cent) believe that the youth representative would be elected while 45.1 per cent believe that there would be Constituency Development Fund (CDF) after the elections. Generally, 25.4 per cent respondents believe that the county government will bring division.

### 4.2.3 Stakeholder efforts

#### 4.2.3.1 Addressing issues of 2007-2008 post-election violence victims



**Figure 4: How issues of post-election violence victims were addressed**

From the chart above, the respondents indicated that emphasis was laid on basic needs for food (80.0 per cent), securing the hotspots (75.0 per cent), reconciliation (74.7 per cent), counselling sessions (57.3 per cent) and rebuilding houses (40.0 per cent) in Kisii County. The specific stakeholders involved in the interventions are highlighted below:

a) Provision of food for victims of post election-related violence was given priority. The Government,

through the provincial administration, and the local churches were the main stakeholders in food distribution.

- b) The Government machinery provided security for the victims in all hotspots with the combined efforts of regular and administration police through the office of the District Commissioner.
- c) The Government, through the District Commissioner's office, led all reconciliation meetings. Religious leaders were also involved with community leaders/elders.
- d) Counselling sessions were led by the Government in collaboration with communities and village elders. The Catholic Church played a prominent role among the churches in the county.
- e) The houses of victims were also rebuilt in the county with the government taking the lead. The Church (Catholic Church and NCCCK) were also mentioned as active participants in rebuilding of houses, with the Catholic Church being more active.

Most of the respondents indicated that they had not participated in the County Peace Forums.

#### 4.2.4 Conclusions

From the above analysis of the Kisii County, South Mugirango constituency is the most volatile, with issues of resources and political power dominating the concerns of the constituents. Bomachoge constituency is next, with resource sharing and power sharing being key potential conflict triggers. It should also be noted that, land is also a potentially explosive issue, with Bobasi constituency having the highest concerns compared to the other constituencies. Interventions in Kisii need to also address the issues of youth unemployment because idle youth are most likely to be conscripted into illegal gangs.

### 4.3 KISUMU COUNTY

#### 4.3.1 Background analysis

Kisumu County in western Kenya occupies 2,086 square kilometres and has a population of 968,909 (Commission on Revenue Allocation, 2012). The Luo are the dominant ethnic group but there are significant pockets of Kisii, Luhya, Nubians and Asians.

The county is politically volatile. Clanism tends to also influence Kisumu politics, with the ODM being the dominant party. The political contests are mainly for power within ODM and for the county government.

On security, Kisumu has consistently experienced political violence over the years, especially in the urban centres. There is a large number of unemployed youth that are prone to be manipulated by. There are, specifically border tensions in the constituencies that border Kalenjin counties, such as Muhoroni and Nyakach. According to the CRECO (2012) report: *"In Muhoroni, there is a mixture of political and land issues that has led to tension. The area has had a long-standing history of inter-communal rivalry between the Luo and Kalenjin communities. In 2007, there was a sort of a truce as both communities were perceived to have a common political interest in ODM winning the elections. However, with the subsequent fall out between Raila Odinga and William Ruto, the rivalry has resumed. During the 2010 referendum there was tension and low level of displacement in the border region. In Nyakach there has been a persistent problem of cattle rustling, which has often taken a political dimension during elections."*

Economically, Kisumu city is the regional capital of the former Nyanza Province. The city has many business and manufacturing plants, an inland harbour connecting it to Uganda and Tanzania as well as an international airport. In the rural parts of the county, the main economic activities are fishing and agriculture (rice, sugar cane and maize farming) as well as small-scale subsistence farming. The county has large-scale commercial agriculture (Muhoroni and Ahero) and a hydro-electric power plant (Nyakach). However, there is a large number of rural and urban poor, and inequalities between urban and rural populations. Unemployment, particularly of the youth is high, especially in urban areas.

Kisumu has five court stations and a judge to 100,000, bringing the highcourts' to citizens' ratio to 4:8 against a national average of 8:6.

On socio-cultural dimensions, clan-based politics is a dominant factor in Kisumu and minorities (Nubians and Asians) have not yet been able to fully participate in social and political life. The exception is one of the current (2007-2012) Member of Parliament who is a Kenyan of South Asian descent.

On environment, the key challenges are the common ones facing any fast urbanising county or city, such as pollution, waste disposal management and water hyacinth.

#### 4.3.2 Analysis of Kisumu County findings

**Table 9: Perception on potential causes of conflict by constituencies (per cent)**

Potential conflict areas	Kisumu Rural	Kisumu East	Kisumu West	Muhoroni	Nyakach	Nyando	Total
Sharing devolved resources	14.10	9.8	14.1	17.4	21.7	9.7	86.8
Youth unemployment	6.80	12.5	13.6	19.3	20.5	10.2	82.9
Sharing county positions	7.70	11.0	13.2	15.4	22.0	8.8	78.1
Sharing national positions	10.10	12.4	14.6	13.5	15.8	8.9	75.3
Border disputes	6.80	12.3	9.0	13.4	16.8	6.8	65.1
Migration of non-indigenous	1.10	7.8	6.6	5.5	16.6	6.6	44.2
County headquarters location	9.40	8.2	10.6	9.5	3.5	1.2	42.4
Pasture & water	1.10	7.9	2.2	8.9	11.3	5.6	37.0

**Figure 5: Perception on potential causes of conflict by constituencies**

A discussion on the findings from Kisumu County based on the Table and Figure above are as follows:

##### 4.3.2.1 Political issues and factors

On political issues, 78.1 per cent and 75.3 per cent of the respondents indicated that sharing of county positions and national positions may be the most likely political causes of conflict. Nyakach (22 per cent) and Muhoroni (15.4 per cent) constituencies seem most likely to be affected by political issues relating to the sharing of county positions.

##### 4.3.2.2 Economic issues and factors

The sharing of economic resources remains the most potent cause for conflict. For instance, 82.9 per cent of the respondents agree that youth unemployment may be the leading cause of violence. Issues of youth that are not engaged in gainful employment (formal, informal or self) were seen to be high with up to 26 per cent of the respondents reporting to be either unemployed or volunteering their time. Nyakach (21.7 per cent) and Muhoroni (17.4 per cent) seem to be the most likely to be affected by this factor, while Kisumu East (9.8 per cent) and Nyando (9.7 per cent) seem to be the least likely to be affected.

##### 4.3.2.3 Socio-cultural issues and factors

On average, the study found out that socio-cultural issues are generally not a direct cause of conflict but may come into play if the other factors (economic and political) are ignored. For instance, 44.2 per cent of the respondents indicated the migration into the county of non-indigenous communities could be a cause to conflict. Nyakach constituency (16.6 per cent) registered the highest number of those who considered this a cause for conflict followed by Kisumu East (7.8 per cent). Kisumu Rural recorded the least (1.1 per cent).

##### 4.3.2.4 Environment and security issues and factors

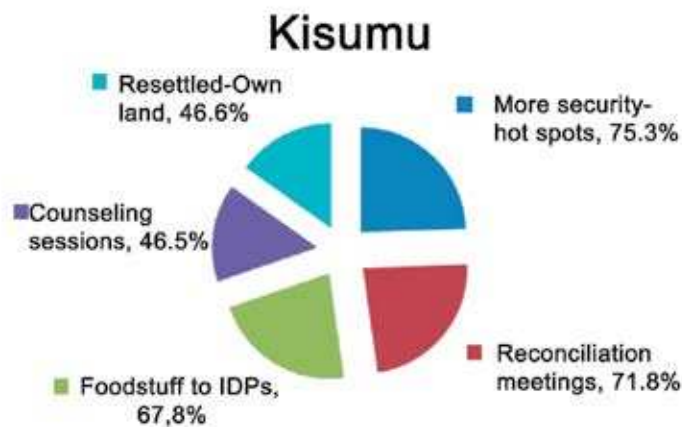
The study found that there are high cases of border disputes in Nyakach and Muhoroni areas with 16.8 per cent and 13.4 per cent of the respondents indicating the likelihood of border disputes resulting in conflict. In total, 65.1 per cent of the respondents in the county indicated that these are likely to cause conflict, hence compromising the security of the area. Border disputes, mainly between the Luo and Kalenjin, are many. Pasture and water is a potential conflict issue, though not so pronounced, with 37.0 per cent of the respondents mentioning it; Nyakach and Muhoroni should be the main focus in any interventions.

##### 4.3.2.5 Legal issues and factors

The study noted that 79.6 per cent of the respondents believe that the youth representative is an elective post, while 52.3 per cent believed CDF would continue to be disbursed even after the general elections. Generally, 17.4 per cent respondents believed that the county government would cause division.

### 4.3.3 Stakeholder efforts

#### 4.3.3.1 Addressing Issues of post-election violence



**Figure 6: How post-election violence victims issues were addressed**

From the figure above, respondents indicated that emphasis was laid on securing the hotspots (75.3 per cent), reconciliation (71.8 per cent), basic needs for food (67.8 per cent), counselling sessions (46.5 per cent) and resettlement of victims on their own lands (46.6 per cent) in Kisumu County. The specific stakeholders involved in the interventions are:

- The Government through the provincial administration and the local Member of Parliament, gave priority to and were involved in securing hotspots.
- The DC's office led reconciliation meetings. Religious leaders and community leaders/elders were also involved. District Peace Committees were formed and have maintained interactions with various communities. Some of the other stakeholders have been the Catholic Church, the Lutheran Church, the Local Capacity for Peace International (LCPI), Neighbourhood Volunteers and community-based organisations such as Kenya Rural Peace Link and Women Link.
- The victims were also given food in an initiative spearheaded by the Kenya Red Cross with support from the Government through the provincial administration. Other stakeholders involved included the World Vision, Neighbourhood Volunteers, Maendeleo ya Wanawake, Menomite Church and the Church in general, and the area Members of Parliament.
- Counselling sessions were led by non-governmental organisations such as the UNDP, World Vision, Red Cross, Local Capacity for Peace International, and the Catholic Church among others. These were in collaboration with the District Peace Committees, the provincial administration, communities and village elders.
- The victims were also resettled on their own lands with the Government taking lead with support from the Kenya Red Cross. Menomite and Catholic churches were also mentioned as active participants in the resettlement process, with the Menomite Church being emphasised. In some instances, the returnees (evicted from other parts of the country) were resettled in the county.

Over 80 per cent of the respondents indicated that they had either attended the County Peace Forums in August or September 2012. Most had represented their districts in the peace forums. Some of the members who attended the forums have formed Locational Peace Committees and require some resources to improve their outreach programmes on peace and conflict resolution.

#### 4.3.4 Conclusions

From the above analysis, Nyakach constituency is the most volatile constituency in Kisumu County. The constituency also has issues with sharing of resources and power. The other issues in the constituency that may trigger conflict include border disputes and ethnicity issues. Muhoroni constituency is another volatile constituency in Kisumu County. Youth unemployment is also a major issue in the county and means of gainful employment for the youth should be incorporated in the interventions implemented in this county.

## 4.4 NAIROBI CITY COUNTY

### 4.4.1 Background analysis

Nairobi County hosts the political and economic capital of Kenya. It borders Kajiado, Machakos and Kiambu Counties. It measures 695 square kilometres with a population of 3,138,369 (KNBS, 2009). In the 2007 election, it had eight constituencies, namely Dagoretti, Kibera, Westlands, Kasarani, Makadara, Embakasi, Kamukunji and Starehe. It is a cosmopolitan city with large informal settlements (slums) in each constituency.

Politically, Nairobi was among the areas that were badly affected by the PEV. According to the CIPEV Report, 125 people died and 348 were injured. The period after the PEV exhibited intense ethnic and class tensions where different ethnic communities in mainly the informal settlements such as Kibera, Mathare and Dandora, attacked each other and zoned off areas. Though there have been various initiatives seeking to address the tensions, there still exists ethnic divisions. Sharp political competition is expected to intensify tensions in consequent elections. Intense campaigns, if not properly regulated may heighten tensions, leading to outbreaks of violence especially in the informal settlements (CRECO, 2012).

On security issues, according to CRECO (2012), the CIPEV report alluded to the recruitment and deployment of armed criminal gangs (particularly Mungiki and the Kenyan Taliban) by politicians. The gangs had thrived in Nairobi's informal settlements, largely due to the failure by the State and local authorities to provide amenities to residents. Eventually, the Government instituted a crackdown, which pushed the gangs underground. However, the risk of these gangs still remains. The instability in Somalia leading to proliferation of small arms and the war against Al Shabaab in Somalia led by the Kenya Defence Forces are also key threats to Kenyan security, with campaign meetings in Nairobi likely to be prime targets.

Economically, Nairobi is the hub of the national government and therefore has the largest number of companies and industries. This is in addition to various headquarters of international companies, non-governmental agencies and two airports. There is widespread extreme poverty in the informal settlements occupying only a fifth of the total area where an estimated two-thirds of the city population resides. This alludes to deep inequality, which potentially could fan social tensions. Due to the high population in Nairobi, the CRA will allocate huge resources to Nairobi, which means that there will be very competitive politics at the county level to control these resources.

On legal system, Nairobi has all courts, including the Supreme Court, but the court system is severely constrained because it also serves the neighbouring counties (Kiambu, Murang'a and parts of Kajiado). The judicial reforms are expected to quicken resolution of electoral related disputes.

On social cultural issues, CRECO (2012) outlines major inequalities experienced in the county and ethnic differences among communities as the likely causes of social tensions in Nairobi, based on class differences. Youth unemployment is also a major issue, particularly in the informal settlements since the youth are desperate and vulnerable, thus easy recruits of illegal gangs or being manipulated by politicians.

Landlessness due to lack of security of tenure in informal settlements and land grabbing have led to land-related conflicts in Nairobi. Informal settlements are vote rich catchments and politicians use this issue in electoral campaigns, inflaming conflicts related to land.

#### 4.4.2 Analysis of Nairobi County findings

**Table 10: Perception on potential causes of conflict- (per cent)**

Potential causes of conflict	Nairobi County
Youth unemployment	74.1
<b>Sharing devolved resources</b>	<b>61.8</b>
Sharing county positions	61.4
<b>Sharing national positions</b>	<b>57.2</b>
Dominance by group	55.0
<b>Land disputes</b>	<b>50.0</b>
Border disputes	46.5

**Table 11: Frequency of conflicts**

Frequency of Conflicts	Nairobi County
Marginalisation by group	36.1
Dominance by group	32.8
Land disputes	19.6

**Figure 7: Perception on potential causes of conflict**

##### 4.4.2.1 Political issues and factors

In Nairobi County, national level and county level political factors are likely to contribute to conflict. Some 61.4 per cent of the respondents indicated that the sharing of county positions was likely to cause conflict while 57.2 per cent held that national level politics would cause conflict in the county.

##### 4.4.2.2 Economic issues and factors

The respondents indicated that economic related factors are the most likely to cause conflict. Youth unemployment, cited by 74.1 per cent of the respondents, was seen to be a major factor that is capitalised on for violence in the county. With regard to devolution, the inequitable sharing of devolved resources or perception on this was highlighted by 61.8 per cent of the respondents.

##### 4.4.2.3 Socio-Cultural issues and factors

Nairobi is the most cosmopolitan county in Kenya, with virtually all communities from Kenya. However, the findings from the study indicate that there is a perception of dominance by one group (55 per cent). A qualitative analysis of the findings found that most of the respondents felt that there is economic dominance, with youth feeling marginalised. Thirty six per cent of the respondents indicated that the marginalisation by one group occurs often or more often, while 32.8 per cent indicated that it is frequent. This suggests that issues around dominance, be it economic or ethnic, should be addressed as part of interventions in Nairobi County.

##### 4.4.2.4 Environment and security issues and factors

Though not so pronounced, land and border disputes were mentioned as potential causes of conflict. Fifty per cent of the respondents cited land disputes and 46.5 per cent recorded border disputes as possible conflict triggers. However, only 19.6 per cent of the respondents felt that land disputes occur frequently.

##### 4.4.2.5 Legal issues and factors

Some 72.2 per cent of the respondents believe that one of the elective positions in the upcoming elections is the youth representative while 50 per cent believe that there will be CDF for the constituencies after elections. Generally, 25.9 per cent respondents believe that the county government will cause divisions.

### 4.4.3 Stakeholders efforts

#### 4.4.3.1 Addressing issues of post-election victims

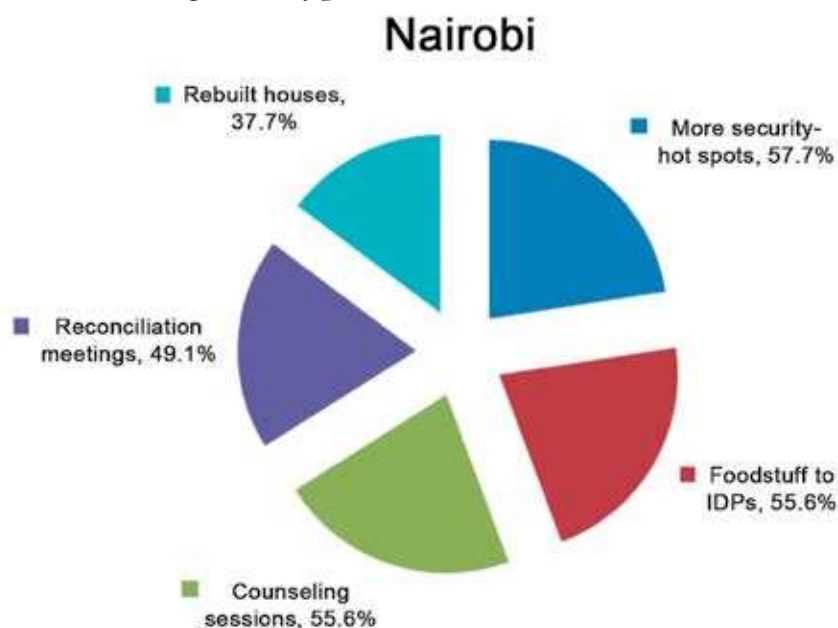


Figure 8: How victims of post-election violence issues were addressed

From figure above the respondents indicated that emphasis was laid on securing the hotspots (57.7 per cent), basic needs (55.6 per cent), counselling sessions (55.6 per cent), reconciliation (49.1 per cent) and rebuilt houses (37.7 per cent) in Nairobi County. The specific stakeholders involved in the interventions were:

- Security was provided by the provincial administration in all the hotspots.
- The basic needs and foodstuff were provided by the government, Red Cross, general community members (well-wishers) MSF Belgium and other local organisations. Red Cross and the Government were the main stakeholders in foodstuff distribution.
- Counselling sessions were undertaken by mainly civil society organisations. Others involved were youth groups, church organisations (including the Catholic Parishes).
- Reconciliation meetings were spearheaded by civil society organisations; the religious leaders were also involved.

Few (less than five per cent) of the respondents had been involved in the County Peace Forums despite some of them working on peace initiatives in their locations. However, they had been involved in either externally sponsored or self-sponsored forums to discuss issues on peace building in their areas.

#### 4.4.4 Conclusions

Nairobi County also has the dominant issue being resource and power related with youth unemployment being a possible catalyst to any conflict. The power play between politicians and land issues especially in the informal settlements also need to be factored in any interventions planned for this county. There is also a perception of dominance or threat of dominance by various groupings.



## 4.5.0 NAKURU COUNTY

### 4.5.1 Background analysis

Nakuru County is situated on the floor of the Rift Valley and shares borders with Baringo, Laikipia Nyandarua, Narok, Bomet, Kiambu and Kajiado Counties. In 2012, the county had six constituencies: Naivasha, Nakuru Town, Molo, Kuresoi, Subukia and Rongai. The county, among the largest in the Country, occupies 7,495 square kilometres, with a population of approximately 1,603,325 (KNBS, 2009). It is cosmopolitan with inhabitants from the Kalenjin community, Maasai, Kikuyu, Kisii, Luo and Luhya settled there. The urban population is found in important towns such as Nakuru, Naivasha, Molo, Gilgil, Njoro, Maai Mahiu, Subukia and Dundori, among many others.

Politically, Nakuru County is significant. Whenever tribal animosities arise in Kenya, the county is usually the epicentre and the PEV followed that trend with devastating results. Historically, elections have been viewed in Kenya as a competition between communities or different ethnic groups. This trend merits monitoring and a comprehensive early warning and mitigation system.

Nakuru County suffers serious historical, physical and psychological security problems. Some of these are rooted in contested land claims, which are partly based on the fear that other communities would take over all the land in the county. The other possible trigger for security concerns is the high number of unemployed youth who are useful to factional fighting as they can very easily be mobilised as foot soldiers (CRECO, 2012).

Economically, the county has various tourist attractions such as the Menengai and Longonot crater mountains, Lake Nakuru, Lake Nakuru National Park, Hell's Gate Reserve, Lakes Elementaita and Lake Naivasha. The county also has private ranches and hospitality centres. There is also extensive dairy farming, fishing, commercial wheat and maize farming and large horticultural businesses that employ migrants from the Luhya, Luo and Kisii communities, a factor which has led to the growth in population of these communities in county.

The County has a High Court based in Nakuru and has magistrates' courts in Nakuru, Naivasha and Molo among others. However, given the sheer size and diversity of the population in the county, there are delays in the judicial system process in the county. Some conflicts are likely to remain unresolved.

On socio-cultural aspects, the county has communities from the Kalenjin, Kikuyu and other communities represented by migrant workers. These communities also compete for dominance on a myriad of aspects, including politics, economy and especially land.

On environment issues, according to CRECO (2012), there have been longstanding disputes over land, which are set to continue. In this regard, land claims pit Kipsigis and Tugen against the Kikuyu on the one hand; and the Maasai against the Kikuyu on the other. The competing claims on land accentuate psychological insecurities harboured by the communities to create a ticking time bomb. Climatic changes have also affected the lakes leading to potential scarcity of pasture and water. There are also potential conflicts on tourist attractions between conservationists and local communities.

### 4.5.2 Analysis of Nakuru County findings

**Table 12: Perception on potential causes of conflict by constituencies (per cent)**

Potential causes of conflict	Kuresoi	Molo	Naivasha	Njoro	Rongai	Subukia	County Total
Land disputes	18.0	10.1	12.5	13.3	12.5	15.7	82.1
Sharing devolved resources	18.2	10.6	12.9	11.3	12.9	9.8	75.7
Sharing national positions	17.4	10.6	9.9	9.8	14.4	9.8	71.9
Dominance by group	17.4	9.8	12.1	6.8	12.9	12.1	71.1
Sharing county positions	14.1	10.4	10.3	11.1	13.4	10.3	69.6

Youth unemployment	14.8	7.0	12.5	10.2	7.0	12.5	64.0
Pasture & water	15.5	6.2	7.7	8.5	10.1	10.1	58.1
Border disputes	13.6	6.8	10.5	5.3	5.3	6.8	48.3
Migration of non-indigenous	14.0	7.0	8.5	1.6	3.9	2.4	37.4
County headquarters	7.0	5.4	4.7	7.0	4.7	1.6	30.4

**Figure 9: Perception on potential causes of conflict by constituencies (per cent)**

#### **4.5.2.1 Political issues and factors**

The study established that Nakuru County also had the political power sharing issues as potential conflict triggers. Interestingly, the respondents considered the national level and county level politics at similar level with 71.9 per cent and 69.6 per cent considering the two factors as potential causes of conflict. Kuresoi and Rongai constituencies showed stronger perceptions of these as causes of conflict than the other constituencies.

#### **4.5.2.2 Economic issues and factors**

Some 75.7 per cent of the respondents indicated that the sharing of devolved resources may be a potential area of conflict. It should be noted that the sharing of county positions may be seen as a bridge to the sharing of devolved resources and therefore the systems analysis of these factors need to be seen jointly. Some 64 per cent of the respondents also believed that the lack of employment opportunities for the youth is a major factor that exposes them to possibility of engaging in violent behaviour. Kuresoi, Naivasha and Subukia seemed to feel more strongly about youth unemployment leading to violence than the other constituencies.

#### **4.5.2.3 Socio-cultural issues and factors**

In spite of the cosmopolitan and multi-cultural nature of Nakuru County, 71.1 per cent of the respondents felt that dominance by one group could be a major cause of conflict. This is indicative of the deep-rooted suspicions amongst communities. The respondents also reported that there is a 58 per cent chance of marginalisation and 53 per cent chance of dominance by one group. This means that issues of communities being suspicious of each other need to be addressed, especially in Kuresoi, Rongai, Subukia and Naivasha.

#### **4.5.2.4 Environment and security issues and factors**

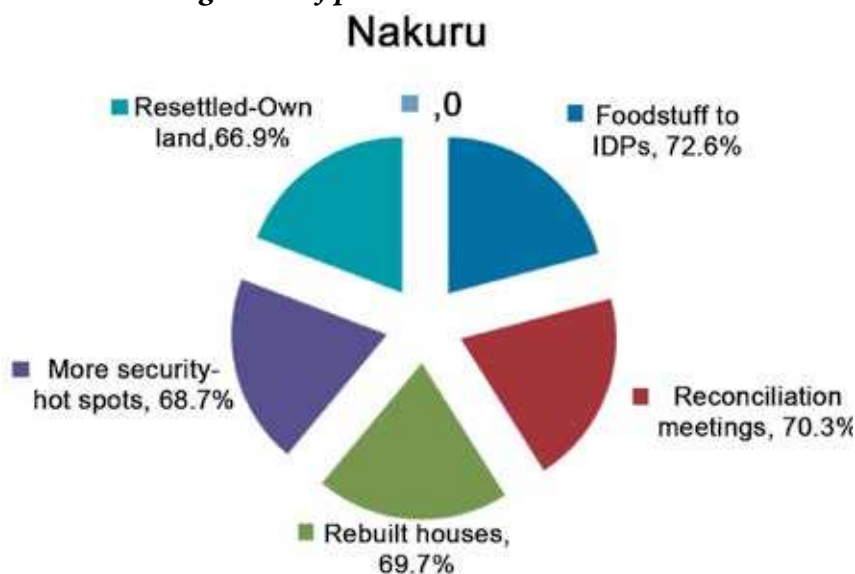
The study found that disputes over land are the single most potent issue that leads to conflict in Nakuru County. Some 82.1 per cent of the respondents felt that land disputes are most likely to cause conflicts, 58.1 per cent indicated pasture and water while 48.3 per cent indicated that border disputes are likely to cause security concerns and conflict. Kuresoi and Subukia seemed to have a higher propensity for land disputes while border disputes are higher in Naivasha and Kuresoi. The resolution of land and border disputes should be prioritised as they may be the trigger factors for violence in the county.

#### **4.5.2.5 Legal issues and factors**

Forty per cent believe that the youth representative should be elected and 43.8 per cent were convinced CDF would not be abolished. Compared to other counties, it was evident that there has been substantial investment in educating the county's residents on the 2010 Constitution. Generally, 14.4 per cent respondents believe that the county government will bring division.

### 4.5.3 Stakeholder efforts

#### 4.5.3.1 Addressing issues of post-election violence victims



**Figure 10: How post-election violence victims issues were addressed**

From the figure above, respondents were emphatic on basic needs and food (72.6 per cent), reconciliation (70.3 per cent), rebuilding houses (69.7 per cent), more security in hotspots (68.7 per cent) and resettlement on own land (66.9 per cent) in the county. The specific stakeholders involved in the interventions are:

- The Kenya Red Cross with support from the Government were the main providers of basic needs and food. Other main facilitators of food distribution were USAID, CJPC and NCCK.
- The Church, led by the Catholic Church in the county, spearheaded reconciliation meetings. The Government, the NCCK, the British Council, Peacenet Kenya, civil society organisations under the Peace Caravan and USAID were also key stakeholders. The District Peace Committees are currently active in the various parts of the county.
- The provincial administration led in the rebuilding of houses. Other key stakeholders that participated include UN Habitat and USAID.
- The Government and its agencies, through the provincial administration, secured hotspots.
- The government with support from various non-governmental organisations undertook the resettlement of victims in their own land.

It should be noted that counselling sessions were not among the top five priorities in the county.

Few (less than five per cent) of the respondents had been involved in the County Peace Forums, although some of them are involved in peace initiatives in their locations. However, they have engaged in various peace initiatives in their areas. Special focus has been on using creative arts to pass messages of peace and reconciliation.

#### 4.5.4 Conclusions

Kuresoi is a hotspot in Nakuru County, with land disputes being the most likely trigger of another spate of ethnic tensions towards the general elections. The other issues in Kuresoi include sharing of devolved resources, conflicts over pasture and water, border disputes and general suspicions between ethnic communities. Civil society organisations working in the county need to collaborate with the Government to put in place mitigating initiatives, such as alternative dispute resolution mechanisms that involve the communities, in addition to the ongoing initiatives.

Rongai is the other hotspot, with the land issues also being the major factor. Other possible triggers of conflict are sharing of resources and county positions (power).

## 4.6 TRANS NZOIA COUNTY

### 4.6.1 Background analysis

Trans Nzoia County is situated in the Rift Valley and borders Uganda to the west, Elgeyo Marakwet and Uasin Gishu Counties to the east, West Pokot County to the north and Bungoma County to the south. It occupies 2,496 square kilometres with a population of approximately 818,757 (KNBS, 2009) people who predominantly belong to the Luhya and Kalenjin communities. Other communities in the county include Kikuyu, Kisii, Luo and Teso. The county can be described as cosmopolitan 'rural'. Kitale is the 20th biggest town in Kenya, with a population of over 105,000 people. Currently it has three constituencies: Saboti, Kwanza and Cherangany.

Politically, the Luhya and Kalenjin have dominated the politics in the county, with Masinde Muliro and Michael Wamalwa being the leading political figures. Their families continue to influence the politics of the county.

On security issues, residents of the neighbouring counties of West Pokot and Elgeyo/Marakwet use small arms to engage in cattle rustling and self-defence. These arms could easily find their way into Trans Nzoia and cause insecurity or be used for politically instigated violence.

Economically, large-scale and dairy farming are the predominant activities in the county. There is also extensive commercial farming in potatoes, carrots, vegetables and fruits. The county is served by the Kitale airstrip, which accommodates small to medium aircraft, in addition to the Eldoret International Airport, only an hour away from Kitale. The county has a national game reserve and historic caves on the foot of the Mt Elgon, which attract tourists. There are also individual conservancies in the area.

The county has a High Court based in Kitale, which also serves West Pokot and Turkana counties. There are also magistrates' courts in Kitale.

On socio-cultural aspects, the Luhya and Kalenjin are the majority. Other communities are the Kikuyu, Kisii, Luo and Teso. There are intra-ethnic rivalries between the Bukusu and the Tachoni; the Sabaot and the Pokots; and the Pokots and the Marakwets.

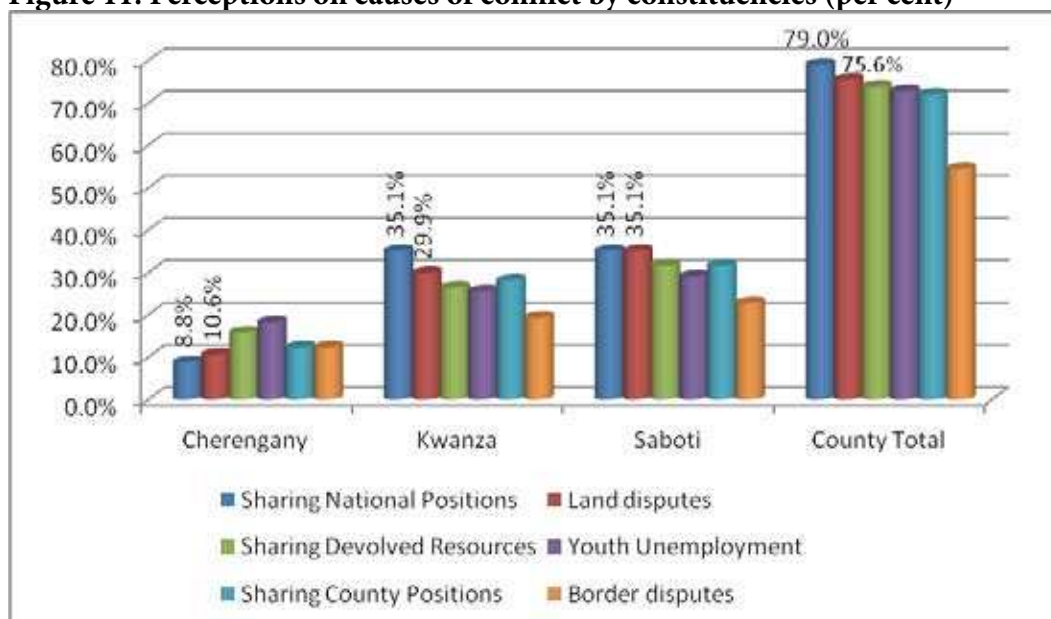
The County has longstanding unresolved grievances over land ownership. There are numerous cases of squatters and locals 'taking over' farms they argue were illegally (through political connections) acquired. However, the climate is good all year round and conducive for agriculture, especially maize farming.

#### 4.6.2 Analysis of Trans Nzoia County findings

**Table 13: Perceptions on potential causes of conflict by constituency (per cent)**

Potential causes of conflict	Cherengany	Kwanza	Saboti	County Total
Sharing national positions	8.8	35.1	35.1	79.0
Land disputes	10.6	29.9	35.1	75.6
Sharing devolved resources	15.8	26.4	31.6	73.8
Youth unemployment	18.2	25.5	29.1	72.8
Sharing county positions	12.3	28.1	31.6	72.0
Border disputes	12.3	19.3	22.8	54.4
Dominance by group	14.1	15.8	19.3	49.2
County headquarters	10.5	17.6	19.3	47.4
Migration of non-indigenous	10.6	15.8	19.3	45.7
Pasture & water	5.3	19.3	17.5	42.1

**Figure 11: Perceptions on causes of conflict by constituencies (per cent)**



##### 4.6.2.1 Political issues and factors

In Trans Nzoia County, national politics seem to be of greater concern than the local politics, with 79.0 per cent of the respondents indicating that the national politics of positions may cause conflicts at the county level. Only 72 per cent indicate that the county level politics of sharing positions will cause conflict in the county. Respondents from Saboti and Kwanza constituencies seemed to be more inclined to the impact of county level sharing of positions than the counterparts from Cherengany. This implies that the former two constituencies would be more volatile than Cherengany over county positions.

#### 4.6.2.2 Economic issues and factors

Nearly 74 per cent of the respondents indicated sharing of economic resources at the county level was a potential area for conflict. Respondents from Saboti (31.6 per cent) and Kwanza (26.4 per cent) felt that this was likely to trigger conflict. Respondents in the same constituencies (29.1 per cent in Saboti and 25.5 per cent in Kwanza) also felt that youth unemployment could cause violence in the county. Some 72.8 per cent of all the respondents felt that youth unemployment is a factor in violence within the county.

#### 4.6.2.3 Socio-cultural issues and factors

There seems to be a general consensus among the socio-cultural issues within the constituencies with 19.3 per cent of the respondents in Saboti, 15.8 per cent in Kwanza and 14.1 per cent in Cherengany stating that this is an issue. The perceived dominance is based on suspicion between the two dominant ethnic communities of Luhya and Kalenjin. However, there is also the increasing perception of other ethnic communities who have traditionally not been in Trans Nzoia coming to take over land. This is a perception held by 19.3 per cent of respondents from Saboti, 15.8 per cent from Kwanza and 10.6 per cent from Cherengany.

#### 4.6.2.4 Environment and security issues and factors

Land issues are the single most volatile factor in Trans Nzoia County, with 75.6 per cent of the respondents indicating that this is the most potential cause of conflict in the area. Saboti constituency (35.1 per cent) believe that land disputes are likely to cause conflict, with Kwanza and Cherengany constituencies being 29.9 per cent and 10.6 per cent, respectively.

Border disputes, though less pronounced at 54.4 per cent within the county, are another possible cause of insecurity and conflict. Saboti constituency still seems to be most volatile with 22.8 per cent compared to 19.3 per cent in Kwanza and 12.3 per cent in Cherengany.

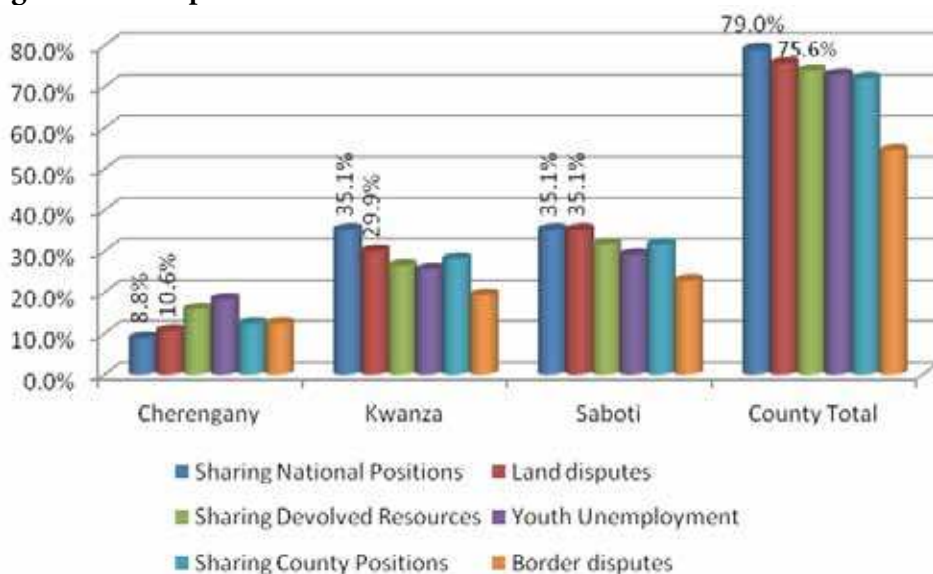
#### 4.6.2.5 Legal issues and factors

It was established that 60 per cent of the respondents believed that the youth representative is an elective position and that 34.5 per cent believed that there would still be CDF even after the General Election. The understanding of these two issues is important since they are likely to fuel emotions, especially among the youth and the communities that perceive they are dominated. Generally, 34.5 per cent respondents believe that the county government would bring division.

### 4.6.3 Stakeholders efforts

#### 4.6.3.1 Addressing issues of post-election victims

Figure 12: How post-election violence victims issues were handled



From the figure above, the respondents indicated that emphasis was on securing the hotspots (77.2 per cent), counselling sessions (68.4 per cent), provision of basic needs and food (64.9 per cent), resettlement on own land (64.9 per cent), reconciliation meetings (56.1 per cent) and rebuilding of houses (56.1 per cent) in the county. The specific stakeholders involved in the interventions are:

- a) The Government through the provincial administration in Trans Nzoia solely secured the hotspots.
- b) The Government with support from civil society organisations, such as Chanuka, FIDA and International Organisation for Migration (IOM), spearheaded counselling sessions. The Church also played a critical role.
- c) Food was distributed mainly by the Government with support from the Red Cross, the Catholic Church and International Organization for Migration (IOM-Japan) among other Non-governmental organizations.
- d) The Government through provincial administration and with support from IOM resettled victims back to their own lands.
- e) Reconciliation meetings were facilitated by the Government through the provincial administration and supported by other stakeholders, such as the Church and civil society organisations led by Kitale Aids Programme in collaboration with community leaders.
- f) Rebuilding of houses was mainly undertaken by the Government with support from IOM.

Less than 10 per cent of the respondents had been involved in the County Peace Forums. However, the respondents have organised, attended and addressed various forums on issues of peace. Through the groups and organisations, the respondents indicated that various groupings have emerged that were doing various peace building activities.

#### **4.6.4 Conclusions**

Saboti constituency is a likely hotspot in Trans Nzoia, especially disputes related to land for the squatters. The sharing of power (county positions) and resources (devolved resources) may trigger conflict. Similar conflict triggers afflict Kwanza constituency. The high levels of youth unemployment put the two constituencies at a precarious position. Interventions have to factor in the engagement of youth in gainful activities while addressing the issues of land in the county. Despite the county being highly cosmopolitan, it would be important to also monitor issues relating to ethnic tensions due to perceived dominance by the different ethnic communities in the county.

## 4.7 UASIN GISHU COUNTY

### 4.7.1 Background analysis

Uasin Gishu County is in the Rift Valley and borders Nandi, Trans Nzoia, Elgeyo Marakwet, Bungoma and Kericho counties. It occupies 3,345 square kilometres with a population of approximately 894,179 people (KNBS, 2009). Eldoret is its capital city as well as the main commercial centre. The county's population comprises mainly of members of the Kalenjin (Nandi, Kipsigis, Keiyos and Marakwets) community. Other communities in the area include the Luhya, Kikuyu, Kisii and Luo who reside mainly in the outskirts of Eldoret town. Uasin Gishu has both a rural and urban population, with a number of important towns namely Eldoret, Moi's Bridge, Matunda, Burnt Forest, Jua Kali and Turbo. Currently the county has three constituencies: Eldoret North, Eldoret South and Eldoret East.

The county politics are shaped mainly by the predominant Kalenjin community. The voting pattern in the county's three constituencies has been the same in the 1997, 2002 and 2007 general elections. The leading political figure in the county is William Ruto who is both a communal and national leader mobilising the Kalenjin vote. The county has a historical land problem caused by the fact that the Kalenjin feel the area "belongs" to them and have been given a raw deal in land allocation. This grievance provides the fault line for all the political conflicts, including the post-election violence in which the Kikuyu were attacked, maimed, displaced or killed for voting against the wishes of their "hosts".

On security issues, Uasin Gishu is a relatively stable region, with the exception of the post-election period when the situation was sensitive. The most affected areas were those occupied by the non-Kalenjin communities, especially the Kikuyu, such as Turbo, Kiambaa and areas on the outskirts of Eldoret town. Politicising the ICC case against William Ruto may lead to whipping up of intercommunal tensions on the ground.

Economically, Uasin Gishu is basically agricultural. The most important farming activities are large-scale commercial cultivation of maize and wheat. Maize, beans, potatoes and peas are also cultivated both for subsistence and commercial purposes. Livestock farming is also practised. Farmers engage in large-scale dairy farming using modern methods such as zero-grazing and cross breeding of herds, producing large quantities of milk for delivery to dairy products processors such as the Kenya Cooperative Creameries (KCC) and Brookside Dairy Company. The county has also prospered economically from professional athletes who often reinvest in the area. Eldoret International Airport links the region both to local and international destinations. Uasin Gishu together with Trans Nzoia and Nakuru counties are considered the bread basket of Kenya

The County has the High Court and the magistrates' courts based in Eldoret. The main concern for this county is, in fact, not whether the Judiciary is sufficiently equipped to deal with the inter-ethnic flare ups that occur during and after election periods; but whether the local community will regard the institution as an impartial arbiter in cases that may arise (CRECO, 2012).

On socio-cultural aspects, the county's population is predominantly Kalenjin, and this has heavily influenced the other communities. The inter-community relations are peaceful as long as there is nothing at stake. The Kalenjins, Luhyas, Kikuyus and others live happily carrying on with their private lives and businesses.

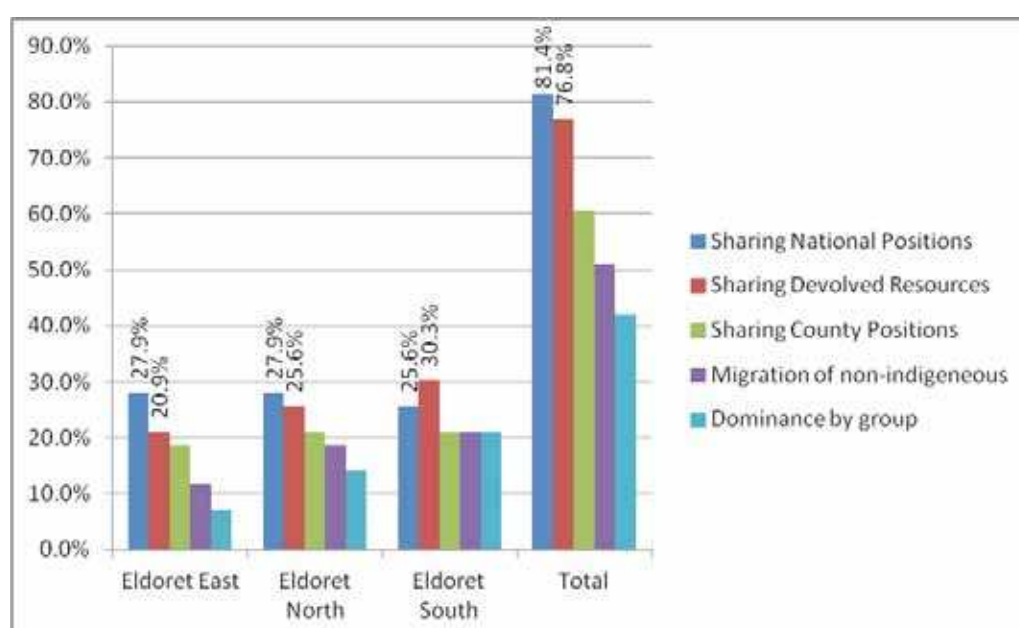
On environment issues, at the back of the minds of members of the Kalenjin community is the notion that some "foreigners" (Kikuyu) took their land without compensation. During election time, the land grievances are camouflaged as a political cause to be pursued until the "foreigners" are purged from "their" (Kalenjin) land. The county has arable land, good forest cover, sufficient rainfall, access to clean water and good sanitation facilities for the inhabitants.



#### 4.7.2 Analysis of Uasin Gishu findings

**Table 14: Potential causes of conflict by constituencies (per cent)**

Potential causes of conflict	Eldoret East	Eldoret North	Eldoret South	County Total
Sharing national positions	27.9	27.9	25.6	81.4
Sharing devolved resources	20.9	25.6	30.3	76.8
Youth unemployment	14.6	26.8	19.5	60.9
Sharing county positions	18.7	21.0	21.0	60.7
Migration of non-indigenous	11.6	18.6	20.9	51.1
Dominance by group	7.0	14.0	20.9	41.9
Land disputes	4.7	11.7	23.3	39.7
Border disputes	4.8	19.0	14.3	38.1
County headquarters	9.3	7.0	9.3	25.6



**Figure 13: Potential causes of conflict by constituencies (per cent)**

##### 4.7.2.1 Political issues and factors

Sharing of political positions both at the national and county levels was indicated as a potential contentious issue with 81.4 per cent and 60.7 per cent of the respondents, respectively. There are almost similar sentiments among the three constituencies on the issue of sharing of county positions at Eldoret South (21 per cent), Eldoret North (21 per cent) and Eldoret East (18.7 per cent).

##### 4.7.2.2 Economic issues and factors

Sharing devolved resources is a key factor in the county, with 76.8 per cent of the respondents indicating that the issue will indeed be a major conflict matter, especially if there is perceived or real inequity. Eldoret South (30.3 per cent), Eldoret North (25.6 per cent) and Eldoret East (20.9 per cent) indicated that this issue is likely to cause conflict.

Another economic related potential trigger for violence is the lack of employment opportunities for the youth. The respondents (60.9 per cent) indicated that youth unemployment could trigger violence. Respondents from Eldoret North (26.8 per cent), Eldoret South (19.5 per cent) and Eldoret East (14.6 per cent) indicated that youth unemployment predisposes the youth to violence.

#### 4.7.2.3 Socio-cultural issues and factors

The study identified migration into the county by non-indigenous groups as one of the issues that has potential to fan conflict, with 51.1 per cent of the respondents mentioning it. Eldoret South perceives this issue as a likely trigger at 20.9 per cent with Eldoret North at 18.6 per cent. Related to this is the perceived fear of dominance by one ethnic group, which was highlighted by a total of 41.9 per cent of the respondents.

#### 4.7.2.4 Environment and security issues and factors

Nearly 40 per cent of the respondents raised land and border disputes as key potential factors of conflict. Land disputes were cited by 39.7 per cent of the respondents while border disputes were listed by 38.1 per cent. Eldoret South had the highest respondents citing land disputes (23.3 per cent) in the county, while Eldoret North had highest respondents for border disputes (19.0 per cent).

#### 4.7.2.5 Legal issues and factors

The study established that 80.5 per cent of the respondents believed that the youth representative is an elective position and that 34.1 per cent believe that there would still be CDF even after the General Election. The understanding of these two issues is important since they are likely to fuel emotions, especially among the youth and minority communities. Generally, 51.2 per cent respondents believe that the county government will bring division.

### 4.7.3 Stakeholder efforts v

#### 4.7.3.1 Addressing issues of post-election violence victims



**Figure 14: How issues of post-election violence victims were handled**

From the figure above, the respondents indicated that emphasis was laid securing the hotspots (79.1 per cent) and resettling the victims on their own lands (79.1 per cent). Other interventions targeted counselling sessions (74.4 per cent), rebuilding houses (72.1 per cent), resettling victims on alternative land (67.4 per cent), giving food and basic needs (60.5 per cent) and reconciliation meetings (60.5 per cent) in Uasin Gishu County. The specific stakeholders involved in the interventions are:

- In Uasin Gishu County, security and resettlement of victims was given priority. The Government machinery - a combined effort of regular and administration police through the DC's office - offered security for PEV victims in all hotspot areas.
- Resettlement of victims on their own land was a collaborative effort led by the Government through the provincial administration and local non-governmental organisations.
- The Government facilitated counselling in collaboration with other organisations such as the Catholic Church, Mercy Corps, Rural Women Links, IOM, peace teams and Friends Church.
- The Government led in the rebuilding of houses in partnership with the Kenya Red Cross, IOM, Catholic Relief Services (CRS), among other non-governmental organisations.
- The distribution of food and basic needs to victims was done by the Government in collaboration with the Kenya Red Cross, CJPC, CRS and other organisations in the County.

- f) Reconciliation meetings were facilitated by the Government in collaboration with Mercy Corps, IOM, Catholic Church and other non-governmental organisations.

Almost 40 per cent of the respondents indicated that they had participated in the County Peace Forum in the mobilisation, participation or other related activities. The other respondents indicated that they had continuously engaged in peace initiatives in the county.

#### 4.7.4 Conclusions

Eldoret South constituency is a likely hotspot with issues of resource sharing and power politics overshadowing all others. There are also likely to be issues of ethnic tensions because of resistance to open up to perceived non-indigenous communities after the PEV. The land issue is also a likely conflict trigger in Eldoret South. Eldoret North constituency is also another likely hotspot with similar issues of power and resources playing out. National politics are a likely conflict trigger in the constituency, bearing in mind that the sitting Member of Parliament aspires to run for presidency. Conflict in the two constituencies may also be fuelled by the perception on youth unemployment.

Interventions in Uasin Gishu have to factor the issues of equitable sharing of resources if conflict is to be averted while land issues in Eldoret South have to be factored in the interventions for this county.

### 5.0 PEACE BUILDING PROCESSES

This section highlights some of the key roles that have been played and continue to be played by the various stakeholders.

#### 5.1 Role of administration and law enforcement agents

In addressing the conflict, the Government played the most important role in all the areas of assistance. The various provincial administration officers were key in all the aspects of the conflict management, except the counselling sessions where civil society organisations and the Church took a more pronounced role.

**Table 15: Role of the Provincial Administration in peace building (per cent)**

Provincial Administration	Kisumu	Kericho	Nakuru	Trans Nzoia	Uasin Gishu	Kisii	Nairobi
Deployed more officers	87.2	84.3	82.8	87.7	82.9	95.8	65.1
Inter-clan peace forums	87.5	69.7	53.9	80.7	78.0	95.8	61.7
Resolved issues	71.6	77.3	51.9	78.6	61.0	90.3	59.0
Gathered evidence	77.0	64.0	47.0	68.4	36.6	72.2	50.0
Rehabilitated Inciters	37.9	32.6	20.9	64.9	26.8	16.7	32.2
Average	72.2	65.6	51.3	76.1	57.1	74.2	53.6

From the table above, it can be noted that maintenance of security was the paramount role of government agents in all the counties. Chiefs and their assistants played an important role in organising peace forums (reconciliation meetings) within the communities. However, the provincial administration did not fare well in rehabilitating the inciters, an area that needs to be addressed.

In all the surveyed counties, on average the provincial administration and law enforcement agents were cited to have responded well in Trans Nzoia county (76.1 per cent), Kisii (74.2 per cent) and Kisumu (72.2 per cent) while the respondents in Nakuru County felt that the provincial administration did not respond effectively at 51.3 per cent.

## 5.2 Role of the Church

The Church is also another system that the study sought to find out how responsive it was to the needs of the victims. Whereas it must be mentioned that the Church works under the limits of resources, it would be important to understand its strengths and its comparative advantage in addressing conflicts. The table below highlights some of these aspects that churches responded to.

**Table 16: Role of the Church in peace building**

Interventions	Kisumu	Kericho	Nakuru	Trans Nzoia	Uasin Gishu	Kisii	Nairobi
Inter-clan peace forums	73.1	82.1	83.3	80.4	67.6	75.0	61.9
Resolved issues	62.2	85.9	68.9	76.5	56.8	70.3	71.0
Gathered evidence	44.0	46.8	66.9	68.6	64.9	56.3	31.0
Rehabilitated inciters	35.4	36.0	40.2	62.7	48.6	3.1	46.4

From table above, interventions by the Church were felt most in Trans Nzoia (72.1 per cent), followed by Nakuru (64.8 per cent) and Kericho (62.7 per cent). Respondents felt that the Church contributed the most in helping address the inciters, with 62.7 per cent of the respondents indicating that it played a pivotal role in Trans Nzoia County. In Nakuru County 83.3 per cent felt that the Church played an important role in inter-clan peace forums whereas 85.9 per cent from Kericho County indicated it played a pivotal role in resolving issues.

The Church's interventions seemed more effective in Nakuru County than the provincial administration led interventions. This may indicate that the inhabitants of Nakuru County trust church interventions more than those led by the Government. The converse is true for Kisii and Kisumu Counties where it seems the inhabitants trust the Government more than the church led interventions.

The Church can, therefore, promote peace by:

*a. Inter-clan forums:*

Respondents indicated that the church, where it is impartial, is the best institution to lead inter-clan forums for reconciliation. A woman from Muhoroni stated: "By preaching peace in church forums and within the community at large to mediate between the warring communities." This is reiterated by the assistant chief of Chemelil sub-location in Muhoroni, Kisumu County, who states: "They (priests and pastors) should not stick to their own churches. Nandi preachers should cross to Luo churches same to Luo preachers."

*b. Preaching and praying for peace:*

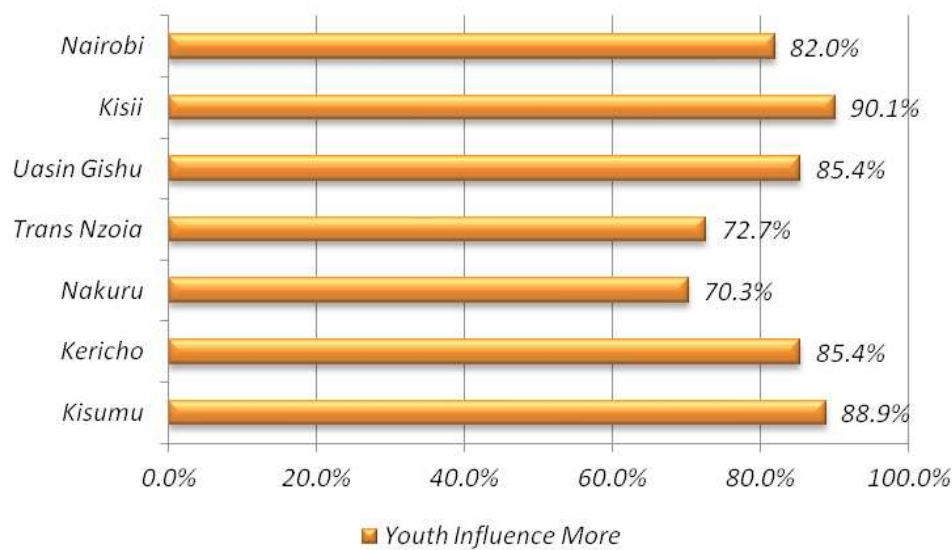
The youth indicated that the Church has a major role to preach peace and lead their congregation in praying for peace. For instance, a male respondent from Kisumu County stated: "Because this (church leadership) is a noble duty, they are respected in the society; they should teach their church members the values of peace as stipulated in the Bible." The same was reiterated by a female youth from Nakuru County who stated: "Preach peace in town and inter-denominational peace forums."

The District Commissioner's office also recognised the role of the Church in arbitration as indicated by Muhoroni DO1 that: "They (church leaders) are trained arbitrators/peace makers and meet large masses of people once every week and can preach peace to the faithful." A District Officer from Trans Nzoia East said: "Through preaching and teaching, the (priests and pastors) reach a big population in the district... that they can pass on messages of peace and reconciliation."

## 5.3 Role of the youth

The study emphasised on youth as a group that has a stake in the new dispensation since they can shape and celebrate opportunities brought by devolution. The study, therefore, targeted the youth as

the key respondents in most of the questionnaires and the focus group discussions. The following is the discussion on some of the issues that the study raised on youth, with the other issues having been synthesised within the main report.



**Figure 15: Perception of Influence of youth in politics by county**

From the figure above, it can be seen that the respondents believe that the youth have more influence than politicians with regard to ensuring there is peace in counties. Kisii and Kisumu County have the highest level of 90.1 per cent and 88.9 per cent, respectively. Nakuru and Trans Nzoia showed the lowest level of respondents who believe the youth have more influence than politicians at 70.3 per cent and 72.7 per cent, respectively.

The youth can promote peace in the following ways:

a) *Actively engaging in income generating activities*

The respondents in focus group discussions and the questionnaires indicated that one of the issues that make youth vulnerable is the lack of a source of income. A male respondent between 31-40 years from Kipkelion comments that the youth can promote peace by “by engaging in projects that are income generating.”

b) *Actively promoting peace*

The youth may promote peace through traditional forums such as workshops and seminars that will train or sensitise fellow youth on issues of peace building. For example, an assistant chief in Kapsoit sub-location, Ainamoi, Kericho County, proposes that “engage them in peace forums and educate on importance of peace, keep them busy.”

Alternatively, the youth may promote peace through interactive activities such as sports. For instance in Kericho County, a female student from Kipkelion stated: “Youth can promote peace in the district by teaching them on negative impacts of violence and also by providing social institutions like sports and games so as to improve national integration.” This is reiterated by the chief of Londiani who states: “If there is a tournament or fun day and have a fund that can bring together youth in the location.” The Londiani district office supported this view: “...the youth should interact during meetings and share peace views, having football tournaments and other peace rallies.”

This idea of using sports, talents and creative arts to build peace is also supported in Kisumu County.

c) *Civic education on the new governance structures and systems*

The youth need to be sensitised on the new governance structures and systems and in turn used to sensitise others. This process should be community led as much as possible so that the youth themselves will spread the messages on the 2010 Constitution.

*The role of youth is summed up by this comment from a female youth from Kipkelion, Kericho County:*

*“They will help promote peace in the district by not allowing themselves to be duped/swayed by the*

*politicians against others by ensuring that during elections they choose someone who is eligible to lead them according to their leadership characteristics and not because of popularity or the amount of money one has, thus ensuring that during elections they choose...the best candidate.”*

#### **5.4 County peace forums and processes**

Through the county peace forums, various respondents indicated that they have contributed to peace building through various ways such as:

##### **a. Peace campaigns**

This is exemplified by the following activities from the following respondents:

- A male member of a 15-member group in Kipkelion, Kericho County: “ (We have tried) to preach the word of peace, holding rallies in different churches concerning peace and participating in meetings with different communities and preaching peace and unity.”
- A male member of a 50-member group in Ainamoi, Kericho County: “Attended peace forums organised by Mercy Corps and coordinated by provincial administration, worked with Kenya Transition Initiative (KTI) in distributing booklets about peace talks and collaborated with USAID organization in distributing peace talk movies and booklets.”

##### **b. Conflict resolution**

This is exemplified by the following activities undertaken by the respondents:

- A female member of a 15-member group in Ainamoi, Kericho County: “There were seminars held amongst groups i.e. youth groups, women’s groups and conflict victims (victims involved in conflicts) who were reconciled at baraza stations, land disputes were settled.”
- A male youth from Belgut, Kericho County ‘attended peace forums to reconcile communities, attended prayer forum for peace in our community, resettled some displaced communities in our home.’

##### **c. Civic education**

This is exemplified by the following activities:

- A female member from an eight-member group in Belgut, Kericho County ‘encouraged the youth to be peaceful especially in the forthcoming elections, civic education training and teaching forums about the Constitution and the devolved system.’
- The District Commissioner, Kericho East indicated that: “ Supported stakeholders in terms of planning peace programmes, guidance to the public in understanding the new constitution.”

## 6.0 CONCLUSIONS

This baseline survey builds on the report commissioned by Constitution and Reform Education Consortium: Building a Culture of Peace in Kenya released in April 2012. The report laid the groundwork on the county-based conflict mapping and profiling baseline reports for the 47 counties in Kenya. This study undertook an in-depth analysis of the issues in seven counties that are a focus of the CJPC. Whereas it would seem straightforward to identify and indicate the causes of conflict for each county and propose the requisite interventions, the situation is complex and requires a systems approach to conflict resolution. This means that there are many and varied relationships of cause and consequences in conflicts around the upcoming elections, with various issues coming up. These have been summarised below. However, caution must be taken to ensure that any programme implementation does not follow a linear approach but rather a systems approach with proper monitoring mechanisms to ensure that all factors (major or insignificant) are put in place.

**Power-resource control:** A key issue of concern is the equating of control of power with the control of resources. The relationship between the acquisition of power (both national and county level) and the control of resources will play an important role in ensuring that peaceful transition is achieved. In all the counties there were clear indications that control of power – both at National and County levels – topped the list of likely causes of conflict, closely followed by control of resources. Any programmes on conflict resolution and management will need to monitor the power dynamics (political power) and the subsequent resource allocations to ensure equity, especially of resource allocation, regardless of who is in power.

**Politics – land issues:** The study determined that there is a critical relationship between the sensitivity to land issues and the politics of elections. Whereas the policies and structures have been put in place, it seems that one of the easiest ways to gain votes by politicians is to politicise land issues at the peril of the constituents because of the emotions attached to land. Any programme addressing conflicts will need to research and ensure it gives facts and systems of dispute resolution on land and border issues to the communities. Issues of land MUST be monitored because they are the real causes of conflicts.

**Civic education – resistance to change:** It should be noted that because of the general resistance to change, civic education should be well designed or else the quantity and frequency may not result in any meaningful change. Any programme that seeks to address conflict should consider including civic education as a component because the changes brought by the Constitution have not been well understood and misconception may breed conflict.

Main strategies:

There is need to have clear strategies that can break down to the local level the implementation of peace initiatives. The following key strategies are suggested to address the systemic issues of conflict in the selected counties:

- **Youth involvement:** The proposed interventions should endeavour to involve youth as much as possible. The youth should be trained, resourced and skilled to be change agents. Theories suggest that youth are more adaptable to change than adults and, therefore, their energy and adaptability need to be harnessed in peace building, peace making and maintenance of peace.
- **Economic empowerment:** There is need to map out opportunities available within the county government that can lead to the economic empowerment of youth. The youth should be given opportunity to actively participate in the preparation and implementation county government's economic blueprints.
- **Mainstream civic education:** The understanding and knowledge on the county governance system is low across all cadres of persons. Civic education needs to be prioritised in all other programmes undertaken by the different stakeholders if the issues of this system are to be understood.
- **Support local initiatives:** There are many local initiatives that need support from the key stakeholders, it would be important that working with the communities be emphasised and reinforced so that the community monitors of peace are enhanced and empowered as peace brokers in the community.

COUNTIES RISK ASSESSMENT & INTERVENTIONS SUMMARY										
County	Problem area or activity	Risks identified	Description	Probability of occurrence	Impact- Consequence	Risk rating	Risk analysis	Key stakeholder	Proposed measures	Mitigation strategy
Kericho	Political	Sharing of county and national positions; 70 per cent believe sharing county positions will create conflicts and 65 per cent believe sharing of national positions will create conflict. (Kipkelion highest risk at 35 per cent).	The sharing of political positions may impact negatively at county.	67.5 per cent	Likely-Major	3.4	There is a likelihood of tensions arising from the events leading to sharing county positions. The events of national politics also may raise tensions in this county. Kipkelion constituency is still a hotspot and should be monitored.	Politicians	Have politicians preaching peace (watch against hate speech). Put in place measures that will curtail politicians from using bribery to influence voters.	Prevention: Prevent against any rising tensions by deflating the tensions early enough
	Economic	Sharing of devolved resources cited by 65 per cent as a potential cause of conflict while youth unemployment cited by 75 per cent (Kipkelion highest at 33.8 per cent).	The equitable sharing of devolved resources is a major concern	70.0 per cent	Likely-Major	3.5	Linked to the issues of sharing county positions is sharing of devolved resources. There is high perception that youth unemployment may be a factor to be negatively exploited by politicians.	Youth	Support the youth in identifying and engaging in gainful employment.	Prevention: Engage youth in economic activities so as to mitigate against idleness that exposes the youth.



	Social	Dominance by one group cited by 57 per cent while marginalisation cited by 16 per cent. (Kipkelion highest at 18.8 per cent).	The migration of non-indigenous communities is perceived as a threat.	36.5 per cent	Unlikely-Moderate	1.8	There is some perception of fear of dominance by one group. However, there is little fear of marginalisation. It is, therefore, unlikely that this issue will cause major tensions.	Youth	Stakeholders to organise sports activities to target youth from different communities.	Control: Use activities that bring together communities so as to check any tensions that may arise from ethnicity.
	Legal	There is inadequate knowledge on devolution; 94.0 per cent believe youth reps will be elected; 14.8 per cent believe that the county governments will lead to divisions.	The inadequate information about the county governments may pose as a risk.	54.40 per cent	Possible-Insignificant	2.7	There is an indication of high levels of misconceptions about the devolved governments. However, generally residents are confident about the role of county government in uniting the county.	Youth; civil society organisations	Stakeholders to organize civic education using youth and targeting mainly youth and other community members.	Prevention: Embark on integrated civic education programmes that will be mainstreamed in organisational activities to address any misconceptions on devolution.
	Environmental & security	Land and border disputes: 54 per cent believe land disputes may potentially cause conflicts while 49 per cent believe border disputes would cause conflicts	There are land and border disputes but they are infrequent and of relative low risk.	51.5 per cent	Possible-Moderate	2.6	There is a possibility of land and border disputes spurring conflicts that may have a moderate effect on the status of peace	Provincial administration; Religious bodies	Stakeholders should monitor land and border disputes as they may catalyze tensions among communities.	Control: Engage in regular interactions with communities to identify and control any tensions before they become major.

Kisii	Political	Sharing of county positions perceived by 82 per cent as the cause of conflict while national politics perceived by 76 per cent. (South Mugirango has highest risk at 28.4 per cent).	The sharing of political positions may impact negatively in the county.	79.0 per cent	Almost Certain-Major	14.0 4.0	It is almost certain that the county and national politics will influence the tensions within the county. If this is not controlled, then there may be major repercussions. South Mugirango constituency is the likely hotspot in the county.	Politicians	Have politicians preaching peace (watch against hate speech); Hold joint political rallies.	Prevention: Hold activities that target peaceful coexistence and respect of all clans/communities.
	Economic	Sharing of devolved resources perceived by 86 per cent as a cause of conflict while lack of youth employment perceived by 89 per cent. (South Mugirango highest at 29.8 per cent); Youth unemployment a likely trigger to violence.	Equitable sharing of devolved resources a major concern throughout the county.	87.5 per cent	Almost Certain-Major	4.4	Related to sharing of political positions is the issue of resources. There is high perception that youth unemployment may be a factor to be exploited by politicians to cause violence.	Youth	Identify economic opportunities for the youth.	Prevention: Engage youth in economic activities so as to mitigate against idleness that exposes the youth.

Social		Dominance by group perceived by 43 per cent as a cause of conflict while marginalisation perceived by 8 per cent. (South Mugirango at 16.3 per cent has the highest perception of this factor as a risk).	The risk levels on the perception of dominance by one group not alarming but needs to be observed.	25.5 per cent	Unlikely-Minor	1.3	These factors are unlikely to lead to violence in this county.	Youth; civil society organisations	Stakeholders to organise civic education using youth and targeting mainly youth and other community members.	Prevention: Embark on integrated civic education programmes that will be mainstreamed in organisational activities to address any misconceptions on devolution.		
Legal		There is inadequate knowledge on devolution; 90.0 per cent believe youth rep will be elected; 25 per cent believe that the county governments will lead to division.	The inadequate information about the devolution process and structure may pause a risk.	58 per cent	Possible-Moderate	2.9	There is an indication of high levels of misconceptions about the devolved government. There is also relative lack of confidence about the role of county government in uniting the county.					

	Environmental & security	Land and Border disputes: The perceived influence of land disputes is 60 per cent as a cause of conflict while 11 per cent perceived border disputes as a cause for conflict.	The issues of land should be the main focus as it is perceived as a trigger to violence.	36 per cent	Unlikely-Moderate	1.8	It is likely that land issues will play a part in the politics of the county but border disputes will not be a major factor. If unchecked, land issues may cause moderate conflict.	Provincial administration; Religious bodies	Stakeholders should monitor land disputes as they may catalyse tensions in the communities.	Control: Engage in regular interactions with communities to identify and control tensions.
Kisumu	Political	Sharing of county and national positions; 78 per cent believe sharing county positions will create conflicts and 75 per cent believe sharing of national positions will create conflict. {Nyakach highest risk at 22 per cent}	Sharing of county positions is a potential area of conflict	77 per cent	Almost Certain-Major	14.3 3.8	It is almost certain that the county and national politics will influence the tensions within the county. If this is not controlled, then there may be major repercussions. Nyakach constituency is the likely hotspot.	Politicians	Have politicians preaching peace; hold joint rallies; not to incite youth	Prevention: Hold activities that target peaceful coexistence and respect of all clans/communities

					4.1	Related to sharing of political positions is the issue of resources. There is high perception that youth unemployment may be a factor to be exploited by politicians to cause violence.	Youth	Identify economic opportunities for the youth.	Prevention: Engage youth in economic activities so as to mitigate against idleness that exposes the youth.
Economic	Sharing devolved resources cited by 80 per cent as a potential cause of conflict while youth unemployment cited by 84 per cent (Nyakach highest at 20.5 per cent).	Sharing of devolved resources is a potential conflict trigger.	82 per cent	Almost Certain-Major	4.1	It is possible that the perception of one community attempting dominance over other communities may lead to tensions in the county. There are also perceptions of marginalisation.	Youth; Civil Society Organizations	Through communal activities targeting youth, stakeholders can organise joint activities that will create unity and positive competition.	Control: Use activities that bring together communities so as to check any tensions that may arise from ethnicity.
Social	Migration of non-indigenous into the county; Dominance by group cited by 67 per cent while marginalization cited by 31 per cent. (Nyakach highest at 17.4 per cent).	Ethnic dominance cited as a potential area of conflict	49 per cent	Possible-Moderate	2.5				

		Legal	There is inadequate knowledge on devolution; 80 per cent believe youth rep will be elected; 17 per cent believe that the county governments will lead to division.	The low levels of understanding of devolution likely to trigger conflict.	49 per cent	Possible-Minor	2.4	There is an indication of high levels of misconceptions about the devolved government. However, generally the county is confident about the role of county government in uniting the county.	Youth; civil society organisations	Stakeholders to organise civic education using youth and targeting mainly youth and other community members	Prevention: Embark on integrated civic education programmes that will be mainstreamed in organisational activities to address any misconceptions on devolution
		Environmental & Security	Land and border disputes: 83 per cent believe land disputes may potentially cause conflicts while 65 per cent believe border disputes would cause conflicts. {Nyakach highest-land disputes- at 21.8 per cent}	Land and border disputes may trigger violence, especially in the border areas.	74 per cent	Likely-Major	3.7	It is likely that land and border issues will play a part in the politics of the county. If unchecked, the issues may cause major conflict.	Provincial administration; religious bodies	Stakeholders should aggressively engage in community interactions that will address the conflict areas	Deflate: The provincial administration and religious leaders should lead the process of community discussions to deflate any tensions
							16.5				

Nairobi	Political	Sharing of county positions perceived by 61 per cent as cause of conflict while national politics perceived by 57 per cent.	The politics of sharing positions may trigger tensions among communities.	59 per cent	Possible-Mod-erate	3.0	It is possible that county and national politics may affect tensions in the county.	Politicians	Watch against hate speech.	Deflate: The media should be monitored to direct politicians to focus on issues as opposed to differences.
	Economic	Sharing of devolved resources perceived by 62 per cent as a cause of conflict while lack of youth employment perceived by 74 per cent.	The youth unemployment factor may be taken advantage of by politicians.	68 per cent	Likely-Mod-erate	3.4	It is likely that politicians may exploit youth unemployment to cause instability with moderate consequences.	Youth	Conduct media campaigns on the economic opportunities available and ways to access funds for businesses.	Prevention: Prevent against any violence by ensuring youth are engaged economically.
	Social	Dominance by group perceived by 55 per cent as a cause of conflict while marginalisation perceived by 36 per cent.	There is some perception of ethnic dominance that may cause ethnic tensions and mistrust.	46 per cent	Possible-Minor	2.3	It is possible that the perception of one community attempting dominance over other communities may lead to tensions in the county. There are also perceptions of marginalisation.	Youth	Conduct media campaigns on the importance of peaceful coexistence.	Deflate the negative perceptions by using the media to bring human interest stories on peaceful coexistence.

		Legal	There is inadequate knowledge on devolution; 72 per cent believe youth rep will be elected; 26 per cent believe that the county governments will lead to division.	There is inadequate knowledge on devolution	49 per cent	Possible-Minor	2.5	There is an indication of high levels of misconceptions about the devolved government. There is also relative lack of confidence about the role of county government in uniting the county.	Youth; civil society organisations.	Stakeholders to organise civic education using youth and targeting mainly youth and other community members	Prevention: Embark on integrated civic education programmes that will be mainstreamed in organisational activities to address any misconceptions on devolution.
		Environmental & Security	Land and Border disputes: The perceived influence of land disputes as a cause of conflict is 50 per cent while 47 per cent perceived insecurity as a cause for conflict.	Issues of land disputes, especially in informal settlements, may be politicised causing tension.	49 per cent	Possible-Minor	2.4	There is a possibility of land and border disputes spurring conflicts that may have a moderate effect on the status of peace	Provincial administration; religious bodies	Stakeholders should monitor land disputes as they may catalyse tensions in the communities.	Control: Engage in regular interactions with communities to identify and control any tensions before they become major.
							13.5				



Nakuru	Political	Sharing of county and national positions; 70 per cent believe sharing county positions will create conflicts and 72 per cent believe sharing of national positions will create conflict. (Kuresoi highest risk at 14.1 per cent).	Political occurrences both at the local and national level are likely to lead to tensions.	71 per cent	Likely-Major	3.6	There is a likelihood of tensions arising from the events leading to sharing county positions. The events of national politics also may play a role in affecting tensions in this county. Kuresoi constituency is still a hotspot and should be monitored.	Politicians	Have politicians preaching peace (watch against hate speech); Put in place measures that will curtail politicians from using bribery to influence voters.	Prevention: Prevent against any rising tensions by deflating the tensions early enough
	Economic	Sharing devolved resources cited by 76 per cent as a potential cause of conflict while youth unemployment cited by 64 per cent (Kuresoi highest at 18.2 per cent).	Economic issues especially sharing resources and youth unemployment likely to spur tensions	70 per cent	Likely-Major	3.5	Linked to the issues of sharing county positions is the sharing of devolved resources. There is high perception that youth unemployment may be a factor to be negatively exploited by politicians.	Youth	Support the youth in identifying and engaging in gainful employment.	Prevention: Engage youth in economic activities so as to mitigate against idleness that exposes the youth

				Dominance & Migration of non-indigenous into the county; Dominance by group cited by 71 per cent while marginalisation cited by 59 per cent. (Kuresoi highest at 17.4 per cent)	There is still ethnic dominance and marginalisation within the county	65 per cent	Likely-Moderate	3.3	It is likely that the issue of dominance by one ethnic community may lead to tensions. There is also likelihood of perceptions of marginalisation causing tensions. These may lead to moderate conflict in the county.	Youth; civil society organisations	Support initiatives that will bring communities together in joint activities such as sports and peace festivals through theatre.	Prevention: Hold activities that target peaceful coexistence and respect of all communities.
Social				There is fair knowledge on devolution; 40 per cent believe youth representatives will be elected; 14 per cent believe that the county government will lead to division.	There are comparably higher levels of knowledge on devolution processes.	27 per cent	Unlikely-Insignificant	1.4	There is relatively high knowledge on devolved governance and government and this factor is least likely to lead to tensions.			
Legal												

	Environmental & Security	Land and border disputes: 83 per cent believe land disputes may potentially cause conflicts while 48 per cent believe border disputes would cause conflicts. (Kuresoi highest -land disputes - at 18 per cent)	Land disputes are likely to cause major tensions within the county.	51 per cent	Possible-Major	2.5	It is possible that land and border issues will play a part in the politics of the county. If unchecked, land issues may cause major conflict	Provincial administration; Religious bodies	Stakeholders should aggressively engage in community interactions that will address the conflict areas.	Deflate: The provincial administration and religious leaders should lead the process of community discussions to deflate any tensions.
Trans Nzoia	Political	Sharing of county positions perceived by 72 per cent as cause of conflict while national politics perceived by 80 per cent. (Saboti -county positions- has highest risk at 31.6 per cent).	National and county politics likely to bring tensions within the county	76 per cent	Likely-Major	3.8	It is likely that the county and national politics will influence the tensions within the county. If this is not controlled, then there may be major repercussions. Saboti constituency is the likely hotspot in the county.	Politicians	Have politicians preaching peace (watch against hate speech); Hold joint political rallies	Prevention: Hold activities that target peaceful coexistence and respect of all clans/communities.

											Prevention: Prevent against any violence by ensuring youth are engaged economically.
Economic	Sharing of devolved resources perceived by 74 per cent as a cause of conflict while lack of youth employment perceived by 73 per cent. (Saboti - devolved resources - highest at 31.6 per cent); Youth unemployment is also a likely trigger to violence.	Issues of resources and lack of employment opportunities likely to be the trigger factors and influencers for conflict	74 per cent	Likely-Major	3.7	It is likely that youth unemployment may be exploited by politicians to cause instability with major consequences.	Youth	Avail economic opportunities to the youth by engaging them productively, supporting the groups.			Deflate the negative perceptions by using communal activities and joint political rallies.
Social	Dominance by group perceived by 49 per cent as a cause of conflict while marginalisation perceived by 30 per cent. (Saboti (19.3 per cent) has the highest perception of dominance as a risk).	There are parts of the country where ethnic suspicions are rife.	40 per cent	Possible-Moderate	2.0	It is possible that the perception of one community attempting dominance over other communities may lead to tensions in the county. There are also perceptions of marginalisation.	Youth; Civil Society Organizations	Conduct joint community activities that will emphasise the importance of peaceful coexistence.			

<p>Prevention: Embark on integrated civic education programmes that will be mainstreamed in organisational activities to address any misconceptions on devolution.</p>							<p>Stakeholders to organise civic education using youth and targeting mainly youth and other community members</p>	
<p>Youth; civil society organisations</p>							<p>Stakeholders should aggressively engage in community interractions that will address the conflict areas.</p>	
<p>There is an indication of relative levels of misconceptions about the devolved government. There is also relative lack of confidence about the role of county government in uniting the county.</p>							<p>Provincial administration; Religious bodies</p>	
<p>2.4</p>							<p>It is likely that land and border issues will play a part in the politics of the county. If unchecked land and border issues may cause major conflict.</p>	
<p>Possible-Minor</p>								
<p>48 per cent</p>								
<p>Knowledge on devolution processes is lacking, leading to lack of confidence on devolved system of government.</p>								
<p>There is inadequate knowledge on devolution; 60.0 per cent believe youth rep will be elected; 35 per cent believe that the county governments will lead to division</p>								
<p>Legal</p>								
<p>Environmental &amp; Security</p>								

Uasin Gishu	Political	Sharing of county and national positions; 61 per cent believe sharing county positions will create conflicts and 81 per cent believe sharing of national positions will create conflict. {Eldoret South & North highest risk at 21 per cent}.	There is likely to be more tensions because of the national politics as compared to the county politics.	71 per cent	Likely-Major	3.6	There is a likelihood of tensions arising from the events leading to sharing county positions; The events of national politics will play a role in affecting tensions in this county. Eldoret South constituency is still a hotspot and should be monitored.	Politicians	Have politicians preaching peace (watch against hate speech); Put in place measures that will curtail politicians from using bribery to influence voters.	Prevention: Prevent against any rising tensions by deflating the tensions early enough.
	Economic	Sharing of devolved resources; Sharing devolved resources cited by 77 per cent as a potential cause of conflict while youth unemployment cited by 61 per cent {Eldoret South highest at 30.3 per cent on sharing of county resources}.	Economic aspects relating to sharing of county resources may contribute more to tensions.	69 per cent	Likely-Major	3.5	Linked to the issues of sharing county positions is the issue of sharing of devolved resources. There is also a perception that youth unemployment may be a factor to be negatively exploited by politicians.	Youth	Support the youth in identifying and engaging in gainful employment; Ensuring that there is assurance of equal distribution of resources in the county after elections	Prevention: Engage youth in economic activities so as to mitigate against idleness that exposes the youth.

						2.3	Possible-Minor	46 per cent	The social tensions are likely to result from the feeling of marginalisation against specific ethnic communities.	Dominance & Migration of non-indigenous into the county; Dominance by group cited by 42 per cent while marginalization cited by 49 per cent. {Eldoret South highest at 20.9 per cent}	Social	Control: Use activities that bring together communities so as to control any tensions that may arise from ethnicity.
						3.3	Likely-Moderate	66 per cent	There are low knowledge levels on devolution leading to high mistrust of devolution system of government	There is inadequate knowledge on devolution; 81 per cent believe youth representatives will be elected; 51 per cent believe that the county governments will lead to division.	Legal	Through communal activities targeting youth, stakeholders can organise joint activities that will create unity and positive competition.
									It is possible that the perception of one community attempting dominance over other communities may lead to tensions in the county. There are also perceptions of marginalisation. However the consequences may be minor.	Youth; Civil Society Organizations	Youth; Civil Society Organizations	Prevention: Embark on integrated civic education programmes that will be mainstreamed in organisational activities to address any misconceptions on devolution.
									There is an indication of high levels of misconceptions about the devolved government. The county is divided on the role of county government in uniting the county.	Youth; Civil Society Organizations	Stakeholders to organise civic education using youth and targeting mainly youth and other community members.	Stakeholders to organise civic education programmes that will be mainstreamed in organisational activities to address any misconceptions on devolution.

	Environmental & Security	Land and border disputes: 40 per cent believe land disputes may potentially cause conflicts while 38 per cent believe border disputes would cause conflicts. {Eldoret South highest-land disputes- at 23.3 per cent}.	Land and border disputes are moderately likely to cause conflicts in some parts of the county.	39 per cent	Unlikely-Minor	2.0	It is unlikely that land and border disputes will cause conflicts in the county except for Eldoret South constituency.	Provincial administration; religious bodies	Stakeholders should focus on Eldoret South in addressing issues of land disputes.	Deflate: There should be measures to deflate land tensions in the constituency.
						14.5				





	41- 60 %	Might occur at some time in the future	3	Possible	L	M	M	H	E
	21-40 %	Could occur but doubtful	2	Unlikely	L	M	M	H	H
	0 – 20 %	May occur but only in exceptional circumstances	1	Rare	L	L	M	M	H

**E – Extreme risk – Immediate action required**  
**H - High risk – needs stakeholders attention**  
**M – Medium risk – needs plans to monitor**  
**L – Low risk – managesby routine activities**  
**N – No risk – observe/no intervention**

**Rating:**

**E – Extreme risk – [21 – 25]**  
**H – High risk – [16 – 20]**  
**M – Medium risk – [11 – 15]**  
**L – Low risk – [6-10]**  
**N – No risk – [1 – 5]**



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**As a Church organization we are cognizant that continued peace building and community dialogues are increasingly needed for national cohesion to be fully realised in Kenya. We therefore thank the Catholic Justice and Peace Commission staff both at the National Secretariat and at the dioceses, who devotedly put in their efforts in different areas of the research, their commitment to peaceful processes, and for technical and logistical support that enabled the smooth completion of the task. We hope that this baseline survey will add value to the ongoing efforts of peace building and national cohesion.**



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**Very Rev. Fr. Daniel Rono  
Ag. General Secretary  
Kenya Conference of Catholic Bishops**

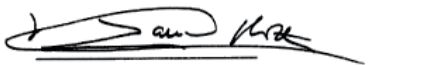
## FOREWORD

The walk towards sustainable peace was occasioned by the spiral effects of the post-election violence of 2007/8 in Kenya, which have continued to be felt years after. Although the violence was uncalled for and unwarranted, it set in motion a number of activities aimed at bringing healing and transformation in our society. The mediation talks, led by the Panel of Eminent African Personalities under the chairmanship of former UN Secretary-General Kofi Annan, the signing of the National Accord, the setting up of independent commissions on post-election violence and the Interim Independent Electoral Commission, and the promulgation of the Constitution of Kenya 2010 by President Mwai Kibaki on 4th August, 2010, were all activities that were expected to lead to a more cohesive society. The Constitution provides the opportunity for a change in the system of governance that was to be implemented after elections in 2013. Since 1992, there has been a cycle of politically instigated violence that was linked to resistance of reforms to governance system in Kenya. After a long struggle, the Constitution of Kenya (2010) shifted the governance system from centralised to devolved governance system, which increases the citizens' civil mandate.

As a country, however, we need to ask ourselves critical questions. Have the efforts of the many organisations that embarked on civic education borne fruit? Do the citizens understand the expected changes in county governance? Is the calm in the country a sign of lasting peace?

The Catholic Justice and Peace Commission undertook a baseline study in September, 2012, in seven counties to find out the challenges caused by violence and the prospects for peace in these areas. This followed a desk review by the Constitution and Reform Education (CRECO) in April 2012 that sought to add empirical evidence and raise prospects for addressing the issues from a community's perspective. The baseline study is still critical and not only for CJPC programming but also for any other programmes that are addressing issues of peace within different communities. The key findings as summarised in the executive summary indicate that county level politics are just as important as national politics and both should be handled diligently. At the centre of conflicts and political competition is the control of resources and not necessarily ethnic influence. This, therefore, challenges the perception that that sensitised and empowered youth hold the key to peaceful electioneering. Land remains a potentially emotive issue that would be always manipulated for power. These and other findings cannot be dealt with through civic education only but should be integrated in all programmes undertaken within the communities. There should be an integrated approach to civic education with all projects targeting communities relating their activities with the relevant components of civic education.

In conclusion I recommend that CJPC programmes should seek to involve youth, women, men, people with disabilities and other groups to empower communities economically. Civic education needs to be mainstreamed and support local initiatives if there is going to be sustainable peace. If programmes consider these, then the way to peace may be slow but will be "A Walk Towards Sustainable Peace."



**THE MOST REV. ZACCHAEUS OKOTH**  
**CHAIRMAN - CATHOLIC JUSTICE AND PEACE COMMISSION**  
**KENYA CONFERENCE OF CATHOLIC BISHOPS**



## **EXECUTIVE SUMMARY**

The main goal of this study was to identify violence hotspots based on analysis of risk factors and the measures to put in place to mitigate occurrence or recurrence of violence. The study sought to identify the challenges and opportunities that present themselves in addressing violence in the country. It was anticipated that the study would inform the development of a programme for CJPC to intervene in the transition into the devolved system of government. The baseline study reached 582 respondents from seven counties (Kericho, Kisii, Kisumu, Nairobi, Nakuru, Trans Nzoia and Uasin Gishu). The sample included 531 individuals from youth groups and peace organisations, 32 constituencies, 28 districts, 16 District Commissioners, 18 area chiefs, and 17 diocese staff. Sixty two per cent of the respondents were below 30 years; 58 per cent were male; 88 per cent had secondary education and higher; and 65 per cent of the respondents were in some form of employment.

This study was conceptualised to complement the desk review study undertaken in April 2012 by CRECO in an bid to understand the history of the culture of violence in Kenya (with emphasis on the 2007 General Election); election-related violence (with emphasis on power politics and inequalities (land issues) and youth unemployment; and efforts to develop and realise sustainable peace. From the study, it is evident that the Government, in collaboration with other stakeholders, has made great effort to improve security and strengthen some of the institutions that will lead to improved administration of justice. The process of civic education, such as the Kenya National Integrated Civic Education (K-NICE), is being rolled out to address some aspects of the information or knowledge gaps in civic education on devolution. These are efforts that are geared towards mitigating issues that may lead to violence with the onset of the devolved system of governance.

The report's analysis is based on the constituencies in the 10th Parliament (2008-2013).

The key study findings have been enumerated below and detailed in Section/Chapter 4 of this report.

### Summary of key findings

- National politics is just as important as county politics: 72 per cent of all the respondents in the study indicated that the national politics may cause conflict in their counties, while 71.5 per cent of the respondents indicated that county politics, especially the sharing of positions, may cause conflict within the county. Kisii County is the most volatile on the issue of sharing positions (82.4 per cent) and Uasin Gishu the least volatile (60.5 per cent).
- Control of resources is a key cause of conflicts in all counties: 74.8 per cent of the respondents indicated the way resources are allocated at the county level may lead to conflict, especially if they are inequitably shared. Kisii County (86.4 per cent) was the most sensitive county on resource allocation with Nairobi (61.5 per cent) being the least sensitive.
- Sensitised and empowered youth are the key to peaceful electioneering: 82 per cent of the respondents indicated that they believed the youth can influence the direction of politics more than politicians. This view was felt more in Kisii (90 per cent) and Kisumu counties (88.9 per cent) and felt the least in Nakuru (70.5 per cent). On the other hand, youth unemployment was cited by 74.2 per cent of all respondents as a major cause of violence as politicians easily manipulate young people with no source of income. Kisii County (88.7 per cent) and Kisumu County (83.9 per cent) led while Uasin Gishu County (61 per cent) cited youth unemployment as the least factor.
- Land remains a potentially emotive and manipulative issue for power: 67.1 per cent of the respondents reported that land disputes and issues revolving around land were likely to cause tension and violence. Border disputes compound land conflicts in border areas. Respondents in Nakuru (82.7 per cent) and Kisumu (82.7 per cent) counties have the highest perception that conflicts related to land are most likely to occur while those in Uasin Gishu (39.6 per cent) recorded the least.
- Perceived dominance by one group (social, economic, political) is a potential trigger to conflicts: 58 per cent of all the respondents indicated that dominance by one group was a potential trigger to conflicts, with economic dominance perceived the most likely to cause tensions. Nakuru (71 per cent) had the highest number of respondents and Uasin Gishu the least at 42 per cent.
- Fears that devolution might intensify disunity: 23 per cent of all the respondents indicated that the devolved governments would cause more divisions. 51 per cent of the respondents in Uasin Gishu County believed devolution would intensify division while Nakuru was the county most confident that devolved governments would not cause division with only 14 per cent.

The table below summarises the main potential conflict factors identified in the study for all the counties and the general indication of the average of the seven counties studied.

From the conflict mapping, Kisumu County is at High Risk level with a total of 16.5. Counties at medium risk level are: Trans Nzoia (15.1); Nakuru (14.9), Uasin Gishu (14.5), Kisii (14.3), Kericho (14.0) and Nairobi (13.5).

**Table 1: Summary of perceived potential conflict factors by county (per cent)**

No	Potential conflict factor	Kericho	Kisii	Kisumu	Nairobi	Nakuru	Trans Nzoia	Uasin Gishu	7 Counties
1	Sharing county positions	70	82	78	61	70	72	61	72
2	Sharing national positions	65	76	75	57	72	80	81	72
3	Sharing devolved resources	65	86	80	62	76	74	77	75
4	Youth unemployment =violence	75	89	84	74	64	73	61	74
5	Dominance by group	57	43	67	55	71	49	42	58

6	Marginalisation by group freq	16	8	31	36	59	30	49	34
7	Land disputes	54	60	83	50	83	76	40	67
8	Border disputes	49	11	65	47	48	54	38	46
9	Youth representative is elective	94	90	80	72	40	60	81	71
10	County government leads to division	15	25	17	26	14	35	51	23
11	Risk rating	14.0	14.3	16.5	13.5	14.9	15.1	14.5	

### Risk Rating

E – Extreme risk	H – High risk	M – Medium risk	L – Low risk	N – No risk
[21 – 25]	[16 – 20]	[11 – 15]	[6-10]	[1 – 5]

The table below represents the conflict mapping based on this baseline study:

**Table 2: Summary conflict mapping**

	Kericho	Kisii	Kisumu	Nairobi	Nakuru	Trans Nzoia	Uasin Gishu
Political	3.4	4.0	3.8	3.0	3.5	3.8	3.5
Economic	3.5	4.4	4.1	3.4	3.5	3.7	3.4
Socio-Cultural	1.8	1.3	2.4	2.3	3.3	2.0	2.3
Environmental /Security	2.6	1.8	3.7	2.4	3.3	3.2	1.9
Legal	2.7	2.9	2.4	2.5	1.4	2.4	3.3
Total	14.0	14.3	16.5	13.5	14.9	15.1	14.5

The categorisations of the various issues/factors are as indicated below:

- Political

The political issues relating to power within the county and at national levels. The perceptions on the role of politics in destabilising the county.

- Economic

The economic issues include the aspects of resource allocation, employment opportunities and related factors. The perceptions on the role of devolved resources in destabilising/strengthening the county.

- Socio-cultural

The socio-cultural issues relate to the issues of ethnic and cultural perceptions including dominance and marginalisation of communities or clans. The perceptions on dominance by certain ethnic communities or clans over the others within the county.

- Environmental/security

The environmental issues relate to land disputes, pasture and water and related issues. While security issues are the commercialisation of cattle rustling and border disputes within the counties and across the counties

**Hotspot constituencies:** These are summarised in the Table 3 below:

**Table 3: Summary of hotspot constituencies by county**

County	Hotspot constituency	Key conflict issue
Kericho	Kipkelion/Ainamoi	Sharing of county resources
Kisii	South Mugirango/Bomachoge	Sharing of county resources
Kisumu	Nyakach/Muhoroni	Sharing of county resources
Nairobi	Informal settlements	Youth unemployment
Nakuru	Kuresoi	Land disputes
Trans Nzoia	Saboti/Kwanza	Land disputes
Uasin Gishu	Eldoret South/Eldoret North	Sharing of county resources

### Key conclusions

- a. Power vis-a-vis resource control: The relationship between the acquisition of power (national or county level) and the control of resources plays an important role in ensuring that peaceful transition is achieved.
- b. Politics and land issues: The study determined that there is a critical relationship between the sensitivity to land issues and the politics of elections.
- c. Civic education vis-a-vis resistance to change: Since there is a general resistance to change, civic education should be well designed or else the quantity and frequency may not result in any meaningful increase in knowledge levels among communities.

### Key recommendations

**Involve youth:** The proposed interventions should endeavor to involve youth as much as possible. The youth should be trained, resourced and skilled to be change agents.

**Economic empowerment:** There is need to map out opportunities available within the county government that can lead to the economic empowerment of youth and other groups.

**Mainstream civic education:** Stakeholders should mainstream civic education in all their programmes for effective dissemination.

**Support local initiatives:** Having community peace facilitators at the local level through local organisations will lead to sustainable interventions and early warning systems.

## **1.0. INTRODUCTION**

### **1.1. Background to the study**

Elections in Kenya have since the advent of multipartism been linked with violence. Since 1992 when the first multiparty elections were held, spontaneous and organised violence meted on opposing sides of the political divide has been witnessed with varied measure from one area to the other. As the Commission of Inquiry into the Post Election Violence (CIPEV ) puts it, elections have been used by communities to settle scores where communities have felt that there is injustice and the justice system was either taking too long or generally not addressing any issues.

On the other hand, it is not all about those feeling aggrieved who resort to violence. Studies mainly allude to a phenomenon preceding the elections where violence is orchestrated towards particular groups. This is well fashioned in the ethnic defines, especially in areas that are largely cosmopolitan (CIPEV, 2008). Apart from the mayhem that was witnessed in 2008 following the announcement of the presidential election results, most of the previous violence has been before elections.

The year 2010 was a landmark in Kenya's history. A two-decade campaign resulted in the birth of a new constitutional order. The Constitution was to revolutionise how the nation's affairs were managed, and participation of the people in political processes. The devolution of power and resources entrenched people's involvement in planning, management and evaluation of public resources. The Constitution recognised the county structures as major units of governance with a budget allocation of 15 per cent of the national revenue annually.

### **1.2. The Kenya Episcopal Conference**

The Kenya Conference of Catholic Bishops (KCCB), a faith-based organisation, is the assembly of the Catholic Bishops in Kenya united and exercising together their pastoral offices over Christ's faithful. The Catholic Secretariat is the administrative centre through which the KCCB implements and co-ordinates various pastoral programmes and undertakes all those responsibilities which express the mission of the Catholic Church in Kenya. KCCB undertakes its work through various commissions, amongst them the Catholic Justice and Peace Commission (CJPC).

Given its mandate of promoting justice and peace, CJPC has been actively involved in the resolution of conflicts among different communities in Kenya. It has also been involved in the support to victims of conflicts, building peace in the conflict-torn areas as well as promoting cohesion amongst communities. These efforts are designed and implemented at the diocesan and parish levels where most of these conflicts occur.

### 1.3. Purpose and objectives

The stated specific objectives of this baseline survey were to:

- i. Identify likely hotspots of violence in the counties in accordance with analyses of varied risk factors;
- ii. Identify the challenges and likely opportunities with regard to violence in the country; and,
- iii. Identify measures to be put in place to prevent and mitigate occurrence and recurrence of violence in the identified counties.

### 1.4. Scope of the baseline survey

The purpose of the survey was to assess the challenges and prospects of the devolved system of governance, effectiveness, relevance, and the potentials for conflict. The study aimed at achieving a fair, objective and an accurate assessment of the devolved system of government and its implications on peace processes. The study was limited to seven counties of Nairobi, Uasin Gishu, Kisii, Kisumu, Trans Nzoia, Nakuru and Kericho. It was conducted in September, 2012, and was building an earlier study by CRECO in April, 2012, that had similar objectives but was mainly a desk review of existing literature for the 47 counties in Kenya.

## 2.0. Methodology

### 2.1. Design

To meet the baseline objectives, mixed approaches (both quantitative and qualitative) were used instead of an individual approach. The seven counties studied presented varied socio-economic, political and geographical settings as well as cultural orientations. For instance, Nairobi is an urban community while Kericho is largely a rural community engaging in large-scale tea farming. On the other hand, whereas Kisii is typically inhabited by one community, Trans Nzoia, Nakuru and Uasin Gishu counties are largely cosmopolitan. Mixed research designs were employed to reduce the error, therefore, increasing the validity and usability of the results.

### 2.2. Population and sampling procedures

These seven sampled counties have a population of 9,658,170, which constitutes 25.2 per cent of the Kenyan population (KDHS-2009) . The selection was informed by the 2007-2008 post-election experiences where massive and intensive violence erupted from a combination of factors. The choice was also informed by the areas that the CJPC has peace-building programmes.

### 2.3. Sample size

The seven counties represented 47 administrative districts and 37 constituencies represented in the 10th Parliament (2007-2013) as shown in Table 4 below. This provided the sampling frame for the study. All the 37 Constituencies were analysed during the documentary review and 32 selected. The 37 districts (one from each constituency) were to be selected purposively using a developed criteria based on the desk review that will provide the background using a 5 by 5 risk analysis matrix. The study reached 582 respondents in 28 districts.

**Table 4: Target population description**

No	County	2007-2012 constituencies	Constituencies	Districts	Administrative districts
1	Kericho	Belgut, Ainamoi, Bureti, kipkelion	4	5	Londiani, Kericho East, Kericho West, Kipkelion, Buret
2	Kisii	South Mugirango, Bonchari, Bomachoge, Bobasi, Nyaribari Masaba, Kitutu Chache, Nyaribari Chache	7	10	Kisii Central, Kisii South, Masaba, Borabu, Gucha, Gucha South, Nyamache, Kenyanya, Marani, Sameta
3	Kisumu	Kisumu East, Kisumu West, Kisumu Rural, Muhoroni, Nyakach, Nyando	6	6	Kisumu North, Nyakach, Muhoroni, Kisumu West, Kisumu East, Nyando
4	Trans Nzoia	Saboti, Kwanza, Cheranganyi	3	3	Kwanza, Trans Nzoia East, Trans Nzoia West
5	Nairobi	Westlands, Langata, Dagoretti, Kasarani, Starehe, Embakasi, Kamkunji, Makadara	8	9	Njiru, Embakasi, Makadara, Starehe, Westlands, Nairobi West, Langata, Kasarani, Kamukunji
6	Nakuru	Molo, Naivasha, Nakuru Town, Subukia, Rongai, Kuresoi	7	11	Molo, Njoro, Kuresoi North, Kuresoi South, Rongai, Nakuru East, Nakuru West, Subukia, Bahati, Naivasha, Gilgil
7	Uasin Gishu (Eldoret)	Eldoret North, Eldoret South, Eldoret West	3	3	Eldoret East, Eldoret West, Wareng
	Total		38	47	

Source: Kenya National Bureau of Statistics (2010)

#### 2.4. Sampling procedure

The seven counties were made up of 37 districts that formed the target sample of the study. From the target sample, districts were selected based on the level of violence from the literature review for each county where focus was on the reported hotspot districts. For the district within the county where violence was predominant (hotspot district), the research team visited the District Commissioner, two chiefs, a diocesan coordinator of peace for the CJPC (or priest), and 2 youth groups. Respondents were selected purposively by snowballing and reference checking so as to give information relevant to the study. The table below shows the sampling procedure.

**Table 5: Total sample size and response rate**

	Group	Sample criteria	Total proposed sample	Sample achieved	Response rate
1	Constituencies/ Districts	Constituencies	38 constituencies	32 constituencies	84%
			38 districts	28 districts	74%
2	District Commissioners	21 hot spot (2007-2008) districts/constituencies	21 DCs	16 DCs	76%
3	Chiefs	21 districts (2 chiefs each)	42 chiefs	18 chiefs	43%
4	Priests/CJPC staff	21 parishes	21 staff	17 parish staff	81%
5	Peace & reconciliation, and youth groups	10 members from peace & reconciliation groups and 10 members from youth groups of all the sampled districts	760 respondents	531 respondents	70%
	Total		816	582	71%

## 2.5. Data collection and analysis

### 2.5.1. Data collection

The collection of data required multiplicity of methods and procedures to generate reliable data that would give the results the requisite validity. To ensure this, different approaches were used on the appropriate respondents. Each set of respondents was expected to help generate specific information as well as cross-check and internally check the reliability of information. For instance, a district commissioner could identify perceived hotspots but this could be validated by the area chief and vice versa. This ensured that the data received was of highly reliable and, therefore, requisite enough to analyse and draw meaningful and logical conclusions.

### 2.5.2 Data analysis

Data analysis has been done at two levels. Both descriptive and inferential analyses have been done on the data collected. The descriptive analysis has focused on opinions and factual establishment of peace levels, reconciliation efforts as well as models for promoting peace. Inferential analysis focuses on the sustainability of peace programmes within the major governance realignment expected with the new devolved system of governance.

**Table 6: Data Analysis procedure**

	Data collection methods/tools	Type of data	Data analysis method
1	Structured questionnaire	Quantitative (coding responses)	Quantitative – univariate analysis Qualitative - descriptions
2	Desk review	Qualitative Quantitative (coding responses)	Documentary analysis
3	Open questionnaires to group leaders	Qualitative Quantitative (coding responses)	Thematic analysis
4		Qualitative	Thematic analysis



### 3.0 - LITERATURE REVIEW

#### 3.1 History of violence in Kenya

The Post Election Violence (PEV) experienced in Kenya after the 2007/8 general elections claimed over 1,300 lives and left over 350,000 others internally displaced. This was the single most widespread election related conflict ever witnessed in Kenya, compared to other electoral related violence, since the re-introduction of multiparty elections. Arguably, there were claims that PEV initially seemed to be spontaneous whereas previous violence was systematically organised. The stalemate and instability in Kenya persisted for about two months, with former United Nations Secretary-General Kofi Annan, leading the two parties, President Mwai Kibaki's Party of National Unity (PNU) and Raila Odinga's Orange Democratic Movement (ODM), to sign the National Accord and Reconciliation deal, which created a power-sharing arrangement and laid the framework for broad-based political reforms to address the root causes of the violence. The accord was also to lay the framework for the development of reforms in the public sector as well as failed and ineffective systems, such as the justice system, that would serve to bolster the peace process .

According to the Commission of Inquiry into the Post Election Violence (CIPEV) report , there are a number of factors that could have led to this violence in Kenya. The first is the growing use of violence for political gain over the years, specifically after the re-introduction of multi-party democracy in 1991. Over time, the deliberate use of violence by politicians to obtain power since the early 1990s and the weak judicial mechanisms to deal with perpetrators led to a culture of impunity and a constant escalation of violence. As a result, violence became a medium to gain advantage over political opponents. In some cases violence became institutionalized by politicians who formed vigilante or militia groups, such as Mungiki, Siafu, Amachuma, Sungusungu among others.

Second, is the growing power and personalisation of power around the Presidency. This has had a twofold impact. First, it has given rise to the view among politicians and the general public that for a community to access State resources, they must have one of their own as a President or holding a powerful office of the land. This has led to a deliberate loss of confidence by the public in the same institutions that they are supposed to provide justice. As a result, in many respects the state agencies are not seen as legitimate. This serves to escalate the suspicion, mistrust and the feeling of inferiority and superiority complex, which in turn fuel or become triggers of violence.

Third, is the grievance of historical injustices including marginalization, economic inequalities and unfair distribution of National resources. These factors contributed to heightened tension(s), hate and became potential root causes of violence.

Fourth is the problem of poverty, unemployment among youth, who are vulnerable and are easily lured to join militia groups or organised violent gangs. In some cases like in the informal settlements and some parts of the country, the gangs became "shadow government" that terrorized innocent citizens within their areas of operation . Some gangs were used by politicians as their security details and in some cases to attack their opponents.

### 3.1.1 The use of political violence in Kenya

Violence was part and parcel of the colonial state, which used it to ensure control. After independence, successive regimes used (or abused) the security apparatus to maintain power. Opposition parties were subjected to political harassment and those individuals who refused to support the existing governments experienced various types of repression and even detention without trial.

Rallies, by political activists and demonstrations by students and others, were dispersed by the General Service Unit (GSU) using force. Some individuals in the Government are believed to have been responsible for the murder of three political figures, Pio Gama Pinto, Tom Mboya and J.M. Kariuki. Mboya and JM were viewed as threats to the then regime and potential contenders for political power.

Elections related violence occurred not just in 1992 but also in 1997. In spite of the deaths and destruction that these methods caused and the reports from NGOs, such as the Kenya Human Rights Commission, Human Rights Watch, and two Government Inquiries - the Kiliku Parliamentary Committee and Akiwumi Commission - no one was ever punished for this wanton killings and destructions even though names of perpetrators to be investigated and those “adversely mentioned” were contained in the reports of both Commissions. The Akiwumi Report was not made public until 2002, even though it was published in 1999.

This led to a culture of impunity whereby those who maimed and killed for political ends were never brought to justice. This changed Kenya’s political landscape with regard to elections, as noted by various reports. Each of these reports implicated politicians as the organisers of the violence and killing for political ends, and noted that the warriors and gangs of youth who took action were both paid and pressed into service. A pattern had been established of forming groups and using extra state violence to obtain political power and of not being punished for it.

Some of the displaced individuals, including youth from Laikipia District, moved to Nairobi and became members of Mungiki, which in the 1980s had been largely a cultural cum religious cult in the Kikuyu inhabited parts of the Rift Valley. Later it metamorphosed into a Mafioso style gang that grew and eventually became a shadow government in the slums of Nairobi and in parts of Central Province. Initially, the Mungiki were seen as substituting for a lack of public services in the slums. Later it started bullying individuals and businesses, including matatus and owners of real estate, into making payments for services which it would provide, including connecting electricity, providing pit latrines, and meting out justice. Mungiki and other gangs across the country (e.g. Taliban, Chinkororo, Kamjeshi, Baghdad Boys and many others) grew and multiplied within the context of a political culture that both used and tolerated extra-state violence.

Gangs and militias continued to proliferate all over the country, thereby increasing the presence of institutionalised extra-state violence both during and after elections, a pattern that continued to increase up to the 2007 elections, even after President Mwai Kibaki took over power in 2002. Mungiki and other political gangs continued to sell their services of violence on a willing buyer willing seller basis. As late as 2007, long after the Government had banned Mungiki and other such groups, a number of gangs, including Mungiki, still continued to operate albeit less in the public.

As extra-state violent gangs began to grow and continued to be used by politicians, the political terrain was transformed. Violence trickled down into daily life and the State no longer commanded the monopoly of force it once had in a previous era. Extra-state violence was distributed all over the country, where it could be called up and tapped at any time, including being used to arbitrate over elections as it has been doing since the early 1990s.

### 3.1.2 Role of the media

One thing that will remain memorable about the 2007 election is the role played by all manner of information from all sorts of sources, unsolicited and solicited - SMSes, blogs, emails, newsletters,

leaflets, not to mention the newspapers, TVs and radios sources. One scholar has described the 2007 General Election as a poll that was characterised by misinformation. In a closely contested election such as this one was, the large media outlets became contested spaces by the leading parties and in some cases it became difficult to differentiate between a particular media house's position and that of the party, politicians, or its chosen political analysts and commentators. Commenting on the conduct of the media during the 2007 elections, an analyst of the Kenyan media has concluded that a lot of co-option happened”.

While it would be an oversimplification of issues to appear to blame the media for fanning the fires, the uncritical reproduction of careless statements by politicians may have contributed to reinforcing perceptions of political problems as community problems. Since the 2005 referendum, the imagery and idioms being used by politicians in the campaigns did not merely ridicule their opponents, but were aimed at entire ethnic groups. For example, Kikuyus, who circumcise their male children, profiled Raila Odinga and the Luo community, who do not circumcise, as unfit for leadership; and ODM aligned communities such as the Luo and Kalenjin projected the Kikuyu as assuming always the right to lead the country, as well as being arrogant, grabbers and corrupt. While the media on some occasions criticised negative ethnicity in its editorials, in its newsgathering and in its programming, it failed to aggressively hold political leaders to account for their actions and utterances. Instead, in the closing days of the election, the media covered the goings-on as they would an electrifying football match.

The opinion poll figures contributed to the frenzy and the verdict of the presidential election being ‘too close to call’ by the most respectable of the poll houses. Steadman Associates helped animate a determination by voters that saw an unprecedented turnout throughout the largely peaceful polling day on December 27, 2007. Barely after a few polling stations completed their count in a few constituencies TV and radio stations began reporting who was leading with only 10 per cent of the vote. As such, an imperfect picture was kept alive. When some stations hosted analysts who, on the morning of December 29, 2007, were talking of ‘an invincible’ lead for ODM’s presidential candidate Raila Odinga, several constituencies in Kibaki’s strongholds had still not filed in their results. When those figures began coming in and Kibaki figures started a steady climb and close-in on Raila, and the PNU side became bullish, tension began to build amongst ODM supporters and leadership. Live coverage of the exchanges between the leadership of PNU and ODM on the night of December 29, 2007 set the country on the delicate path it had to walk in the months ahead.

### **3.2 Election related violence**

According to the CIPEV report, violence is the method of choice to resolve a range of political differences and to obtain political power. There are historical issues that have been perceived as the main causes of violence in Kenya as mentioned below.

#### **3.2.1 The personalisation of presidential power and the deliberate weakening of public institutions**

Power has been personalised around the presidency and this has been increased by changes in the Constitution under each President since independence. Laws are routinely passed to increase executive authority. By 1991, the Constitution had been amended about 32 times. Among the amendments was the insertion of Section 2A, which made Kenya a de jure one party state after the failed 1982 coup bid until that provision was repealed in 1991. Hence, as noted in the Akiwumi Report and in a number of articles on Kenya politics, the checks and balances normally associated with democracies were very weak in Kenya and deliberately so. Hence, the State was not seen as neutral but as the preserve of those in power. The above syndrome had various consequences.

The first is a sense of lawlessness that led to Government institutions and officials to be seen as lacking in integrity and autonomy. One result of this in the 2007 election was the perception by sections of the public that Government institutions, and officials, including the judiciary, were not independent

of the presidency, were not impartial and lacked integrity. Hence, they were perceived as not able to conduct the election fairly. That public sector institutions were seen as biased and unlikely to follow the rules increased the tendency to violence among members of the public. Furthermore, as the Akiwumi Report and other sources demonstrated, members of the provincial administration and the police also understood that it was sometimes in the interest of their personal survival to follow what they understood to be the directives or inclinations of either the President or MPs in their areas rather than to uphold the law. This led to some officials not following the law themselves, and sections of the provincial administration and security forces even engaging in acts of violence themselves.

The second is the public perception that given the power of the President and the political class everything flows not from laws but from the President's power and personal decisions. This also has led the public to believe a person from their own ethnic community must be in power, both to secure for them benefits and as a defensive strategy to keep other ethnic groups from taking jobs, land and entitlements. All of these have led to acquisition of presidential power being seen both by politicians and the public as a zero sum game, in which losing is seen as hugely costly and is not accepted. Hence, there is a tendency on the part of a variety of political actors to do anything, including engaging in violence to obtain or retain political power, leading to what one specialist has called a race to the bottom because of a fear of being dominated by other ethnic groups and being subjected to the associated consequences of that. This has created a climate of fear and suspicions which politicians easily exploit and use to mobilise violence.

Even though the 2005 referendum was peaceful and the results were accepted rather than contested, the parameters were, nevertheless, drawn and the ethnic political fault lines clearly demarcated. The need to win the presidency was seen as paramount and tensions began to mount. The post-election violence therefore is, in part, a consequence of the failure of President Kibaki and his first Government to exert political control over the country or to maintain sufficient legitimacy as would have allowed a civilised contest with him at the polls to be possible. Kibaki's regime is said to have had the best chance after the 2002 elections to unite Kenyans but failed to do so and allowed feelings of marginalisation to lead to what became the post-election violence.

### **3.2.2 Land and Inequality**

Kenya consists of 42 ethnic groups who live in 47 Counties. Many areas outside the major cities and towns are relatively homogeneous ethnically. Problems of inequality and marginalisation thus are often viewed in ethno geographic terms even though the inequalities between individuals of the same ethnic group are sometimes more pronounced than those between different ethnic groups and geographic areas. Studies done elsewhere have not found that the presence of a large number of ethnic groups or inequality per se explains large scale violence. In Kenya, citizens from every place are concerned that resources, including land, and services are distributed equitably and are quick to point out inequities. Constitutionally, individuals may own land in any place in Kenya and in law no part of the country belongs to an ethnic group. Nevertheless, this has been negated by the creation of ethnic named districts that have in turn created the notion of "insiders", who are native to a place and "outsiders" who have migrated there, a notion that has been tapped by aspiring politicians.

Apart from the above, gross corruption in the acquisition, registration, and administration of land matters has been a major problem in Kenya. The Ndung'u Report noted that throughout the 1980s and 1990s, public land was illegally and irregularly allocated "in total disregard of the public interest and in circumstances that fly in the face of the law". "Land grabbing" and the allocation of public land as political patronage were part of the gross corruption of this period. Those involved in this allocation were senior public servants, but also local land boards, the courts, and a range of officials including members of the provincial administration, politicians, and others. Land allocations were therefore used to reward "politically correct individuals", and became heavily politicised. Given that

the recommendations of the Ndung'u report were never implemented, this has increased the sense of frustration in attempting to deal with land tenure disputes. The fact that institutions, which could have been used to resolve land disputes, have not been impartial has encouraged individuals to take matters into their own hands and to use violence to resolve them.

Furthermore, land being an emotive issue, politicians have capitalised on issues surrounding it, including encouraging violence during elections. In discussions of post-election violence, many Kalenjins argue that it is a product of longstanding anger over land distribution following Kenya's independence. They claim land was alienated by the colonial government and then unfairly parceled out to Kikuyu and other groups whom they view as outsiders. Many Kalenjins believe that issues relating to land were the reason for both the pre-electoral violence in the 1990s and the post-election violence after the December 2007 elections. Others, including the Akiwumi Report, dismiss this explanation pointing out that individuals from different groups lived side by side for many years until the advent of multi-party democracy when violence was used to kill and displace opposition party voters to keep them from voting. Hence, the Report argues that even though the promise of getting land from those who were displaced was used to entice youth into violence, the desire for political power and not land hunger was the causal factor.

Notwithstanding these views, the Ndung'u Report noted that there has been corruption in the allocation of land both in settlement schemes in the countryside and in the urban areas. The recommendation of Ndung'u Commission was that the Government ought to address the issue of irregular allocation of land to solve the conflict associated with land. The unresolved land question has led to apathy leading to people moving to areas that are cosmopolitan to ethnically homogenous areas. Beyond the above, another issue that looms on the horizon is that some communities have done better than others, which are poorer, less well developed, and more marginalised from the mainstream. This in turn has generated feelings of resentment and powerlessness, sentiments that can and have been mobilised violently. Furthermore, there is a large and growing underclass of urban poor who are not landowners and are unlikely ever to be landowners. The tendency has been to think of Kenya almost exclusively as agrarian and of land issues as paramount even though the number of Kenyans living in urban areas is increasing, a tendency likely to continue.

### **3.2.3 Unemployed youth**

Although Kenya's population growth rate has been reduced and is now reportedly down to three per cent, it still has an estimated two million unemployed youth. Furthermore, between 1992 and 1996, the number of street children increased by 300 per cent. Many of these initially rootless children are now adults. They have grown up on the streets and are inclined to violence. In addition, although many youth speak English, something that has raised their expectations, they have no hope of formal employment. The combination of being rootless, having survived amidst violence, plus their need for an identity and a livelihood makes them ready recruits for violent gangs, which exist all over Kenya and are tapped by politicians, particularly but not exclusively during elections.

The gangs are devoid of ideology and operate on a willing buyer willing seller basis. Given the hierarchical nature of gangs and the upwardly mobile hopes of their members to become as well off as their leaders, youth can be mobilised for a variety of reasons, not just to meet their daily needs. This explains why since the 1990s violent gangs have proliferated all over Kenya. Additionally, there is also a growing problem of unemployment among young university graduates, estimated to be around 40,000 a year. Only 150,000 formal sector jobs have been created since 2003, raising the spectre of whether these individuals will also be ready to engage in violence as well if they are unable to find work.

Violent gangs, consisting mainly of unemployed youth have been mobilised into gangs along ethnic lines. Their power, to the point of having become shadow governments in many areas, stems from two sources. First as the main aim of Government in the 1990s was to mobilise political support to

gain and maintain political power, a good amount of revenue was spent on patronage rather than on maintaining infrastructure and providing social services. This meant that the country started to crumble, visually evident in the decay of roads and the proliferation of uncollected garbage, even in the capital city of Nairobi, which once had been called the “city in the sun”. This crumbling as well as a decline in social services and security also paved the way for violent and extremely powerful gangs in many parts of the country, which gave unemployed youth work. Increasingly, citizens began to ask who, between the gangs and the Government, was in charge of Kenya.

The Government has been ineffective in dealing with the gangs for several reasons. First, many politicians have used these violent gangs to decimate their opponents, to protect themselves from a dictatorial state in the 1990s, and to gain power then and now. This has itself given gangs such as Mungiki, the Taliban, Chinkororo and others a life and the ability to operate without fear of being caught. Second, by the time government was serious about banning the groups, they were large, controlled a number of areas, and continued to operate in spite of the bans. Third, security forces including police often were victims of these gangs themselves and used draconian but ineffective force against them.

Furthermore, the fact that both the police and military were perceived historically to have been recruited along ethnic lines led to perceptions that they were unable or unwilling to maintain law and order impartially.

### **3.2.4 Violence perpetrators**

The post-election violence period increased gangs of unemployed youth with more power and added currency. While clearly there is a problem of youth who grow up in slums and make their living by joining gangs due to lack of better alternatives and the prospects of upward mobility, the issue is not one of poverty alone. Instead this situation intersects with other phenomena, including that of weak institutions, ethnic polarisation, and the willingness of the political class to hire gangs to engage in violence to obtain political power. The power of these gangs should not be underrated, including their ability to forcibly recruit other poor unwilling youth. In this sense, youth are both being exploited and have become exploiters themselves.

Furthermore, because the violence surrounding elections has been ethnically directed, this has increased distrust among different groups and vastly eroded any sense of national identity. Hence, ethnicity has now taken on a dangerous and negative connotation. The basic issue facing the nation is how to deal with these issues. Attempts have been made to crack down on gangs and reform institutions. According to CIPEV these attempts have been unsuccessful, in part because the Government has not been serious, or has not been willing to address generic issues or underlying causes of violence.

### **3.2.5 Challenges in the search of a solution**

The main perpetrators of systemic violence have never been prosecuted. Currently Kenya is at a critical juncture. Violence is endemic, out of control, is used routinely to resolve political differences, and threatens the future of the nation. Because of the ethnic nature of the post-election violence, ethnic fears and hatred have been elevated in importance and could turn violent again even more easily than has happened in the past. What is required to address the points discussed above is political will and some basic decisions to change the way politics is conducted, as well as to address its intersection with other issues related to land, marginalisation and inequality, and youth. Kenya needs to decide if it wishes to let violence, corruption and powerless institutions prevail or to introduce fundamental change. Simply put, the individuals and institutions who have benefited in the short term from the chaos and violence need to give up the methods they have used or Kenya could become a failed state. The report which follows is dedicated to discussing the Commission’s findings on the post-2007 elections violence and making recommendations on transforming the current situation.

### 3.3 Efforts on sustainable peace

The Constitution provides for the protection of the marginalised persons under the Bill of Rights. The State and every State organ have a fundamental duty to observe, respect, protect, promote and fulfill the rights and fundamental freedoms in the Bill of Rights. The State shall take legislative, policy and other measures, including the setting of standards, to achieve the progressive realisation of the rights guaranteed under Article 43. All State organs and all public officers have the duty to address the needs of vulnerable groups within society, including women, older members of society, persons with disabilities, children, youth, members of minority or marginalised communities, and members of particular ethnic, religious or cultural communities. The State shall put in place affirmative action programmes designed to ensure that minorities and marginalised groups participate and are represented in governance and other spheres of life, are provided special opportunities in educational and economic fields, are provided special opportunities for access to employment, develop their cultural values, languages and practices and have reasonable access to water, health services and infrastructure. (The new constitution of Kenya, 2010).

The Constitution also provides for the protection of right to property. Every person has the right, either individually or in association with others, to acquire and own property of any description; and in any part of Kenya. Parliament shall not enact a law that permits the State or any person to arbitrarily deprive a person of property of any description or of any interest in, or right over, any property of any description.

According to CRECO (2012), the 2010 Constitution has widely been seen as a cornerstone for the development of a national ethos that unites us as a country and a precursor to peaceful co-existence. The letter and spirit of the Constitution have thus to be operationalised through connected actions, such as reforms in government arms and organs, legislative effectiveness and efficiency, respect for the rule of just law and civic engagement.

The role of the citizens in ensuring that as a country we realise peace and prosperity cannot be gainsaid. Kenya's diversity is perhaps its strongest asset, but in the past it has been used as a fulcrum for divisive politics and marginalisation. We have an opportunity as a country to change that by accepting the fact that we are one nation, one people and are bound by one destiny. (CRECO baseline report on violence, 2012).

### 3.4 Role of internal processes in facilitating peace in Kenya

Electoral violence has become part and parcel of Kenya's political culture since the re-introduction of multiparty politics in the 1990s. However, the nature, level and intensity of the 2007/8 PEV was unprecedented. The National Accord signed in 2008 created a power sharing arrangement and laid the framework for broad-based political reforms to address the root causes of the violence.

Some of the notable reforms that were carried out included the establishment of commissions of inquiry into the conduct of the elections and post-election violence; formation of a Truth, Justice and Reconciliation Commission (TJRC); and completion of constitutional reforms that had aborted after the 2005 constitutional referendum. Consequently, the Electoral Commission of Kenya (ECK) was disbanded and an Interim Independent Electoral Commission (IIEC) established to oversee electoral processes prior to adoption of a new constitution. An Independent Boundaries Review Commission was also set up to address grievances arising from unequal representation.

The commission that inquired into post-election violence recommended the prosecution of Kenyans suspected to have held the highest responsibility for the violence, which was not done. The International Criminal Court (ICC) took over the matter, resulting in the arraignment of six Kenyans at the ICC. The cases against Major General Hussein Ali, Henry Kosgey and Francis Muthaura have been dropped but those facing Uhuru Kenyatta, William Ruto and Joshua Sang are continuing.

Perhaps the greatest achievement of the post-2007 reforms was the adoption of the 2010 Constitution, which ushered in new institutions.

In Kenya's highly patriarchal environment, women have constantly faced numerous electoral hurdles when seeking political office. These range from gender biases in party nominations to negative socio-cultural attitudes from the electorate and electoral violence instigated against women. The Constitution of Kenya provides opportunities for leadership not only for women, but also for the youth and persons with disability. Furthermore the constitution states that Parliament should not have more than two-thirds of one gender. A mechanism for this is yet to be put in place.

The youth have been condemned for the role they have played in electoral violence in the recent history of Kenya. They have been accused of being the foot soldiers of the political and ethnic barons who have either sponsored or presented violence as the only alternative to perceived or real conflict. Inasmuch as the Constitution has a lot of promises for the youth, mechanisms of ensuring that they benefit and work towards the realisation of the constitutional dream have not been put in place. Kazi kwa Vijana and the National Youth Enterprise Fund (NYEF) have remained either inaccessible or inadequate to most youth. It is true that poverty, unemployment and unfulfilled promises remain factors that frustrate the youth and, therefore, their likelihood to participate in lawless activities of militias and other groupings are high. A ray of hope, however, is dawning on the nation as more youth engage in peace initiatives across the country. It should also be mentioned that more youth than ever voted in 2007.

### **3.5 Role of internal processes in facilitating peace**

The internal processes put in place to counter the effects and ensure there is no repeat of the post-election violence in Kenya was the community peace building. This approach has been effective in the resolution of the tribal clashes in Isiolo.

Peace is a socio-political condition that ensures justice and social stability through formal and informal institutions, practices, and norms that create equilibrium in society. Community peace building is done to avoid the recurrence of violent conflicts and ensure sustainable peace in the community. Peace building starts when both parties realise it is time to initiate peace initiatives. For a successful community peace building, the participants in Isiolo, for example, were trained that they should know where, when and how this process can be conducted for sustainable peace and that all stakeholders in the community should be involved in the process.

#### **Types of peace**

**Negative peace:** This is the absence of direct physical (overt) violence, i.e. where there is no violence attributed to a particular party. Therefore, negative peace is peace as the absence of direct violence, born out of law and order.

**Positive peace:** The absence of all forms of violence (whether physical, economic, political or cultural) supported by a set of relationships or harmony that exists at all levels. Positive peace, therefore, exists where people are interacting non-violently and are managing their conflict positively with respectful attention to the legitimate needs and interests of the parties.



**Holistic peace:** “Shalom”, a situation free from all forms of violence, brings hope. It is the absence of all selfishness and greed that seeks wellbeing and prosperity at the expense of others.

### **Approaches to peace**

**Peacekeeping:** Keeping conflicting parties apart to prevent or contain violence. This is also equivalent to conflict prevention and conflict management.

**Peacemaking:** Using diplomatic or dialogue approaches to persuade parties in conflict to cease hostilities and to negotiate a peaceful solution to the conflict. This is also equivalent to conflict settlement, conflict management and conflict resolution.

**Peace building:** Processes that seeks to prevent, reduce and transform conflict with a view to helping people recover from all forms of violence. This is equivalent to conflict transformation.

Sensitivity in peace building was stressed and that positive conflict transformation should include men, women and children. Inclusive peace process may be achieved by linking gender issues to multi-stakeholder process, creating space especially for the marginalised and legitimising marginal voices to address gender issues.

### **3.6 Role of external processes in facilitating peace**

It is the role of the Government to protect people living in Kenya. There are structures and processes that have been put in place to ensure this, such as the Kenya National Commission on Human Rights (KNCHR) which is the statutory institution mandated to protect and promote the human rights of all individuals living in Kenya.

Judicial reforms are also a major milestone in ensuring peace in Kenya. The Constitution emphasises the doctrine of separation of powers, especially independence of institutions such as the Judiciary. It is common knowledge that before the coming into force of the Constitution 2010, the Judiciary was at the mercy of the Executive. The President could appoint and fire judges at will and nobody could question his actions. This cast doubts in the eyes of the public as to the integrity of the Judiciary. Kenyans were no longer sure who held the strings of justice and so people resorted to other means of dispute resolution, some very barbaric such as lynch mobs, commonly known as mob justice. This led to an escalation in insecurity and so while seeking to establish security reforms, the Judiciary is a strategic point (Brenner, 2005, p. 68).

The Constitution provides that the President can only appoint two of the 13 members of the Judicial Service Commission (JSC), and so the Executive has less control in the appointment of members of the JSC. Article 168 vests the power to remove a judge on the Judicial Service Commission. Article 173 establishes a judiciary fund to cater for the administrative expenses of the judiciary. The Chief Registrar of the High Court prepares estimates, which are presented to the National Assembly directly. These reforms will secure the independence of the judiciary and ensure that public trust is once more bestowed upon the Judiciary so that people are willing to present their disputes to the judiciary for resolution instead of taking justice into their own hands.

Other reforms include those involving the electoral body. The formation of the Independent Electoral and Boundaries Commission (IEBC) was a great leap in securing elections because IEBC is devoid of any political interference by virtue of its formation (Ndungu, 2011, p. 5). The Constitution also drastically reduces presidential powers and in so doing reduces the incentive for violence. The 2007 PEV and the consequent peace talks made it obvious that vesting too much power on one position was detrimental to all other competing candidates since if one loses, they lose it all. Therefore, as part of the solution to PEV, Kenya ended up with an arrangement, which distributed power between the President and his prime minister.

Finally, Kenyan political parties are required to comply with the Political Parties Act of 2011 or risk deregistration after the expiry of the deadline in April 2012 (Kisiangani, 2009, p. 4). Consequently, leaders in Kenya shall be held accountable for their actions by the systems put in place at various institutions to which Kenyans can turn to for help should conflicts arise. This will somewhat reduce the risk of recurrence of PEV.

It is important to realize that the PEV was fanned by numerous reasons including complex socio-economic and political interactions. Violence was, therefore, used as a tactic in the ensuing political game as well as a weapon or a tool for settling disputes concerning the distribution of national resources (Namayi, 2010, p. 2). However, this was all to the detriment of Kenyans and they paid the price with their own lives and property. It is thus important that the same does not recur in 2012/13 and this paper has discussed in brief some of the measures taken by the government and other players to enforce security reforms since 2008 in a bid to prevent recurring violence. The reforms have gone beyond addressing technical deficiencies and they have also touched on other governance challenges with the effect that the entire country feels included in the reform activity. A good example is the referendum which ushered in a new era for Kenya. At this point, it is important to remember that the reason why previous attempts at social security sector reforms were unsuccessful was the lack of a constitutional reference point grounded in democracy. The new constitution provided just that.

## 4.0 BASELINE FINDINGS

This section discusses findings at three levels.

- Subsection one summarises the background analysis for all the seven counties based on the CRECO baseline survey report (April 2012).
- Subsection two discusses the findings for each county premised on a PESTLE analysis model. The analysis is based on the following understanding of PESTLE components:
  - Political: The political issues relating to power within the county and at national levels.
  - Economic: The economic issues include resource allocation, employment opportunities and related factors.
  - Socio-cultural: The socio-cultural issues include ethnic and cultural perceptions, dominance and marginalisation of communities or clans.
  - Environmental/security: The environmental issues include land disputes, pasture and water and related issues. While security issues are the commercialisation of cattle rustling and border disputes within the counties and across the counties.
- Subsection three highlights the key interventions undertaken in each county to address the issues of victims. It also indicates some of the key stakeholders in the interventions.

## 4.1 KERICHO COUNTY

### 4.1.1 Background analysis

Kericho County is situated in the former Rift Valley Province and shares borders with Nakuru County to the east, Kisumu to the west, Bomet and Nyamira to the south, Nandi to the north-west and Baringo and Uasin Gishu to the north. It occupies 2,479 square kilometres and has a population of approximately 758,339 (KNBS, 2009) people who are predominantly of the Kipsigis sub-group of the Kalenjin community. Most of this population is rural-based with an estimated 200,000 in urban centres. The most affected areas during the PEV were Kipkelion and Londiani where non-indigenous communities had settled, and Kericho town.

During the 2007 elections, the county had four constituencies: Kipkelion, Belgut, Ainamoi, and Bureti.

Politically, a majority of Kericho inhabitants have aligned themselves to Kalenjin politicians, especially retired President Daniel Moi in KANU, then Mr William Ruto in ODM and later United Democratic Movement (UDM), United Democratic Front (UDF) and United Republican Party (URP). The issues around the ICC process are important to the county politically because of the case against Mr Ruto and may have an effect on inter-communal relations.

On security, the county is fairly secure, with the exception of Kipkelion and Londiani that had non-indigenous communities, and Nyagacho in Kericho town. These were the hotspots during the PEV.

Economically, the county depends on commercial business tea farming with large companies such as James Finlay, Unilever and Williamson. The companies employ many non-indigenous workers from other communities in the neighbouring counties. The county has good roads, surpassing the national average of good/fair roads by 15.3 per cent to stand at 58.5 per cent. This may be attributed to the benefits derived from previous regimes and the presence of commercial tea farming, which requires good means of transport to factories and to the airports for export.

The County is served by a High Court based in Kericho. It also has magistrates' courts, which are complemented by similar courts in the neighbouring Sotik and Bomet towns.

Socio-culturally, the Kipsigis are the dominant community. There is also a modest presence of migrant tea plantation workers from the Luhya, Luo and Kisii communities. The Kikuyu are in Londiani and Kipkellion. Migrant workers usually return to their 'home counties' to vote.

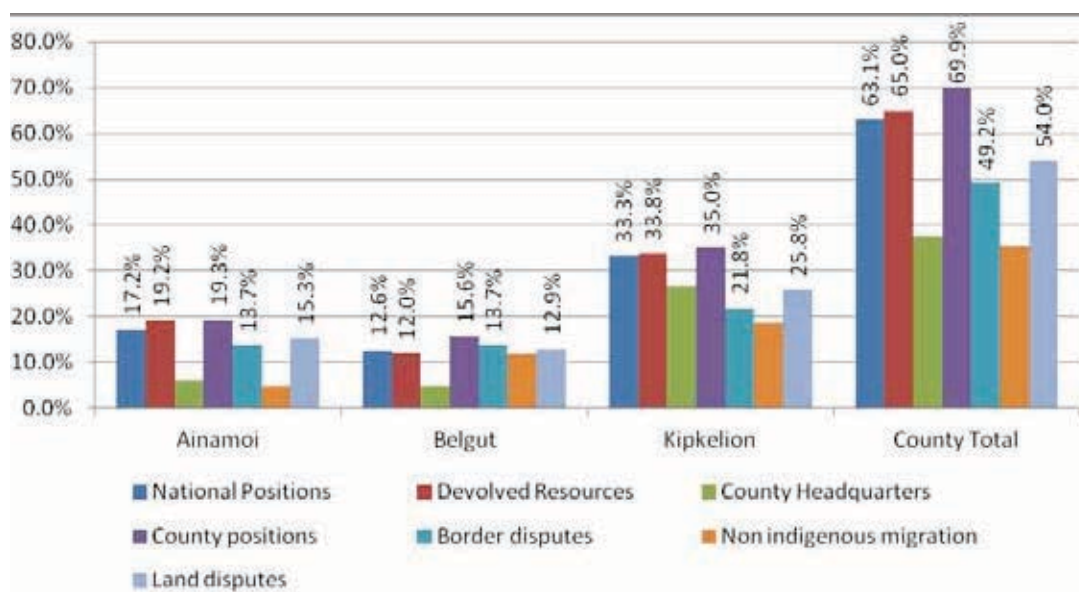
Environmentally, Kericho is in the highlands within the Rift Valley, which has some of the most fertile lands in Kenya and enjoys rainfall most of the year. The county is one of the greenest in the country.

#### 4.1.2 Analysis of Kericho County findings

The baseline targeted Ainamoi, Belgut and Kipkelion constituencies. The findings below indicate some of the key factors that contributed to the violence and are likely to affect the stability of the county.

**Table 7: Perceptions on potential causes of conflict by constituency (per cent)**

Causes of conflict (in county)	Ainamoi	Belgut	Kipkelion	County Total
Sharing national positions	17.2	12.6	33.3	63.1
Sharing devolved resources	19.2	12.0	33.8	65.0
County headquarters location	6.0	4.8	26.6	37.4
Sharing county positions	19.3	15.6	35.0	69.9
Border disputes	13.7	13.7	21.8	49.2
Migration of non-indigenous	4.8	11.8	18.8	35.4
Land disputes	15.3	12.9	25.8	54.0



**Figure 1: Perceptions on potential causes of conflict-Kericho County by constituencies**

A highlight of the key findings on the issues and factors in Kericho County from figure 1 are discussed below:

##### 4.1.2.1 Political issues and factors

The respondents from Kericho County feel strongly about the politics related to the devolved governments. For instance, 69.9 per cent and 63.1 per cent of the respondents feel that politically related factors, such as sharing political positions at the county level and national government respectively are likely to cause conflict in the area.

Kericho seems to have a potentially politically explosive status on the issues of positions at the county level. This situation should be monitored and this may be a trigger factor to violence. Kipkelion constituency seems to still be potentially explosive.

##### 4.1.2.2 Economic issues and factors

The economic factors that may trigger violence is the perception on opportunities to access resources. Some 65 per cent of the respondents felt that inequitable share of the devolved resources within the

county could result into violence. The control and distribution of resources is therefore a major factor in the county with Kipkelion being the one likely to be at most risk (33.8 per cent) and Belgut constituency being at lowest risk (12.0 per cent).

In addition, 74.7 per cent of the respondents believe that youth unemployment is a likely cause of political violence in the county because of the high unemployment rate among the youth in the area.

#### 4.1.2.3 Socio-cultural issues and factors

Non-indigenous communities migrating or living in the county is not a major issue but it may be triggered by other factors. Only 35.4 per cent respondents felt that this may be a cause for violence with Kipkelion (18.8 per cent) and Belgut constituency (11.8 per cent) feeling more strongly about it. These areas were the hotspots during the 2007-2008 post-election violence. This is an indication that even though the ethnic animosity has subsided, there is still a likelihood of this being a factor in future elections.

#### 4.1.2.4 Environment and security issues and factors

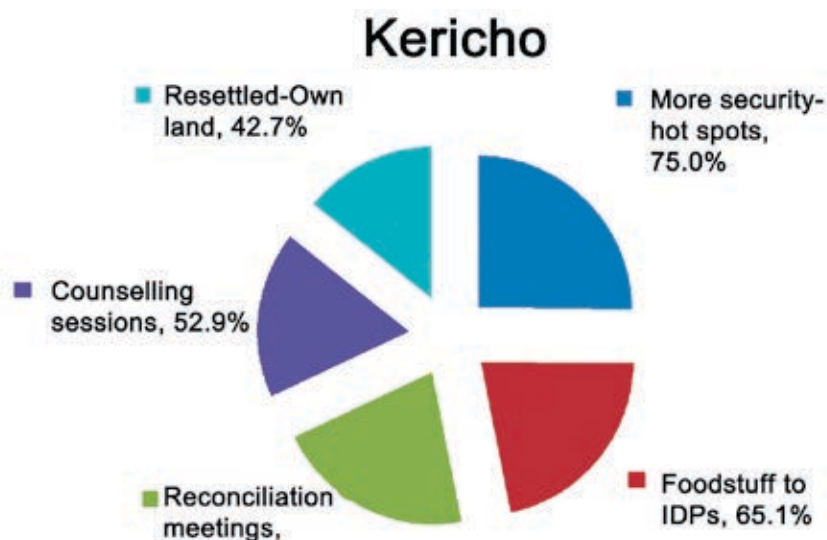
On security, 49.2 per cent of the respondents believed that border disputes both within the county and with neighbouring counties as a likely cause for conflict within the county. While 54 per cent of the respondents believed that land disputes may be the main cause of conflicts in the county, this indicates that there are still tensions related to land and border disputes that need to be monitored, especially towards election.

#### 4.1.2.5 Legal issues and factors

The study also looked at the knowledge levels of the respondents on devolution related legal issues that are likely to generate tensions if misunderstood. The selection process of the youth representative seemed to be misunderstood, with majority of the respondents (94.0 per cent) believing that the youth representative would be elected while 76 per cent believe that there will be Constituency Development Fund (CDF). This misconception on the legal and constitutional position may be triggers to violence, especially by the youth. Generally, 14.8 per cent respondents believe that the county government will bring division.

### 4.1.3 Stakeholder efforts

#### 1.3.1 Addressing issues of post-election violence victims in Kericho County



**Figure 2: How post-election victims issues were addressed in Kericho (per cent)**

From the chart above, respondents indicated that emphasis was laid on securing the hotspots (75.0 per cent), basic needs (65.1 per cent), reconciliation (63.1 per cent), counselling sessions (52.9 per cent) and resettlement on own land (42.7 per cent) in Kericho. The specific stakeholders involved in the interventions are highlighted below:

- The Government provided security in all the hotspots for the victims, with the combined efforts of regular and administration police through the office of the District Commissioner.
- The government, the Red Cross, general community members (well-wishers), USAID, UNHCR, the

Church (Caritas, CJPC) and other local organisations provided basic needs and food. The Red Cross and the Government were the main stakeholders in the distribution of food.

- c) The Government, through the District Commissioner's office, spearheaded reconciliation meetings . Religious leaders were also involved with community leaders/elders. Mercy Corps was the most active non-governmental organisation in addressing issues of reconciliation in the county.
- d) Counselling sessions were undertaken within communities and among village elders, community leaders and churches. Those involved included youth groups and counselors, USAID, Nairobi Women's Hospital and Friends of Londiani, CJPC and Caritas. The most mentioned stakeholders were the local elders and community leaders.
- e) Some of the displaced groups were resettled in their own land through Government (provincial administration) efforts supported by the local leaders and elders.

#### 4.1.4 Conclusions

From the analysis of the county, Kipkelion Constituency still remains the most volatile constituency followed by Ainamoi. The issues of sharing of resources need to be monitored and the way the nominations for county positions among the popular party in the county are done will be the ultimate test of Kericho's stability. At the national level, politics may also trigger ethnic tensions and this needs to be monitored.

## 4.2 KISII COUNTY

### 4.2.1 Background analysis

Kisii County has a population of approximately 1,511,422 (KNBS, 2009) living on 2,542 square kilometres. The dominant ethnic group is the Kisii, although there are pockets of the Luo, Luhya and other ethnic groups since it is an urban County.

Politically, Kisii has never had one single dominant party since 1997. The politics are largely influenced by clanism and perceived clan interests that often supersede party politics. With the retiring of Simeon Nyachae, there is no dominant political figure in the county.

On security, Kisii County has had previous border conflicts on three fronts, the Kisii–Migori, Kisii-Homa Bay and Kisii-Trans Mara borders. The latter two have been largely resolved but the one with Trans – Mara is still ongoing. There have also been clan rivalries as well as a significant presence of vigilante gangs who purport to serve a community policing role in the years before elections but have been known to be deployed for political motives during campaigns. Electioneering in Kisii County is prone to violence and intimidation, especially from illegal militias/gangs such as Nchinkororo, Sungu Sungu and Amachuma, among others (CRECO, 2012). Economically, Kisii is mainly agricultural with small-scale tea farming and horticultural crops being the main income earners for the inhabitants. Kisii town has also a substantial number of businesses and manufacturing plants.

On the formal legal system, the county has a total of 11 judicial officers in three stations. Its ration of 100,000 citizens to a High Court judge is 5.8 against a national average of 8.6 while its ration of a million citizens per court station is 0.38 against a national average of 0.37 (CRECO, 2012).

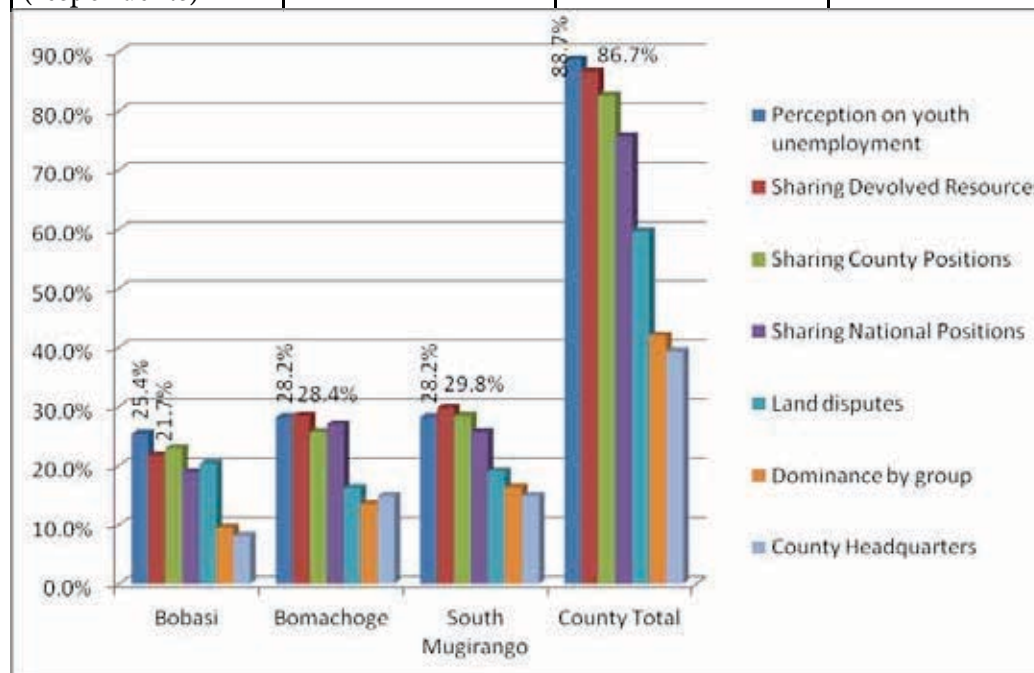
Due to high population density, farm sizes are growing smaller and there is increasing competition for land that often leads to violence. This has sometimes been linked to the common practice of killing of alleged witches within the county. The high population density is also a major contributing factor to soil erosion and deforestation. Waste disposal and sewerage systems are overstretched in the county's urban areas.

#### 4.2.2 Analysis of Kisii county findings

Below is an analysis of the findings from Kisii County on the causes of conflict.

**Table 8: Perception on potential causes of conflict by constituencies (per cent)**

Potential causes of conflict	Bobasi	Bomachoge	South Mugirango	County Total
Perception on youth unemployment	25.4%	28.2%	28.2%	88.7%
Sharing devolved resources	21.7	28.4	29.8	86.7
Sharing county positions	23.0	25.7	28.4	82.6
Sharing national positions	18.9	27.0	25.7	75.7
Land disputes	20.3	16.2	19.0	59.6
Dominance by group	9.5	13.5	16.3	42.0
County headquarters location	8.1	14.9	14.9	39.3
Youth unemployed (respondents)	7.8	11.0	4.7	23.4



**Figure 3: Perception on potential causes of conflict by constituencies**

Below is a discussion of the findings in Kisii County based on the above Table and Figure

##### 4.2.2.1 Political issues and factors

Sharing of political positions in the county seems to be the issue that may cause tensions, with 82.6 per cent of the respondents pointing it out. The national level politics are also cited as a likely trigger of conflict at the county level, with 75.7 per cent of the respondents indicating that sharing of national positions may cause conflict at the county level.

#### 4.2.2.2 Economic issues and factors

Economic related issues rank highest in this county as the likely causes of conflict. The perception that youth unemployment would lead to conflict is held by 88.7 per cent of the respondents with the inequitable sharing of devolved resources being stated as a likely cause of conflict by 86.7 per cent.

#### 4.2.2.3 Socio-cultural issues and factors

Issues of dominance by one group seemed to emerge as a likely cause of conflict, with 42 per cent of the respondents citing it. From the analysis of the findings and focus group discussions, it was noted that the dominance referred to was economic. This is summarised by one youth as follows: “One district taking all resources will lead to conflict, (Female youth, South Mugerango).”

#### 4.2.2.4 Environment and security issues and factors

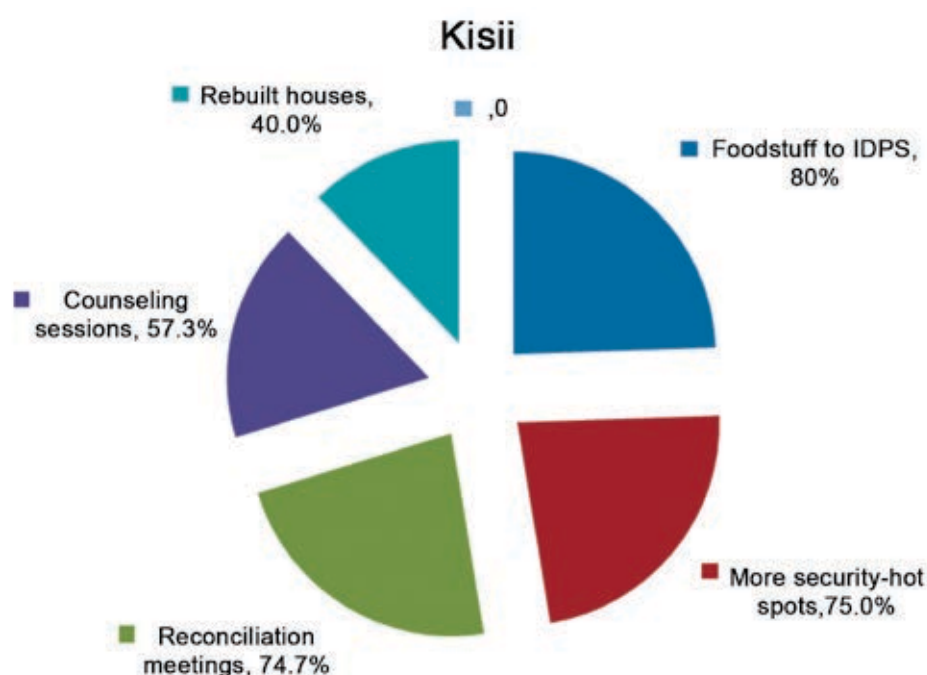
Land disputes (59.6 per cent) seem to be the likely cause of conflict under the environment factors in the County. Bobasi constituency seems to be the constituency most prone to be affected by land disputes (20.3 per cent) and Bomachoge least likely at 13.5 per cent.

#### 4.2.2.5 Legal issues and factors

On the knowledge of the constitutional changes and their legal implications in the run up to, and after elections, there seemed to be also knowledge gaps on key fundamental aspects such as the election process and the resource allocation. For instance, majority of the respondents (90.1 per cent) believe that the youth representative would be elected while 45.1 per cent believe that there would be Constituency Development Fund (CDF) after the elections. Generally, 25.4 per cent respondents believe that the county government will bring division.

### 4.2.3 Stakeholder efforts

#### 4.2.3.1 Addressing issues of 2007-2008 post-election violence victims



**Figure 4: How issues of post-election violence victims were addressed**

From the chart above, the respondents indicated that emphasis was laid on basic needs for food (80.0 per cent), securing the hotspots (75.0 per cent), reconciliation (74.7 per cent), counselling sessions (57.3 per cent) and rebuilding houses (40.0 per cent) in Kisii County. The specific stakeholders involved in the interventions are highlighted below:

a) Provision of food for victims of post election-related violence was given priority. The Government,



through the provincial administration, and the local churches were the main stakeholders in food distribution.

- b) The Government machinery provided security for the victims in all hotspots with the combined efforts of regular and administration police through the office of the District Commissioner.
- c) The Government, through the District Commissioner's office, led all reconciliation meetings. Religious leaders were also involved with community leaders/elders.
- d) Counselling sessions were led by the Government in collaboration with communities and village elders. The Catholic Church played a prominent role among the churches in the county.
- e) The houses of victims were also rebuilt in the county with the government taking the lead. The Church (Catholic Church and NCCCK) were also mentioned as active participants in rebuilding of houses, with the Catholic Church being more active.

Most of the respondents indicated that they had not participated in the County Peace Forums.

#### 4.2.4 Conclusions

From the above analysis of the Kisii County, South Mugirango constituency is the most volatile, with issues of resources and political power dominating the concerns of the constituents. Bomachoge constituency is next, with resource sharing and power sharing being key potential conflict triggers. It should also be noted that, land is also a potentially explosive issue, with Bobasi constituency having the highest concerns compared to the other constituencies. Interventions in Kisii need to also address the issues of youth unemployment because idle youth are most likely to be conscripted into illegal gangs.

### 4.3 KISUMU COUNTY

#### 4.3.1 Background analysis

Kisumu County in western Kenya occupies 2,086 square kilometres and has a population of 968,909 (Commission on Revenue Allocation, 2012). The Luo are the dominant ethnic group but there are significant pockets of Kisii, Luhya, Nubians and Asians.

The county is politically volatile. Clanism tends to also influence Kisumu politics, with the ODM being the dominant party. The political contests are mainly for power within ODM and for the county government.

On security, Kisumu has consistently experienced political violence over the years, especially in the urban centres. There is a large number of unemployed youth that are prone to be manipulated by. There are, specifically border tensions in the constituencies that border Kalenjin counties, such as Muhoroni and Nyakach. According to the CRECO (2012) report: *"In Muhoroni, there is a mixture of political and land issues that has led to tension. The area has had a long-standing history of inter-communal rivalry between the Luo and Kalenjin communities. In 2007, there was a sort of a truce as both communities were perceived to have a common political interest in ODM winning the elections. However, with the subsequent fall out between Raila Odinga and William Ruto, the rivalry has resumed. During the 2010 referendum there was tension and low level of displacement in the border region. In Nyakach there has been a persistent problem of cattle rustling, which has often taken a political dimension during elections."*

Economically, Kisumu city is the regional capital of the former Nyanza Province. The city has many business and manufacturing plants, an inland harbour connecting it to Uganda and Tanzania as well as an international airport. In the rural parts of the county, the main economic activities are fishing and agriculture (rice, sugar cane and maize farming) as well as small-scale subsistence farming. The county has large-scale commercial agriculture (Muhoroni and Ahero) and a hydro-electric power plant (Nyakach). However, there is a large number of rural and urban poor, and inequalities between urban and rural populations. Unemployment, particularly of the youth is high, especially in urban areas.

Kisumu has five court stations and a judge to 100,000, bringing the highcourts' to citizens' ratio to 4:8 against a national average of 8:6.

On socio-cultural dimensions, clan-based politics is a dominant factor in Kisumu and minorities (Nubians and Asians) have not yet been able to fully participate in social and political life. The exception is one of the current (2007-2012) Member of Parliament who is a Kenyan of South Asian descent.

On environment, the key challenges are the common ones facing any fast urbanising county or city, such as pollution, waste disposal management and water hyacinth.

#### 4.3.2 Analysis of Kisumu County findings

**Table 9: Perception on potential causes of conflict by constituencies (per cent)**

Potential conflict areas	Kisumu Rural	Kisumu East	Kisumu West	Muhoroni	Nyakach	Nyando	Total
Sharing devolved resources	14.10	9.8	14.1	17.4	21.7	9.7	86.8
Youth unemployment	6.80	12.5	13.6	19.3	20.5	10.2	82.9
Sharing county positions	7.70	11.0	13.2	15.4	22.0	8.8	78.1
Sharing national positions	10.10	12.4	14.6	13.5	15.8	8.9	75.3
Border disputes	6.80	12.3	9.0	13.4	16.8	6.8	65.1
Migration of non-indigenous	1.10	7.8	6.6	5.5	16.6	6.6	44.2
County headquarters location	9.40	8.2	10.6	9.5	3.5	1.2	42.4
Pasture & water	1.10	7.9	2.2	8.9	11.3	5.6	37.0

**Figure 5: Perception on potential causes of conflict by constituencies**

A discussion on the findings from Kisumu County based on the Table and Figure above are as follows:

##### 4.3.2.1 Political issues and factors

On political issues, 78.1 per cent and 75.3 per cent of the respondents indicated that sharing of county positions and national positions may be the most likely political causes of conflict. Nyakach (22 per cent) and Muhoroni (15.4 per cent) constituencies seem most likely to be affected by political issues relating to the sharing of county positions.

##### 4.3.2.2 Economic issues and factors

The sharing of economic resources remains the most potent cause for conflict. For instance, 82.9 per cent of the respondents agree that youth unemployment may be the leading cause of violence. Issues of youth that are not engaged in gainful employment (formal, informal or self) were seen to be high with up to 26 per cent of the respondents reporting to be either unemployed or volunteering their time. Nyakach (21.7 per cent) and Muhoroni (17.4 per cent) seem to be the most likely to be affected by this factor, while Kisumu East (9.8 per cent) and Nyando (9.7 per cent) seem to be the least likely to be affected.

##### 4.3.2.3 Socio-cultural issues and factors

On average, the study found out that socio-cultural issues are generally not a direct cause of conflict but may come into play if the other factors (economic and political) are ignored. For instance, 44.2 per cent of the respondents indicated the migration into the county of non-indigenous communities could be a cause to conflict. Nyakach constituency (16.6 per cent) registered the highest number of those who considered this a cause for conflict followed by Kisumu East (7.8 per cent). Kisumu Rural recorded the least (1.1 per cent).

##### 4.3.2.4 Environment and security issues and factors

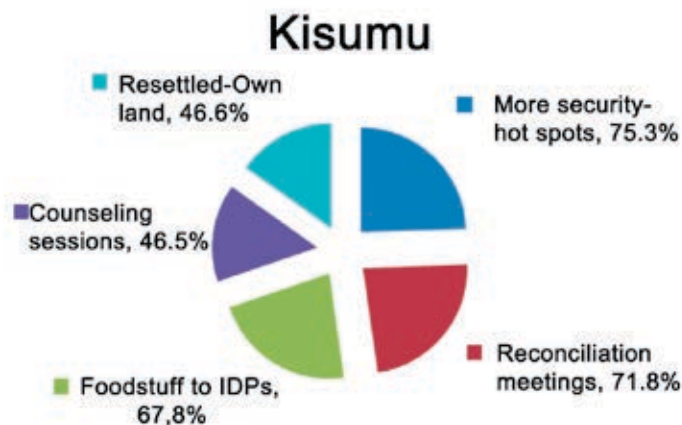
The study found that there are high cases of border disputes in Nyakach and Muhoroni areas with 16.8 per cent and 13.4 per cent of the respondents indicating the likelihood of border disputes resulting in conflict. In total, 65.1 per cent of the respondents in the county indicated that these are likely to cause conflict, hence compromising the security of the area. Border disputes, mainly between the Luo and Kalenjin, are many. Pasture and water is a potential conflict issue, though not so pronounced, with 37.0 per cent of the respondents mentioning it; Nyakach and Muhoroni should be the main focus in any interventions.

##### 4.3.2.5 Legal issues and factors

The study noted that 79.6 per cent of the respondents believe that the youth representative is an elective post, while 52.3 per cent believed CDF would continue to be disbursed even after the general elections. Generally, 17.4 per cent respondents believed that the county government would cause division.

### 4.3.3 Stakeholder efforts

#### 4.3.3.1 Addressing Issues of post-election violence



**Figure 6: How post-election violence victims issues were addressed**

From the figure above, respondents indicated that emphasis was laid on securing the hotspots (75.3 per cent), reconciliation (71.8 per cent), basic needs for food (67.8 per cent), counselling sessions (46.5 per cent) and resettlement of victims on their own lands (46.6 per cent) in Kisumu County. The specific stakeholders involved in the interventions are:

- The Government through the provincial administration and the local Member of Parliament, gave priority to and were involved in securing hotspots.
- The DC's office led reconciliation meetings. Religious leaders and community leaders/elders were also involved. District Peace Committees were formed and have maintained interactions with various communities. Some of the other stakeholders have been the Catholic Church, the Lutheran Church, the Local Capacity for Peace International (LCPI), Neighbourhood Volunteers and community-based organisations such as Kenya Rural Peace Link and Women Link.
- The victims were also given food in an initiative spearheaded by the Kenya Red Cross with support from the Government through the provincial administration. Other stakeholders involved included the World Vision, Neighbourhood Volunteers, Maendeleo ya Wanawake, Menomite Church and the Church in general, and the area Members of Parliament.
- Counselling sessions were led by non-governmental organisations such as the UNDP, World Vision, Red Cross, Local Capacity for Peace International, and the Catholic Church among others. These were in collaboration with the District Peace Committees, the provincial administration, communities and village elders.
- The victims were also resettled on their own lands with the Government taking lead with support from the Kenya Red Cross. Menomite and Catholic churches were also mentioned as active participants in the resettlement process, with the Menomite Church being emphasised. In some instances, the returnees (evicted from other parts of the country) were resettled in the county.

Over 80 per cent of the respondents indicated that they had either attended the County Peace Forums in August or September 2012. Most had represented their districts in the peace forums. Some of the members who attended the forums have formed Locational Peace Committees and require some resources to improve their outreach programmes on peace and conflict resolution.

#### 4.3.4 Conclusions

From the above analysis, Nyakach constituency is the most volatile constituency in Kisumu County. The constituency also has issues with sharing of resources and power. The other issues in the constituency that may trigger conflict include border disputes and ethnicity issues. Muhoroni constituency is another volatile constituency in Kisumu County. Youth unemployment is also a major issue in the county and means of gainful employment for the youth should be incorporated in the interventions implemented in this county.

## 4.4 NAIROBI CITY COUNTY

### 4.4.1 Background analysis

Nairobi County hosts the political and economic capital of Kenya. It borders Kajiado, Machakos and Kiambu Counties. It measures 695 square kilometres with a population of 3,138,369 (KNBS, 2009). In the 2007 election, it had eight constituencies, namely Dagoretti, Kibera, Westlands, Kasarani, Makadara, Embakasi, Kamukunji and Starehe. It is a cosmopolitan city with large informal settlements (slums) in each constituency.

Politically, Nairobi was among the areas that were badly affected by the PEV. According to the CIPEV Report, 125 people died and 348 were injured. The period after the PEV exhibited intense ethnic and class tensions where different ethnic communities in mainly the informal settlements such as Kibera, Mathare and Dandora, attacked each other and zoned off areas. Though there have been various initiatives seeking to address the tensions, there still exists ethnic divisions. Sharp political competition is expected to intensify tensions in consequent elections. Intense campaigns, if not properly regulated may heighten tensions, leading to outbreaks of violence especially in the informal settlements (CRECO, 2012).

On security issues, according to CRECO (2012), the CIPEV report alluded to the recruitment and deployment of armed criminal gangs (particularly Mungiki and the Kenyan Taliban) by politicians. The gangs had thrived in Nairobi's informal settlements, largely due to the failure by the State and local authorities to provide amenities to residents. Eventually, the Government instituted a crackdown, which pushed the gangs underground. However, the risk of these gangs still remains. The instability in Somalia leading to proliferation of small arms and the war against Al Shabaab in Somalia led by the Kenya Defence Forces are also key threats to Kenyan security, with campaign meetings in Nairobi likely to be prime targets.

Economically, Nairobi is the hub of the national government and therefore has the largest number of companies and industries. This is in addition to various headquarters of international companies, non-governmental agencies and two airports. There is widespread extreme poverty in the informal settlements occupying only a fifth of the total area where an estimated two-thirds of the city population resides. This alludes to deep inequality, which potentially could fan social tensions. Due to the high population in Nairobi, the CRA will allocate huge resources to Nairobi, which means that there will be very competitive politics at the county level to control these resources.

On legal system, Nairobi has all courts, including the Supreme Court, but the court system is severely constrained because it also serves the neighbouring counties (Kiambu, Murang'a and parts of Kajiado). The judicial reforms are expected to quicken resolution of electoral related disputes.

On social cultural issues, CRECO (2012) outlines major inequalities experienced in the county and ethnic differences among communities as the likely causes of social tensions in Nairobi, based on class differences. Youth unemployment is also a major issue, particularly in the informal settlements since the youth are desperate and vulnerable, thus easy recruits of illegal gangs or being manipulated by politicians.

Landlessness due to lack of security of tenure in informal settlements and land grabbing have led to land-related conflicts in Nairobi. Informal settlements are vote rich catchments and politicians use this issue in electoral campaigns, inflaming conflicts related to land.

#### 4.4.2 Analysis of Nairobi County findings

**Table 10: Perception on potential causes of conflict- (per cent)**

Potential causes of conflict	Nairobi County
Youth unemployment	74.1
<b>Sharing devolved resources</b>	<b>61.8</b>
Sharing county positions	61.4
<b>Sharing national positions</b>	<b>57.2</b>
Dominance by group	55.0
<b>Land disputes</b>	<b>50.0</b>
Border disputes	46.5

**Table 11: Frequency of conflicts**

Frequency of Conflicts	Nairobi County
Marginalisation by group	36.1
Dominance by group	32.8
Land disputes	19.6

**Figure 7: Perception on potential causes of conflict**

##### 4.4.2.1 Political issues and factors

In Nairobi County, national level and county level political factors are likely to contribute to conflict. Some 61.4 per cent of the respondents indicated that the sharing of county positions was likely to cause conflict while 57.2 per cent held that national level politics would cause conflict in the county.

##### 4.4.2.2 Economic issues and factors

The respondents indicated that economic related factors are the most likely to cause conflict. Youth unemployment, cited by 74.1 per cent of the respondents, was seen to be a major factor that is capitalised on for violence in the county. With regard to devolution, the inequitable sharing of devolved resources or perception on this was highlighted by 61.8 per cent of the respondents.

##### 4.4.2.3 Socio-Cultural issues and factors

Nairobi is the most cosmopolitan county in Kenya, with virtually all communities from Kenya. However, the findings from the study indicate that there is a perception of dominance by one group (55 per cent). A qualitative analysis of the findings found that most of the respondents felt that there is economic dominance, with youth feeling marginalised. Thirty six per cent of the respondents indicated that the marginalisation by one group occurs often or more often, while 32.8 per cent indicated that it is frequent. This suggests that issues around dominance, be it economic or ethnic, should be addressed as part of interventions in Nairobi County.

##### 4.4.2.4 Environment and security issues and factors

Though not so pronounced, land and border disputes were mentioned as potential causes of conflict. Fifty per cent of the respondents cited land disputes and 46.5 per cent recorded border disputes as possible conflict triggers. However, only 19.6 per cent of the respondents felt that land disputes occur frequently.

##### 4.4.2.5 Legal issues and factors

Some 72.2 per cent of the respondents believe that one of the elective positions in the upcoming elections is the youth representative while 50 per cent believe that there will be CDF for the constituencies after elections. Generally, 25.9 per cent respondents believe that the county government will cause divisions.

### 4.4.3 Stakeholders efforts

#### 4.4.3.1 Addressing issues of post-election victims

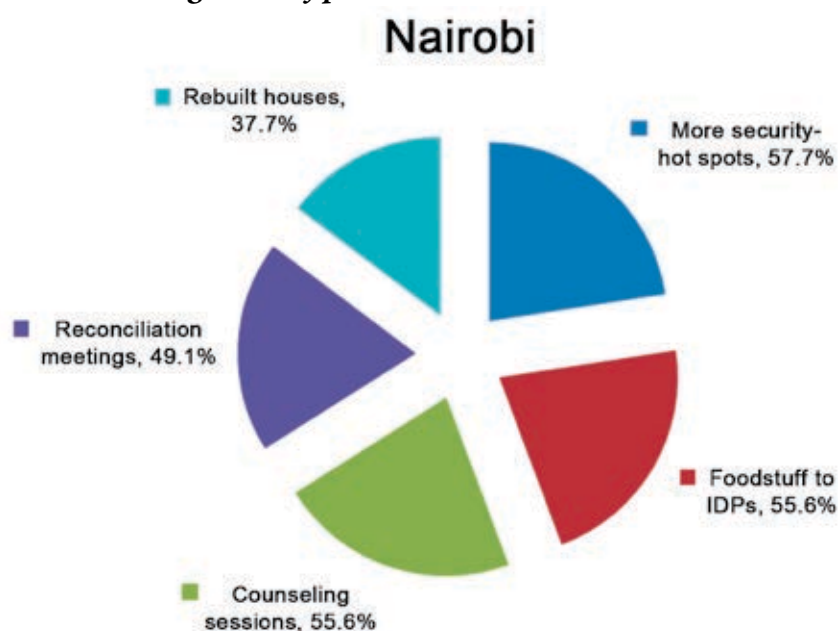


Figure 8: How victims of post-election violence issues were addressed

From figure above the respondents indicated that emphasis was laid on securing the hotspots (57.7 per cent), basic needs (55.6 per cent), counselling sessions (55.6 per cent), reconciliation (49.1 per cent) and rebuilt houses (37.7 per cent) in Nairobi County. The specific stakeholders involved in the interventions were:

- Security was provided by the provincial administration in all the hotspots.
- The basic needs and foodstuff were provided by the government, Red Cross, general community members (well-wishers) MSF Belgium and other local organisations. Red Cross and the Government were the main stakeholders in foodstuff distribution.
- Counselling sessions were undertaken by mainly civil society organisations. Others involved were youth groups, church organisations (including the Catholic Parishes).
- Reconciliation meetings were spearheaded by civil society organisations; the religious leaders were also involved.

Few (less than five per cent) of the respondents had been involved in the County Peace Forums despite some of them working on peace initiatives in their locations. However, they had been involved in either externally sponsored or self-sponsored forums to discuss issues on peace building in their areas.

#### 4.4.4 Conclusions

Nairobi County also has the dominant issue being resource and power related with youth unemployment being a possible catalyst to any conflict. The power play between politicians and land issues especially in the informal settlements also need to be factored in any interventions planned for this county. There is also a perception of dominance or threat of dominance by various groupings.

## 4.5.0 NAKURU COUNTY

### 4.5.1 Background analysis

Nakuru County is situated on the floor of the Rift Valley and shares borders with Baringo, Laikipia Nyandarua, Narok, Bomet, Kiambu and Kajiado Counties. In 2012, the county had six constituencies: Naivasha, Nakuru Town, Molo, Kuresoi, Subukia and Rongai. The county, among the largest in the Country, occupies 7,495 square kilometres, with a population of approximately 1,603,325 (KNBS, 2009). It is cosmopolitan with inhabitants from the Kalenjin community, Maasai, Kikuyu, Kisii, Luo and Luhya settled there. The urban population is found in important towns such as Nakuru, Naivasha, Molo, Gilgil, Njoro, Maai Mahiu, Subukia and Dundori, among many others.

Politically, Nakuru County is significant. Whenever tribal animosities arise in Kenya, the county is usually the epicentre and the PEV followed that trend with devastating results. Historically, elections have been viewed in Kenya as a competition between communities or different ethnic groups. This trend merits monitoring and a comprehensive early warning and mitigation system.

Nakuru County suffers serious historical, physical and psychological security problems. Some of these are rooted in contested land claims, which are partly based on the fear that other communities would take over all the land in the county. The other possible trigger for security concerns is the high number of unemployed youth who are useful to factional fighting as they can very easily be mobilised as foot soldiers (CRECO, 2012).

Economically, the county has various tourist attractions such as the Menengai and Longonot crater mountains, Lake Nakuru, Lake Nakuru National Park, Hell's Gate Reserve, Lakes Elementaita and Lake Naivasha. The county also has private ranches and hospitality centres. There is also extensive dairy farming, fishing, commercial wheat and maize farming and large horticultural businesses that employ migrants from the Luhya, Luo and Kisii communities, a factor which has led to the growth in population of these communities in county.

The County has a High Court based in Nakuru and has magistrates' courts in Nakuru, Naivasha and Molo among others. However, given the sheer size and diversity of the population in the county, there are delays in the judicial system process in the county. Some conflicts are likely to remain unresolved.

On socio-cultural aspects, the county has communities from the Kalenjin, Kikuyu and other communities represented by migrant workers. These communities also compete for dominance on a myriad of aspects, including politics, economy and especially land.

On environment issues, according to CRECO (2012), there have been longstanding disputes over land, which are set to continue. In this regard, land claims pit Kipsigis and Tugen against the Kikuyu on the one hand; and the Maasai against the Kikuyu on the other. The competing claims on land accentuate psychological insecurities harboured by the communities to create a ticking time bomb. Climatic changes have also affected the lakes leading to potential scarcity of pasture and water. There are also potential conflicts on tourist attractions between conservationists and local communities.

### 4.5.2 Analysis of Nakuru County findings

**Table 12: Perception on potential causes of conflict by constituencies (per cent)**

Potential causes of conflict	Kuresoi	Molo	Naivasha	Njoro	Rongai	Subukia	County Total
Land disputes	18.0	10.1	12.5	13.3	12.5	15.7	82.1
Sharing devolved resources	18.2	10.6	12.9	11.3	12.9	9.8	75.7
Sharing national positions	17.4	10.6	9.9	9.8	14.4	9.8	71.9
Dominance by group	17.4	9.8	12.1	6.8	12.9	12.1	71.1
Sharing county positions	14.1	10.4	10.3	11.1	13.4	10.3	69.6

Youth unemployment	14.8	7.0	12.5	10.2	7.0	12.5	64.0
Pasture & water	15.5	6.2	7.7	8.5	10.1	10.1	58.1
Border disputes	13.6	6.8	10.5	5.3	5.3	6.8	48.3
Migration of non-indigenous	14.0	7.0	8.5	1.6	3.9	2.4	37.4
County headquarters	7.0	5.4	4.7	7.0	4.7	1.6	30.4

**Figure 9: Perception on potential causes of conflict by constituencies (per cent)**

#### **4.5.2.1 Political issues and factors**

The study established that Nakuru County also had the political power sharing issues as potential conflict triggers. Interestingly, the respondents considered the national level and county level politics at similar level with 71.9 per cent and 69.6 per cent considering the two factors as potential causes of conflict. Kuresoi and Rongai constituencies showed stronger perceptions of these as causes of conflict than the other constituencies.

#### **4.5.2.2 Economic issues and factors**

Some 75.7 per cent of the respondents indicated that the sharing of devolved resources may be a potential area of conflict. It should be noted that the sharing of county positions may be seen as a bridge to the sharing of devolved resources and therefore the systems analysis of these factors need to be seen jointly. Some 64 per cent of the respondents also believed that the lack of employment opportunities for the youth is a major factor that exposes them to possibility of engaging in violent behaviour. Kuresoi, Naivasha and Subukia seemed to feel more strongly about youth unemployment leading to violence than the other constituencies.

#### **4.5.2.3 Socio-cultural issues and factors**

In spite of the cosmopolitan and multi-cultural nature of Nakuru County, 71.1 per cent of the respondents felt that dominance by one group could be a major cause of conflict. This is indicative of the deep-rooted suspicions amongst communities. The respondents also reported that there is a 58 per cent chance of marginalisation and 53 per cent chance of dominance by one group. This means that issues of communities being suspicious of each other need to be addressed, especially in Kuresoi, Rongai, Subukia and Naivasha.

#### **4.5.2.4 Environment and security issues and factors**

The study found that disputes over land are the single most potent issue that leads to conflict in Nakuru County. Some 82.1 per cent of the respondents felt that land disputes are most likely to cause conflicts, 58.1 per cent indicated pasture and water while 48.3 per cent indicated that border disputes are likely to cause security concerns and conflict. Kuresoi and Subukia seemed to have a higher propensity for land disputes while border disputes are higher in Naivasha and Kuresoi. The resolution of land and border disputes should be prioritised as they may be the trigger factors for violence in the county.

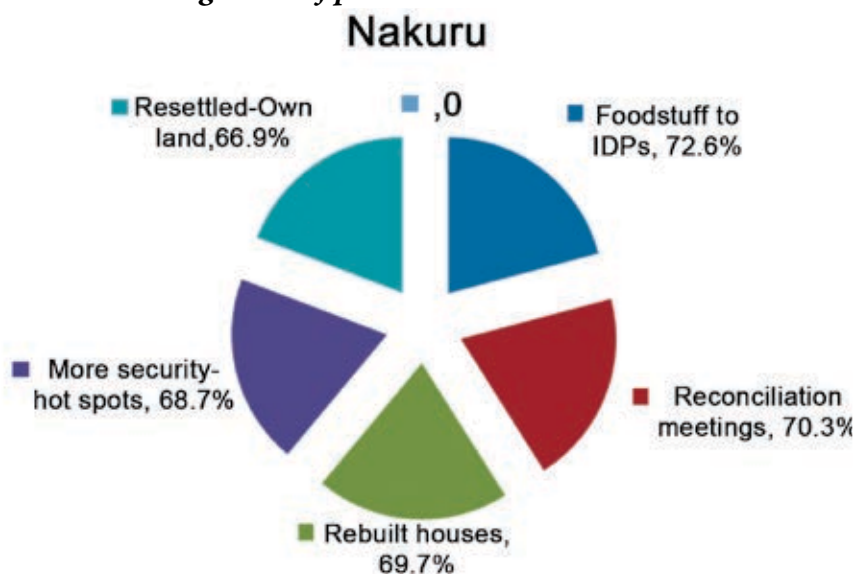
#### **4.5.2.5 Legal issues and factors**

Forty per cent believe that the youth representative should be elected and 43.8 per cent were convinced CDF would not be abolished. Compared to other counties, it was evident that there has been substantial investment in educating the county's residents on the 2010 Constitution. Generally, 14.4 per cent respondents believe that the county government will bring division.



### 4.5.3 Stakeholder efforts

#### 4.5.3.1 Addressing issues of post-election violence victims



**Figure 10: How post-election violence victims issues were addressed**

From the figure above, respondents were emphatic on basic needs and food (72.6 per cent), reconciliation (70.3 per cent), rebuilding houses (69.7 per cent), more security in hotspots (68.7 per cent) and resettlement on own land (66.9 per cent) in the county. The specific stakeholders involved in the interventions are:

- The Kenya Red Cross with support from the Government were the main providers of basic needs and food. Other main facilitators of food distribution were USAID, CJPC and NCCK.
- The Church, led by the Catholic Church in the county, spearheaded reconciliation meetings. The Government, the NCCK, the British Council, Peacenet Kenya, civil society organisations under the Peace Caravan and USAID were also key stakeholders. The District Peace Committees are currently active in the various parts of the county.
- The provincial administration led in the rebuilding of houses. Other key stakeholders that participated include UN Habitat and USAID.
- The Government and its agencies, through the provincial administration, secured hotspots.
- The government with support from various non-governmental organisations undertook the resettlement of victims in their own land.

It should be noted that counselling sessions were not among the top five priorities in the county.

Few (less than five per cent) of the respondents had been involved in the County Peace Forums, although some of them are involved in peace initiatives in their locations. However, they have engaged in various peace initiatives in their areas. Special focus has been on using creative arts to pass messages of peace and reconciliation.

#### 4.5.4 Conclusions

Kuresoi is a hotspot in Nakuru County, with land disputes being the most likely trigger of another spate of ethnic tensions towards the general elections. The other issues in Kuresoi include sharing of devolved resources, conflicts over pasture and water, border disputes and general suspicions between ethnic communities. Civil society organisations working in the county need to collaborate with the Government to put in place mitigating initiatives, such as alternative dispute resolution mechanisms that involve the communities, in addition to the ongoing initiatives.

Rongai is the other hotspot, with the land issues also being the major factor. Other possible triggers of conflict are sharing of resources and county positions (power).

## 4.6 TRANS NZOIA COUNTY

### 4.6.1 Background analysis

Trans Nzoia County is situated in the Rift Valley and borders Uganda to the west, Elgeyo Marakwet and Uasin Gishu Counties to the east, West Pokot County to the north and Bungoma County to the south. It occupies 2,496 square kilometres with a population of approximately 818,757 (KNBS, 2009) people who predominantly belong to the Luhya and Kalenjin communities. Other communities in the county include Kikuyu, Kisii, Luo and Teso. The county can be described as cosmopolitan 'rural'. Kitale is the 20th biggest town in Kenya, with a population of over 105,000 people. Currently it has three constituencies: Saboti, Kwanza and Cherangany.

Politically, the Luhya and Kalenjin have dominated the politics in the county, with Masinde Muliro and Michael Wamalwa being the leading political figures. Their families continue to influence the politics of the county.

On security issues, residents of the neighbouring counties of West Pokot and Elgeyo/Marakwet use small arms to engage in cattle rustling and self-defence. These arms could easily find their way into Trans Nzoia and cause insecurity or be used for politically instigated violence.

Economically, large-scale and dairy farming are the predominant activities in the county. There is also extensive commercial farming in potatoes, carrots, vegetables and fruits. The county is served by the Kitale airstrip, which accommodates small to medium aircraft, in addition to the Eldoret International Airport, only an hour away from Kitale. The county has a national game reserve and historic caves on the foot of the Mt Elgon, which attract tourists. There are also individual conservancies in the area.

The county has a High Court based in Kitale, which also serves West Pokot and Turkana counties. There are also magistrates' courts in Kitale.

On socio-cultural aspects, the Luhya and Kalenjin are the majority. Other communities are the Kikuyu, Kisii, Luo and Teso. There are intra-ethnic rivalries between the Bukusu and the Tachoni; the Sabaot and the Pokots; and the Pokots and the Marakwets.

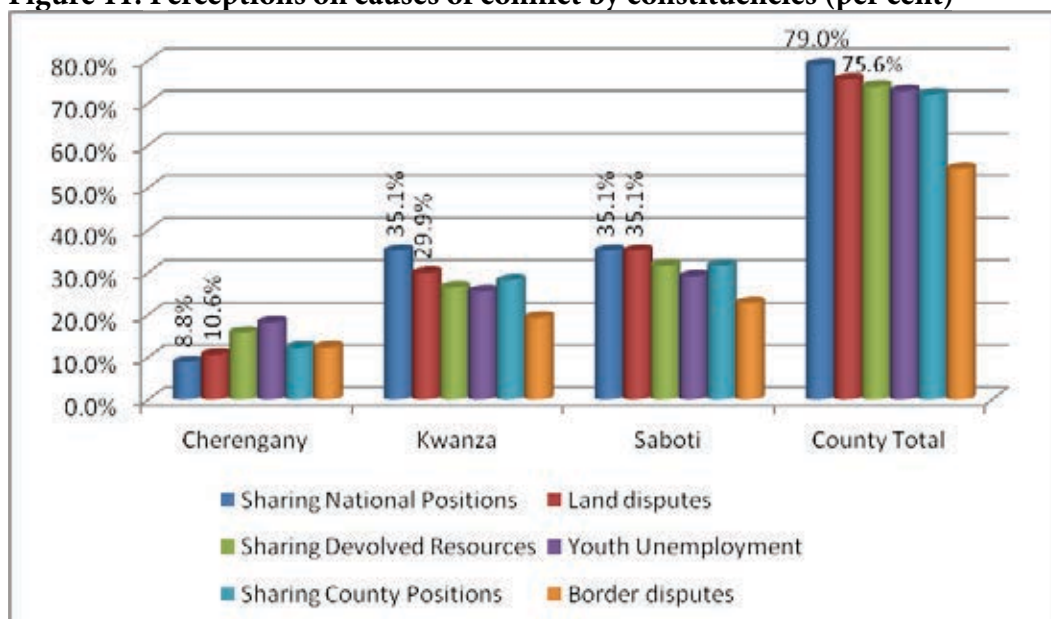
The County has longstanding unresolved grievances over land ownership. There are numerous cases of squatters and locals 'taking over' farms they argue were illegally (through political connections) acquired. However, the climate is good all year round and conducive for agriculture, especially maize farming.

#### 4.6.2 Analysis of Trans Nzoia County findings

**Table 13: Perceptions on potential causes of conflict by constituency (per cent)**

Potential causes of conflict	Cherengany	Kwanza	Saboti	County Total
Sharing national positions	8.8	35.1	35.1	79.0
Land disputes	10.6	29.9	35.1	75.6
Sharing devolved resources	15.8	26.4	31.6	73.8
Youth unemployment	18.2	25.5	29.1	72.8
Sharing county positions	12.3	28.1	31.6	72.0
Border disputes	12.3	19.3	22.8	54.4
Dominance by group	14.1	15.8	19.3	49.2
County headquarters	10.5	17.6	19.3	47.4
Migration of non-indigenous	10.6	15.8	19.3	45.7
Pasture & water	5.3	19.3	17.5	42.1

**Figure 11: Perceptions on causes of conflict by constituencies (per cent)**



##### 4.6.2.1 Political issues and factors

In Trans Nzoia County, national politics seem to be of greater concern than the local politics, with 79.0 per cent of the respondents indicating that the national politics of positions may cause conflicts at the county level. Only 72 per cent indicate that the county level politics of sharing positions will cause conflict in the county. Respondents from Saboti and Kwanza constituencies seemed to be more inclined to the impact of county level sharing of positions than the counterparts from Cherengany. This implies that the former two constituencies would be more volatile than Cherengany over county positions.

#### 4.6.2.2 Economic issues and factors

Nearly 74 per cent of the respondents indicated sharing of economic resources at the county level was a potential area for conflict. Respondents from Saboti (31.6 per cent) and Kwanza (26.4 per cent) felt that this was likely to trigger conflict. Respondents in the same constituencies (29.1 per cent in Saboti and 25.5 per cent in Kwanza) also felt that youth unemployment could cause violence in the county. Some 72.8 per cent of all the respondents felt that youth unemployment is a factor in violence within the county.

#### 4.6.2.3 Socio-cultural issues and factors

There seems to be a general consensus among the socio-cultural issues within the constituencies with 19.3 per cent of the respondents in Saboti, 15.8 per cent in Kwanza and 14.1 per cent in Cherengany stating that this is an issue. The perceived dominance is based on suspicion between the two dominant ethnic communities of Luhya and Kalenjin. However, there is also the increasing perception of other ethnic communities who have traditionally not been in Trans Nzoia coming to take over land. This is a perception held by 19.3 per cent of respondents from Saboti, 15.8 per cent from Kwanza and 10.6 per cent from Cherengany.

#### 4.6.2.4 Environment and security issues and factors

Land issues are the single most volatile factor in Trans Nzoia County, with 75.6 per cent of the respondents indicating that this is the most potential cause of conflict in the area. Saboti constituency (35.1 per cent) believe that land disputes are likely to cause conflict, with Kwanza and Cherengany constituencies being 29.9 per cent and 10.6 per cent, respectively.

Border disputes, though less pronounced at 54.4 per cent within the county, are another possible cause of insecurity and conflict. Saboti constituency still seems to be most volatile with 22.8 per cent compared to 19.3 per cent in Kwanza and 12.3 per cent in Cherengany.

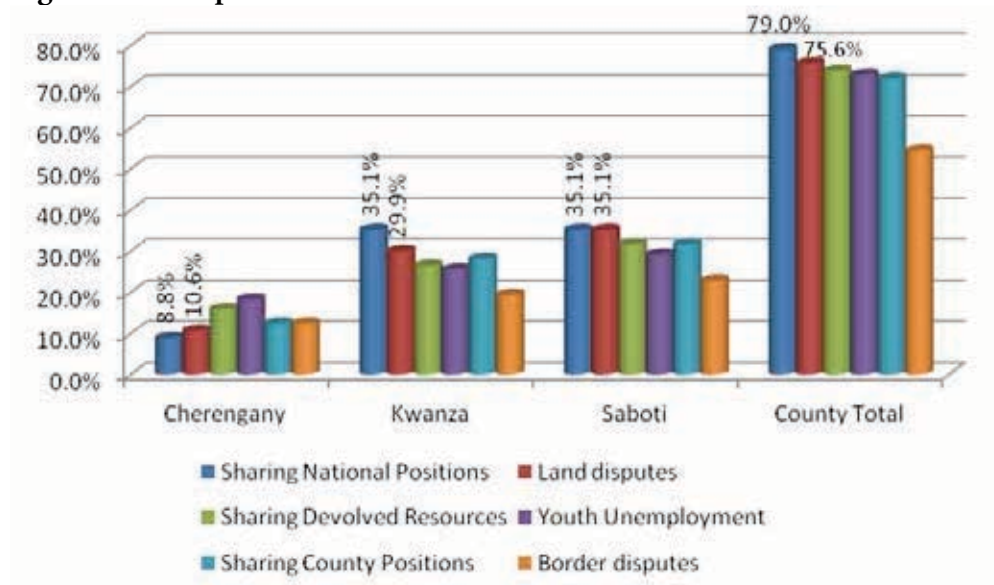
#### 4.6.2.5 Legal issues and factors

It was established that 60 per cent of the respondents believed that the youth representative is an elective position and that 34.5 per cent believed that there would still be CDF even after the General Election. The understanding of these two issues is important since they are likely to fuel emotions, especially among the youth and the communities that perceive they are dominated. Generally, 34.5 per cent respondents believe that the county government would bring division.

### 4.6.3 Stakeholders efforts

#### 4.6.3.1 Addressing issues of post-election victims

Figure 12: How post-election violence victims issues were handled



From the figure above, the respondents indicated that emphasis was on securing the hotspots (77.2 per cent), counselling sessions (68.4 per cent), provision of basic needs and food (64.9 per cent), resettlement on own land (64.9 per cent), reconciliation meetings (56.1 per cent) and rebuilding of houses (56.1 per cent) in the county. The specific stakeholders involved in the interventions are:

- a) The Government through the provincial administration in Trans Nzoia solely secured the hotspots.
- b) The Government with support from civil society organisations, such as Chanuka, FIDA and International Organisation for Migration (IOM), spearheaded counselling sessions. The Church also played a critical role.
- c) Food was distributed mainly by the Government with support from the Red Cross, the Catholic Church and International Organization for Migration (IOM-Japan) among other Non-governmental organizations.
- d) The Government through provincial administration and with support from IOM resettled victims back to their own lands.
- e) Reconciliation meetings were facilitated by the Government through the provincial administration and supported by other stakeholders, such as the Church and civil society organisations led by Kitale Aids Programme in collaboration with community leaders.
- f) Rebuilding of houses was mainly undertaken by the Government with support from IOM.

Less than 10 per cent of the respondents had been involved in the County Peace Forums. However, the respondents have organised, attended and addressed various forums on issues of peace. Through the groups and organisations, the respondents indicated that various groupings have emerged that were doing various peace building activities.

#### **4.6.4 Conclusions**

Saboti constituency is a likely hotspot in Trans Nzoia, especially disputes related to land for the squatters. The sharing of power (county positions) and resources (devolved resources) may trigger conflict. Similar conflict triggers afflict Kwanza constituency. The high levels of youth unemployment put the two constituencies at a precarious position. Interventions have to factor in the engagement of youth in gainful activities while addressing the issues of land in the county. Despite the county being highly cosmopolitan, it would be important to also monitor issues relating to ethnic tensions due to perceived dominance by the different ethnic communities in the county.

## 4.7 UASIN GISHU COUNTY

### 4.7.1 Background analysis

Uasin Gishu County is in the Rift Valley and borders Nandi, Trans Nzoia, Elgeyo Marakwet, Bungoma and Kericho counties. It occupies 3,345 square kilometres with a population of approximately 894,179 people (KNBS, 2009). Eldoret is its capital city as well as the main commercial centre. The county's population comprises mainly of members of the Kalenjin (Nandi, Kipsigis, Keiyos and Marakwets) community. Other communities in the area include the Luhya, Kikuyu, Kisii and Luo who reside mainly in the outskirts of Eldoret town. Uasin Gishu has both a rural and urban population, with a number of important towns namely Eldoret, Moi's Bridge, Matunda, Burnt Forest, Jua Kali and Turbo. Currently the county has three constituencies: Eldoret North, Eldoret South and Eldoret East.

The county politics are shaped mainly by the predominant Kalenjin community. The voting pattern in the county's three constituencies has been the same in the 1997, 2002 and 2007 general elections. The leading political figure in the county is William Ruto who is both a communal and national leader mobilising the Kalenjin vote. The county has a historical land problem caused by the fact that the Kalenjin feel the area "belongs" to them and have been given a raw deal in land allocation. This grievance provides the fault line for all the political conflicts, including the post-election violence in which the Kikuyu were attacked, maimed, displaced or killed for voting against the wishes of their "hosts".

On security issues, Uasin Gishu is a relatively stable region, with the exception of the post-election period when the situation was sensitive. The most affected areas were those occupied by the non-Kalenjin communities, especially the Kikuyu, such as Turbo, Kiambaa and areas on the outskirts of Eldoret town. Politicising the ICC case against William Ruto may lead to whipping up of intercommunal tensions on the ground.

Economically, Uasin Gishu is basically agricultural. The most important farming activities are large-scale commercial cultivation of maize and wheat. Maize, beans, potatoes and peas are also cultivated both for subsistence and commercial purposes. Livestock farming is also practised. Farmers engage in large-scale dairy farming using modern methods such as zero-grazing and cross breeding of herds, producing large quantities of milk for delivery to dairy products processors such as the Kenya Cooperative Creameries (KCC) and Brookside Dairy Company. The county has also prospered economically from professional athletes who often reinvest in the area. Eldoret International Airport links the region both to local and international destinations. Uasin Gishu together with Trans Nzoia and Nakuru counties are considered the bread basket of Kenya

The County has the High Court and the magistrates' courts based in Eldoret. The main concern for this county is, in fact, not whether the Judiciary is sufficiently equipped to deal with the inter-ethnic flare ups that occur during and after election periods; but whether the local community will regard the institution as an impartial arbiter in cases that may arise (CRECO, 2012).

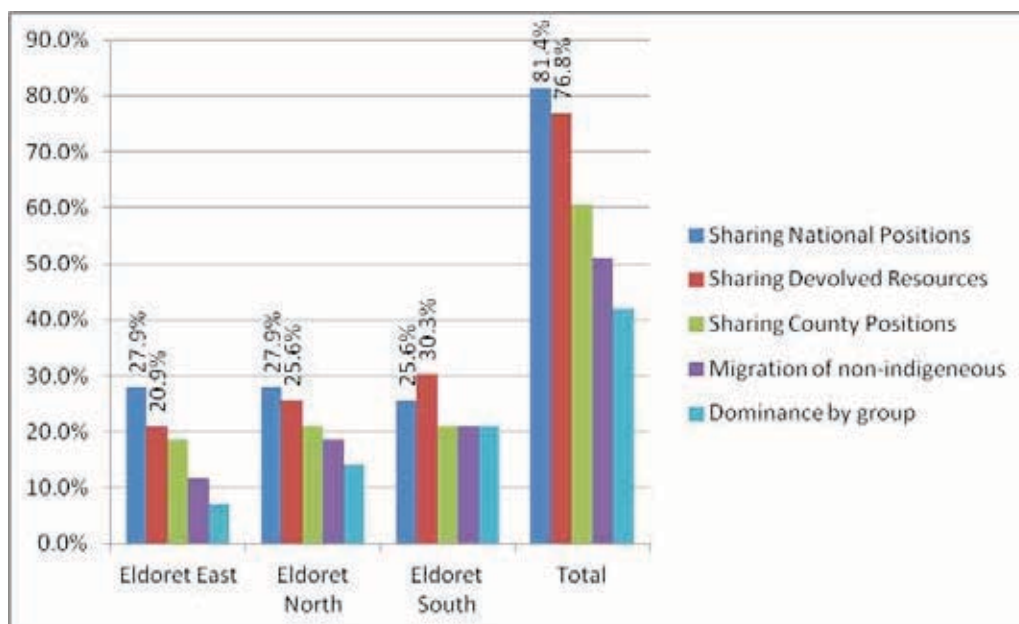
On socio-cultural aspects, the county's population is predominantly Kalenjin, and this has heavily influenced the other communities. The inter-community relations are peaceful as long as there is nothing at stake. The Kalenjins, Luhyas, Kikuyus and others live happily carrying on with their private lives and businesses.

On environment issues, at the back of the minds of members of the Kalenjin community is the notion that some "foreigners" (Kikuyu) took their land without compensation. During election time, the land grievances are camouflaged as a political cause to be pursued until the "foreigners" are purged from "their" (Kalenjin) land. The county has arable land, good forest cover, sufficient rainfall, access to clean water and good sanitation facilities for the inhabitants.

#### 4.7.2 Analysis of Uasin Gishu findings

**Table 14: Potential causes of conflict by constituencies (per cent)**

Potential causes of conflict	Eldoret East	Eldoret North	Eldoret South	County Total
Sharing national positions	27.9	27.9	25.6	81.4
Sharing devolved resources	20.9	25.6	30.3	76.8
Youth unemployment	14.6	26.8	19.5	60.9
Sharing county positions	18.7	21.0	21.0	60.7
Migration of non-indigenous	11.6	18.6	20.9	51.1
Dominance by group	7.0	14.0	20.9	41.9
Land disputes	4.7	11.7	23.3	39.7
Border disputes	4.8	19.0	14.3	38.1
County headquarters	9.3	7.0	9.3	25.6



**Figure 13: Potential causes of conflict by constituencies (per cent)**

##### 4.7.2.1 Political issues and factors

Sharing of political positions both at the national and county levels was indicated as a potential contentious issue with 81.4 per cent and 60.7 per cent of the respondents, respectively. There are almost similar sentiments among the three constituencies on the issue of sharing of county positions at Eldoret South (21 per cent), Eldoret North (21 per cent) and Eldoret East (18.7 per cent).

##### 4.7.2.2 Economic issues and factors

Sharing devolved resources is a key factor in the county, with 76.8 per cent of the respondents indicating that the issue will indeed be a major conflict matter, especially if there is perceived or real inequity. Eldoret South (30.3 per cent), Eldoret North (25.6 per cent) and Eldoret East (20.9 per cent) indicated that this issue is likely to cause conflict.

Another economic related potential trigger for violence is the lack of employment opportunities for the youth. The respondents (60.9 per cent) indicated that youth unemployment could trigger violence. Respondents from Eldoret North (26.8 per cent), Eldoret South (19.5 per cent) and Eldoret East (14.6 per cent) indicated that youth unemployment predisposes the youth to violence.

#### 4.7.2.3 Socio-cultural issues and factors

The study identified migration into the county by non-indigenous groups as one of the issues that has potential to fan conflict, with 51.1 per cent of the respondents mentioning it. Eldoret South perceives this issue as a likely trigger at 20.9 per cent with Eldoret North at 18.6 per cent. Related to this is the perceived fear of dominance by one ethnic group, which was highlighted by a total of 41.9 per cent of the respondents.

#### 4.7.2.4 Environment and security issues and factors

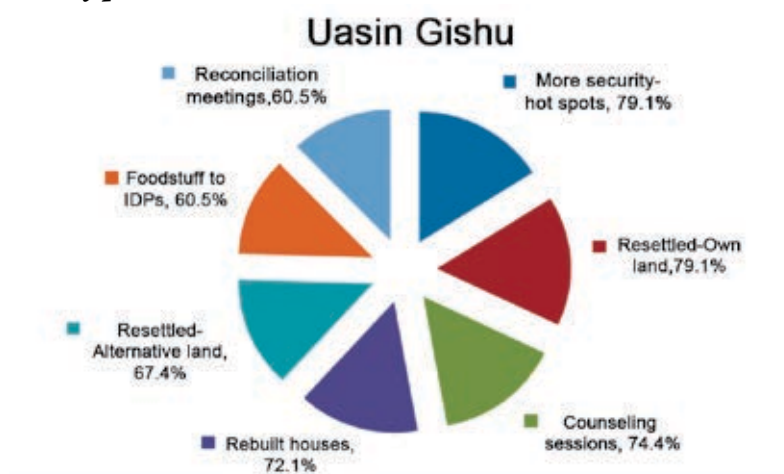
Nearly 40 per cent of the respondents raised land and border disputes as key potential factors of conflict. Land disputes were cited by 39.7 per cent of the respondents while border disputes were listed by 38.1 per cent. Eldoret South had the highest respondents citing land disputes (23.3 per cent) in the county, while Eldoret North had highest respondents for border disputes (19.0 per cent).

#### 4.7.2.5 Legal issues and factors

The study established that 80.5 per cent of the respondents believed that the youth representative is an elective position and that 34.1 per cent believe that there would still be CDF even after the General Election. The understanding of these two issues is important since they are likely to fuel emotions, especially among the youth and minority communities. Generally, 51.2 per cent respondents believe that the county government will bring division.

### 4.7.3 Stakeholder efforts v

#### 4.7.3.1 Addressing issues of post-election violence victims



**Figure 14: How issues of post-election violence victims were handled**

From the figure above, the respondents indicated that emphasis was laid securing the hotspots (79.1 per cent) and resettling the victims on their own lands (79.1 per cent). Other interventions targeted counselling sessions (74.4 per cent), rebuilding houses (72.1 per cent), resettling victims on alternative land (67.4 per cent), giving food and basic needs (60.5 per cent) and reconciliation meetings (60.5 per cent) in Uasin Gishu County. The specific stakeholders involved in the interventions are:

- In Uasin Gishu County, security and resettlement of victims was given priority. The Government machinery - a combined effort of regular and administration police through the DC's office - offered security for PEV victims in all hotspot areas.
- Resettlement of victims on their own land was a collaborative effort led by the Government through the provincial administration and local non-governmental organisations.
- The Government facilitated counselling in collaboration with other organisations such as the Catholic Church, Mercy Corps, Rural Women Links, IOM, peace teams and Friends Church.
- The Government led in the rebuilding of houses in partnership with the Kenya Red Cross, IOM, Catholic Relief Services (CRS), among other non-governmental organisations.
- The distribution of food and basic needs to victims was done by the Government in collaboration with the Kenya Red Cross, CJPC, CRS and other organisations in the County.



- f) Reconciliation meetings were facilitated by the Government in collaboration with Mercy Corps, IOM, Catholic Church and other non-governmental organisations.

Almost 40 per cent of the respondents indicated that they had participated in the County Peace Forum in the mobilisation, participation or other related activities. The other respondents indicated that they had continuously engaged in peace initiatives in the county.

#### 4.7.4 Conclusions

Eldoret South constituency is a likely hotspot with issues of resource sharing and power politics overshadowing all others. There are also likely to be issues of ethnic tensions because of resistance to open up to perceived non-indigenous communities after the PEV. The land issue is also a likely conflict trigger in Eldoret South. Eldoret North constituency is also another likely hotspot with similar issues of power and resources playing out. National politics are a likely conflict trigger in the constituency, bearing in mind that the sitting Member of Parliament aspires to run for presidency. Conflict in the two constituencies may also be fuelled by the perception on youth unemployment.

Interventions in Uasin Gishu have to factor the issues of equitable sharing of resources if conflict is to be averted while land issues in Eldoret South have to be factored in the interventions for this county.

### 5.0 PEACE BUILDING PROCESSES

This section highlights some of the key roles that have been played and continue to be played by the various stakeholders.

#### 5.1 Role of administration and law enforcement agents

In addressing the conflict, the Government played the most important role in all the areas of assistance. The various provincial administration officers were key in all the aspects of the conflict management, except the counselling sessions where civil society organisations and the Church took a more pronounced role.

**Table 15: Role of the Provincial Administration in peace building (per cent)**

Provincial Administration	Kisumu	Kericho	Nakuru	Trans Nzoia	Uasin Gishu	Kisii	Nairobi
Deployed more officers	87.2	84.3	82.8	87.7	82.9	95.8	65.1
Inter-clan peace forums	87.5	69.7	53.9	80.7	78.0	95.8	61.7
Resolved issues	71.6	77.3	51.9	78.6	61.0	90.3	59.0
Gathered evidence	77.0	64.0	47.0	68.4	36.6	72.2	50.0
Rehabilitated Inciters	37.9	32.6	20.9	64.9	26.8	16.7	32.2
Average	72.2	65.6	51.3	76.1	57.1	74.2	53.6

From the table above, it can be noted that maintenance of security was the paramount role of government agents in all the counties. Chiefs and their assistants played an important role in organising peace forums (reconciliation meetings) within the communities. However, the provincial administration did not fare well in rehabilitating the inciters, an area that needs to be addressed.

In all the surveyed counties, on average the provincial administration and law enforcement agents were cited to have responded well in Trans Nzoia county (76.1 per cent), Kisii (74.2 per cent) and Kisumu (72.2 per cent) while the respondents in Nakuru County felt that the provincial administration did not respond effectively at 51.3 per cent.

## 5.2 Role of the Church

The Church is also another system that the study sought to find out how responsive it was to the needs of the victims. Whereas it must be mentioned that the Church works under the limits of resources, it would be important to understand its strengths and its comparative advantage in addressing conflicts. The table below highlights some of these aspects that churches responded to.

**Table 16: Role of the Church in peace building**

Interventions	Kisumu	Kericho	Nakuru	Trans Nzoia	Uasin Gishu	Kisii	Nairobi
Inter-clan peace forums	73.1	82.1	83.3	80.4	67.6	75.0	61.9
Resolved issues	62.2	85.9	68.9	76.5	56.8	70.3	71.0
Gathered evidence	44.0	46.8	66.9	68.6	64.9	56.3	31.0
Rehabilitated inciters	35.4	36.0	40.2	62.7	48.6	3.1	46.4

From table above, interventions by the Church were felt most in Trans Nzoia (72.1 per cent), followed by Nakuru (64.8 per cent) and Kericho (62.7 per cent). Respondents felt that the Church contributed the most in helping address the inciters, with 62.7 per cent of the respondents indicating that it played a pivotal role in Trans Nzoia County. In Nakuru County 83.3 per cent felt that the Church played an important role in inter-clan peace forums whereas 85.9 per cent from Kericho County indicated it played a pivotal role in resolving issues.

The Church's interventions seemed more effective in Nakuru County than the provincial administration led interventions. This may indicate that the inhabitants of Nakuru County trust church interventions more than those led by the Government. The converse is true for Kisii and Kisumu Counties where it seems the inhabitants trust the Government more than the church led interventions.

The Church can, therefore, promote peace by:

*a. Inter-clan forums:*

Respondents indicated that the church, where it is impartial, is the best institution to lead inter-clan forums for reconciliation. A woman from Muhoroni stated: "By preaching peace in church forums and within the community at large to mediate between the warring communities." This is reiterated by the assistant chief of Chemelil sub-location in Muhoroni, Kisumu County, who states: "They (priests and pastors) should not stick to their own churches. Nandi preachers should cross to Luo churches same to Luo preachers."

*b. Preaching and praying for peace:*

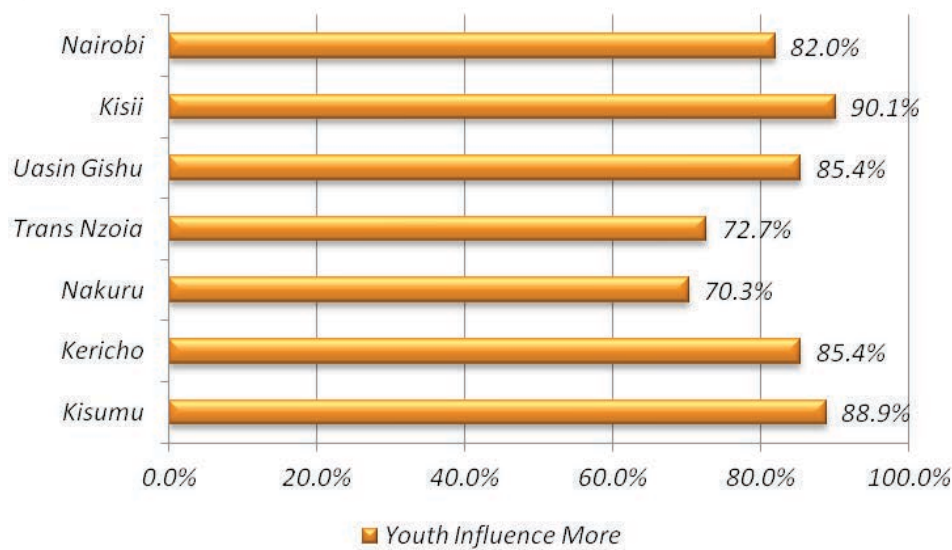
The youth indicated that the Church has a major role to preach peace and lead their congregation in praying for peace. For instance, a male respondent from Kisumu County stated: "Because this (church leadership) is a noble duty, they are respected in the society; they should teach their church members the values of peace as stipulated in the Bible." The same was reiterated by a female youth from Nakuru County who stated: "Preach peace in town and inter-denominational peace forums."

The District Commissioner's office also recognised the role of the Church in arbitration as indicated by Muhoroni DO1 that: "They (church leaders) are trained arbitrators/peace makers and meet large masses of people once every week and can preach peace to the faithful." A District Officer from Trans Nzoia East said: "Through preaching and teaching, the (priests and pastors) reach a big population in the district... that they can pass on messages of peace and reconciliation."

## 5.3 Role of the youth

The study emphasised on youth as a group that has a stake in the new dispensation since they can shape and celebrate opportunities brought by devolution. The study, therefore, targeted the youth as

the key respondents in most of the questionnaires and the focus group discussions. The following is the discussion on some of the issues that the study raised on youth, with the other issues having been synthesised within the main report.



**Figure 15: Perception of Influence of youth in politics by county**

From the figure above, it can be seen that the respondents believe that the youth have more influence than politicians with regard to ensuring there is peace in counties. Kisii and Kisumu County have the highest level of 90.1 per cent and 88.9 per cent, respectively. Nakuru and Trans Nzoia showed the lowest level of respondents who believe the youth have more influence than politicians at 70.3 per cent and 72.7 per cent, respectively.

The youth can promote peace in the following ways:

a) *Actively engaging in income generating activities*

The respondents in focus group discussions and the questionnaires indicated that one of the issues that make youth vulnerable is the lack of a source of income. A male respondent between 31-40 years from Kipkelion comments that the youth can promote peace by “by engaging in projects that are income generating.”

b) *Actively promoting peace*

The youth may promote peace through traditional forums such as workshops and seminars that will train or sensitise fellow youth on issues of peace building. For example, an assistant chief in Kapsoit sub-location, Ainamoi, Kericho County, proposes that “engage them in peace forums and educate on importance of peace, keep them busy.”

Alternatively, the youth may promote peace through interactive activities such as sports. For instance in Kericho County, a female student from Kipkelion stated: “Youth can promote peace in the district by teaching them on negative impacts of violence and also by providing social institutions like sports and games so as to improve national integration.” This is reiterated by the chief of Londiani who states: “If there is a tournament or fun day and have a fund that can bring together youth in the location.” The Londiani district office supported this view: “...the youth should interact during meetings and share peace views, having football tournaments and other peace rallies.”

This idea of using sports, talents and creative arts to build peace is also supported in Kisumu County.

c) *Civic education on the new governance structures and systems*

The youth need to be sensitised on the new governance structures and systems and in turn used to sensitise others. This process should be community led as much as possible so that the youth themselves will spread the messages on the 2010 Constitution.

*The role of youth is summed up by this comment from a female youth from Kipkelion, Kericho County:*

*“They will help promote peace in the district by not allowing themselves to be duped/swayed by the*

*politicians against others by ensuring that during elections they choose someone who is eligible to lead them according to their leadership characteristics and not because of popularity or the amount of money one has, thus ensuring that during elections they choose...the best candidate.”*

#### **5.4 County peace forums and processes**

Through the county peace forums, various respondents indicated that they have contributed to peace building through various ways such as:

##### **a. Peace campaigns**

This is exemplified by the following activities from the following respondents:

- A male member of a 15-member group in Kipkelion, Kericho County: “ (We have tried) to preach the word of peace, holding rallies in different churches concerning peace and participating in meetings with different communities and preaching peace and unity.”
- A male member of a 50-member group in Ainamoi, Kericho County: “Attended peace forums organised by Mercy Corps and coordinated by provincial administration, worked with Kenya Transition Initiative (KTI) in distributing booklets about peace talks and collaborated with USAID organization in distributing peace talk movies and booklets.”

##### **b. Conflict resolution**

This is exemplified by the following activities undertaken by the respondents:

- A female member of a 15-member group in Ainamoi, Kericho County: “There were seminars held amongst groups i.e. youth groups, women’s groups and conflict victims (victims involved in conflicts) who were reconciled at baraza stations, land disputes were settled.”
- A male youth from Belgut, Kericho County ‘attended peace forums to reconcile communities, attended prayer forum for peace in our community, resettled some displaced communities in our home.’

##### **c. Civic education**

This is exemplified by the following activities:

- A female member from an eight-member group in Belgut, Kericho County ‘encouraged the youth to be peaceful especially in the forthcoming elections, civic education training and teaching forums about the Constitution and the devolved system.’
- The District Commissioner, Kericho East indicated that: “ Supported stakeholders in terms of planning peace programmes, guidance to the public in understanding the new constitution.”

## 6.0 CONCLUSIONS

This baseline survey builds on the report commissioned by Constitution and Reform Education Consortium: Building a Culture of Peace in Kenya released in April 2012. The report laid the groundwork on the county-based conflict mapping and profiling baseline reports for the 47 counties in Kenya. This study undertook an in-depth analysis of the issues in seven counties that are a focus of the CJPC. Whereas it would seem straightforward to identify and indicate the causes of conflict for each county and propose the requisite interventions, the situation is complex and requires a systems approach to conflict resolution. This means that there are many and varied relationships of cause and consequences in conflicts around the upcoming elections, with various issues coming up. These have been summarised below. However, caution must be taken to ensure that any programme implementation does not follow a linear approach but rather a systems approach with proper monitoring mechanisms to ensure that all factors (major or insignificant) are put in place.

**Power-resource control:** A key issue of concern is the equating of control of power with the control of resources. The relationship between the acquisition of power (both national and county level) and the control of resources will play an important role in ensuring that peaceful transition is achieved. In all the counties there were clear indications that control of power – both at National and County levels – topped the list of likely causes of conflict, closely followed by control of resources. Any programmes on conflict resolution and management will need to monitor the power dynamics (political power) and the subsequent resource allocations to ensure equity, especially of resource allocation, regardless of who is in power.

**Politics – land issues:** The study determined that there is a critical relationship between the sensitivity to land issues and the politics of elections. Whereas the policies and structures have been put in place, it seems that one of the easiest ways to gain votes by politicians is to politicise land issues at the peril of the constituents because of the emotions attached to land. Any programme addressing conflicts will need to research and ensure it gives facts and systems of dispute resolution on land and border issues to the communities. Issues of land MUST be monitored because they are the real causes of conflicts.

**Civic education – resistance to change:** It should be noted that because of the general resistance to change, civic education should be well designed or else the quantity and frequency may not result in any meaningful change. Any programme that seeks to address conflict should consider including civic education as a component because the changes brought by the Constitution have not been well understood and misconception may breed conflict.

Main strategies:

There is need to have clear strategies that can break down to the local level the implementation of peace initiatives. The following key strategies are suggested to address the systemic issues of conflict in the selected counties:

- **Youth involvement:** The proposed interventions should endeavour to involve youth as much as possible. The youth should be trained, resourced and skilled to be change agents. Theories suggest that youth are more adaptable to change than adults and, therefore, their energy and adaptability need to be harnessed in peace building, peace making and maintenance of peace.
- **Economic empowerment:** There is need to map out opportunities available within the county government that can lead to the economic empowerment of youth. The youth should be given opportunity to actively participate in the preparation and implementation county government's economic blueprints.
- **Mainstream civic education:** The understanding and knowledge on the county governance system is low across all cadres of persons. Civic education needs to be prioritised in all other programmes undertaken by the different stakeholders if the issues of this system are to be understood.
- **Support local initiatives:** There are many local initiatives that need support from the key stakeholders, it would be important that working with the communities be emphasised and reinforced so that the community monitors of peace are enhanced and empowered as peace brokers in the community.

COUNTIES RISK ASSESSMENT & INTERVENTIONS SUMMARY										
County	Problem area or activity	Risks identified	Description	Probability of occurrence	Impact- Consequence	Risk rating	Risk analysis	Key stakeholder	Proposed measures	Mitigation strategy
Kericho	Political	Sharing of county and national positions; 70 per cent believe sharing county positions will create conflicts and 65 per cent believe sharing of national positions will create conflict. (Kipkelion highest risk at 35 per cent).	The sharing of political positions may impact negatively at county.	67.5 per cent	Likely-Major	3.4	There is a likelihood of tensions arising from the events leading to sharing county positions. The events of national politics also may raise tensions in this county. Kipkelion constituency is still a hotspot and should be monitored.	Politicians	Have politicians preaching peace (watch against hate speech). Put in place measures that will curtail politicians from using bribery to influence voters.	Prevention: Prevent against any rising tensions by deflating the tensions early enough
	Economic	Sharing of devolved resources cited by 65 per cent as a potential cause of conflict while youth unemployment cited by 75 per cent (Kipkelion highest at 33.8 per cent).	The equitable sharing of devolved resources is a major concern	70.0 per cent	Likely-Major	3.5	Linked to the issues of sharing county positions is sharing of devolved resources. There is high perception that youth unemployment may be a factor to be negatively exploited by politicians.	Youth	Support the youth in identifying and engaging in gainful employment.	Prevention: Engage youth in economic activities so as to mitigate against idleness that exposes the youth.

	Social	Dominance by one group cited by 57 per cent while marginalisation cited by 16 per cent. (Kipkelion highest at 18.8 per cent).	The migration of non-indigenous communities is perceived as a threat.	36.5 per cent	Unlikely-Moderate	1.8	There is some perception of fear of dominance by one group. However, there is little fear of marginalisation. It is, therefore, unlikely that this issue will cause major tensions.	Youth	Stakeholders to organise sports activities to target youth from different communities.	Control: Use activities that bring together communities so as to check any tensions that may arise from ethnicity.
	Legal	There is inadequate knowledge on devolution; 94.0 per cent believe youth reps will be elected; 14.8 per cent believe that the county governments will lead to divisions.	The inadequate information about the county governments may pose as a risk.	54.40 per cent	Possible-Insignificant	2.7	There is an indication of high levels of misconceptions about the devolved governments. However, generally residents are confident about the role of county government in uniting the county.	Youth; civil society organisations	Stakeholders to organize civic education using youth and targeting mainly youth and other community members.	Prevention: Embark on integrated civic education programmes that will be mainstreamed in organisational activities to address any misconceptions on devolution.
	Environmental & security	Land and border disputes: 54 per cent believe land disputes may potentially cause conflicts while 49 per cent believe border disputes would cause conflicts	There are land and border disputes but they are infrequent and of relative low risk.	51.5 per cent	Possible-Moderate	2.6	There is a possibility of land and border disputes spurring conflicts that may have a moderate effect on the status of peace	Provincial administration; Religious bodies	Stakeholders should monitor land and border disputes as they may catalyse tensions among communities.	Control: Engage in regular interactions with communities to identify and control any tensions before they become major.

Kisii	Political	Sharing of county positions perceived by 82 per cent as the cause of conflict while national politics perceived by 76 per cent. (South Mugirango has highest risk at 28.4 per cent).	The sharing of political positions may impact negatively in the county.	79.0 per cent	Almost Certain-Major	14.0 4.0	It is almost certain that the county and national politics will influence the tensions within the county. If this is not controlled, then there may be major repercussions. South Mugirango constituency is the likely hotspot in the county.	Politicians	Have politicians preaching peace (watch against hate speech); Hold joint political rallies.	Prevention: Hold activities that target peaceful coexistence and respect of all clans/communities.
	Economic	Sharing of devolved resources perceived by 86 per cent as a cause of conflict while lack of youth employment perceived by 89 per cent. (South Mugirango highest at 29.8 per cent); Youth unemployment a likely trigger to violence.	Equitable sharing of devolved resources a major concern throughout the county.	87.5 per cent	Almost Certain-Major	4.4	Related to sharing of political positions is the issue of resources. There is high perception that youth unemployment may be a factor to be exploited by politicians to cause violence.	Youth	Identify economic opportunities for the youth.	Prevention: Engage youth in economic activities so as to mitigate against idleness that exposes the youth.



Social		Dominance by group perceived by 43 per cent as a cause of conflict while marginalisation perceived by 8 per cent. (South Mugirango at 16.3 per cent has the highest perception of this factor as a risk).	The risk levels on the perception of dominance by one group not alarming but needs to be observed.	25.5 per cent	Unlikely-Minor	1.3	These factors are unlikely to lead to violence in this county.	Youth; civil society organisations	Stakeholders to organise civic education using youth and targeting mainly youth and other community members.	Prevention: Embark on integrated civic education programmes that will be mainstreamed in organisational activities to address any misconceptions on devolution.		
Legal		There is inadequate knowledge on devolution; 90.0 per cent believe youth rep will be elected; 25 per cent believe that the county governments will lead to division.	The inadequate information about the devolution process and structure may pause a risk.	58 per cent	Possible-Moderate	2.9	There is an indication of high levels of misconceptions about the devolved government. There is also relative lack of confidence about the role of county government in uniting the county.					

	Environmental & security	Land and Border disputes: The perceived influence of land disputes is 60 per cent as a cause of conflict while 11 per cent perceived border disputes as a cause for conflict.	The issues of land should be the main focus as it is perceived as a trigger to violence.	36 per cent	Unlikely-Moderate	1.8	It is likely that land issues will play a part in the politics of the county but border disputes will not be a major factor. If unchecked, land issues may cause moderate conflict.	Provincial administration; Religious bodies	Stakeholders should monitor land disputes as they may catalyse tensions in the communities.	Control: Engage in regular interactions with communities to identify and control tensions.
Kisumu	Political	Sharing of county and national positions; 78 per cent believe sharing county positions will create conflicts and 75 per cent believe sharing of national positions will create conflict. {Nyakach highest risk at 22 per cent}	Sharing of county positions is a potential area of conflict	77 per cent	Almost Certain-Major	14.3 3.8	It is almost certain that the county and national politics will influence the tensions within the county. If this is not controlled, then there may be major repercussions. Nyakach constituency is the likely hotspot.	Politicians	Have politicians preaching peace; hold joint rallies; not to incite youth	Prevention: Hold activities that target peaceful coexistence and respect of all clans/communities

	Economic	Sharing devolved resources cited by 80 per cent as a potential cause of conflict while youth unemployment cited by 84 per cent (Nyakach highest at 20.5 per cent).	Sharing of devolved resources is a potential conflict trigger.	82 per cent	Almost Certain-Major	4.1	Related to sharing of political positions is the issue of resources. There is high perception that youth unemployment may be a factor to be exploited by politicians to cause violence.	Youth	Identify economic opportunities for the youth.	Prevention: Engage youth in economic activities so as to mitigate against idleness that exposes the youth.
	Social	Migration of non-indigenous into the county; Dominance by group cited by 67 per cent while marginalization cited by 31 per cent. (Nyakach highest at 17.4 per cent).	Ethnic dominance cited as a potential area of conflict	49 per cent	Possible-Moderate	2.5	It is possible that the perception of one community attempting dominance over other communities may lead to tensions in the county. There are also perceptions of marginalisation.	Youth; Civil Society Organizations	Through communal activities targeting youth, stakeholders can organise joint activities that will create unity and positive competition.	Control: Use activities that bring together communities so as to check any tensions that may arise from ethnicity.

		Legal	There is inadequate knowledge on devolution; 80 per cent believe youth rep will be elected; 17 per cent believe that the county governments will lead to division.	The low levels of understanding of devolution likely to trigger conflict.	49 per cent	Possible-Minor	2.4	There is an indication of high levels of misconceptions about the devolved government. However, generally the county is confident about the role of county government in uniting the county.	Youth; civil society organisations	Stakeholders to organise civic education using youth and targeting mainly youth and other community members	Prevention: Embark on integrated civic education programmes that will be mainstreamed in organisational activities to address any misconceptions on devolution
		Environmental & Security	Land and border disputes: 83 per cent believe land disputes may potentially cause conflicts while 65 per cent believe border disputes would cause conflicts. {Nyakach highest-land disputes- at 21.8 per cent}	Land and border disputes may trigger violence, especially in the border areas.	74 per cent	Likely-Major	3.7	It is likely that land and border issues will play a part in the politics of the county. If unchecked, the issues may cause major conflict.	Provincial administration; religious bodies	Stakeholders should aggressively engage in community interactions that will address the conflict areas	Deflate: The provincial administration and religious leaders should lead the process of community discussions to deflate any tensions
							16.5				

Nairobi	Political	Sharing of county positions perceived by 61 per cent as cause of conflict while national politics perceived by 57 per cent.	The politics of sharing positions may trigger tensions among communities.	59 per cent	Possible-Moderate	3.0	It is possible that county and national politics may affect tensions in the county.	Politicians	Watch against hate speech.	Deflate: The media should be monitored to direct politicians to focus on issues as opposed to differences.
	Economic	Sharing of devolved resources perceived by 62 per cent as a cause of conflict while lack of youth employment perceived by 74 per cent.	The youth unemployment factor may be taken advantage of by politicians.	68 per cent	Likely-Moderate	3.4	It is likely that politicians may exploit youth unemployment to cause instability with moderate consequences.	Youth	Conduct media campaigns on the economic opportunities available and ways to access funds for businesses.	Prevention: Prevent against any violence by ensuring youth are engaged economically.
	Social	Dominance by group perceived by 55 per cent as a cause of conflict while marginalisation perceived by 36 per cent.	There is some perception of ethnic dominance that may cause ethnic tensions and mistrust.	46 per cent	Possible-Minor	2.3	It is possible that the perception of one community attempting dominance over other communities may lead to tensions in the county. There are also perceptions of marginalisation.	Youth	Conduct media campaigns on the importance of peaceful coexistence.	Deflate the negative perceptions by using the media to bring human interest stories on peaceful coexistence.

		Legal	There is inadequate knowledge on devolution; 72 per cent believe youth rep will be elected; 26 per cent believe that the county governments will lead to division.	There is inadequate knowledge on devolution	49 per cent	Possible-Minor	2.5	There is an indication of high levels of misconceptions about the devolved government. There is also relative lack of confidence about the role of county government in uniting the county.	Youth; civil society organisations.	Stakeholders to organise civic education using youth and targeting mainly youth and other community members	Prevention: Embed on integrated civic education programmes that will be mainstreamed in organisational activities to address any misconceptions on devolution.
		Environmental & Security	Land and Border disputes: The perceived influence of land disputes as a cause of conflict is 50 per cent while 47 per cent perceived insecurity as a cause for conflict.	Issues of land disputes, especially in informal settlements, may be politicised causing tension.	49 per cent	Possible-Minor	2.4	There is a possibility of land and border disputes spurring conflicts that may have a moderate effect on the status of peace	Provincial administration; religious bodies	Stakeholders should monitor land disputes as they may catalyse tensions in the communities.	Control: Engage in regular interactions with communities to identify and control any tensions before they become major.
							13.5				

Nakuru	Political	Sharing of county and national positions; 70 per cent believe sharing county positions will create conflicts and 72 per cent believe sharing of national positions will create conflict. (Kuresoi highest risk at 14.1 per cent).	Political occurrences both at the local and national level are likely to lead to tensions.	71 per cent	Likely-Major	3.6	There is a likelihood of tensions arising from the events leading to sharing county positions. The events of national politics also may play a role in affecting tensions in this county. Kuresoi constituency is still a hotspot and should be monitored.	Politicians	Have politicians preaching peace (watch against hate speech); Put in place measures that will curtail politicians from using bribery to influence voters.	Prevention: Prevent against any rising tensions by deflating the tensions early enough
	Economic	Sharing devolved resources cited by 76 per cent as a potential cause of conflict while youth unemployment cited by 64 per cent (Kuresoi highest at 18.2 per cent).	Economic issues especially sharing resources and youth unemployment likely to spur tensions	70 per cent	Likely-Major	3.5	Linked to the issues of sharing county positions is the sharing of devolved resources. There is high perception that youth unemployment may be a factor to be negatively exploited by politicians.	Youth	Support the youth in identifying and engaging in gainful employment.	Prevention: Engage youth in economic activities so as to mitigate against idleness that exposes the youth

						65 per cent	Likely-Mod-erate	3.3	It is likely that the issue of dominance by one ethnic community may lead to tensions. There is also likelihood of perceptions of marginalisation causing tensions. These may lead to moderate conflict in the county.	Youth; civil society organisations	Support initiatives that will bring communities together in joint activities such as sports and peace festivals through theatre.	Prevention: Hold activities that target peaceful coexistence and respect of all communities.
	Social	Dominance & Migration of non-indigenous into the county; Dominance by group cited by 71 per cent while marginalisation cited by 59 per cent. (Kuresoi highest at 17.4 per cent)	There is still ethnic dominance and marginalisation within the county	There are comparably higher levels of knowledge on devolution processes.	27 per cent	Unlikely-Insignificant	1.4	There is relatively high knowledge on devolved governance and government and this factor is least likely to lead to tensions.				
	Legal	There is fair knowledge on devolution; 40 per cent believe youth representatives will be elected; 14 per cent believe that the county government will lead to division.										



	Environmental & Security	Land and border disputes: 83 per cent believe land disputes may potentially cause conflicts while 48 per cent believe border disputes would cause conflicts. (Kuresoi highest -land disputes - at 18 per cent)	Land disputes are likely to cause major tensions within the county.	51 per cent	Possible-Major	2.5	It is possible that land and border issues will play a part in the politics of the county. If unchecked, land issues may cause major conflict	Provincial administration; Religious bodies	Stakeholders should aggressively engage in community interactions that will address the conflict areas.	Deflate: The provincial administration and religious leaders should lead the process of community discussions to deflate any tensions.
Trans Nzoia	Political	Sharing of county positions perceived by 72 per cent as cause of conflict while national politics perceived by 80 per cent. (Saboti -county positions- has highest risk at 31.6 per cent).	National and county politics likely to bring tensions within the county	76 per cent	Likely-Major	3.8	It is likely that the county and national politics will influence the tensions within the county. If this is not controlled, then there may be major repercussions. Saboti constituency is the likely hotspot in the county.	Politicians	Have politicians preaching peace (watch against hate speech); Hold joint political rallies	Prevention: Hold activities that target peaceful coexistence and respect of all clans/communities.

		Economic	Sharing of devolved resources perceived by 74 per cent as a cause of conflict while lack of youth employment perceived by 73 per cent. (Saboti -devolved resources - highest at 31.6 per cent); Youth unemployment is also a likely trigger to violence.	Issues of resources and lack of employment opportunities likely to be the trigger factors and influencers for conflict	74 per cent	Likely-Major	3.7	It is likely that youth unemployment may be exploited by politicians to cause instability with major consequences.	Youth	Avail economic opportunities to the youth by engaging them productively, supporting the groups.	Prevention: Prevent against any violence by ensuring youth are engaged economically.
	Social	Dominance by group perceived by 49 per cent as a cause of conflict while marginalisation perceived by 30 per cent. Saboti (19.3 per cent) has the highest perception of dominance as a risk.	There are parts of the country where ethnic suspicions are rife.	40 per cent	Possible-Moderate	2.0	It is possible that the perception of one community attempting dominance over other communities may lead to tensions in the county. There are also perceptions of marginalisation.	Youth; Civil Society Organizations	Conduct joint community activities that will emphasise the importance of peaceful coexistence.	Deflate the negative perceptions by using communal activities and joint political rallies.	

					48 per cent	Knowledge on devolution processes is lacking, leading to lack of confidence on devolved system of government.	There is inadequate knowledge on devolution; 60.0 per cent believe youth rep will be elected; 35 per cent believe that the county governments will lead to division	Legal				There is an indication of relative levels of misconceptions about the devolved government. There is also relative lack of confidence about the role of county government in uniting the county.	Youth; civil society organisations	Stakeholders to organise civic education using youth and targeting mainly youth and other community members	Prevention: Embark on integrated civic education programmes that will be mainstreamed in organisational activities to address any misconceptions on devolution.		
					65 per cent	Land disputes are likely to cause increased conflicts and tensions especially in areas where there are squatters.	Land and Border disputes: The perceived influence of land disputes is 76 per cent as a cause of conflict while 54 per cent perceived border disputes as a cause for conflict. Saboti has the highest perception on land disputes at 35.1 per cent.	Environmental & Security			2.4	Possible-Minor	3.3	It is likely that land and border issues will play a part in the politics of the county. If unchecked land and border issues may cause major conflict.	Provincial administration; Religious bodies	Stakeholders should aggressively engage in community interactions that will address the conflict areas.	Deflate: The provincial administration and religious leaders should lead the process of community discussions to deflate any tensions.
																	15.1

Uasin Gishu	Political	Sharing of county and national positions; 61 per cent believe sharing county positions will create conflicts and 81 per cent believe sharing of national positions will create conflict. {Eldoret South & North highest risk at 21 per cent}.	There is likely to be more tensions because of the national politics as compared to the county politics.	71 per cent	Likely-Major	3.6	There is a likelihood of tensions arising from the events leading to sharing county positions; The events of national politics will play a role in affecting tensions in this county. Eldoret South constituency is still a hotspot and should be monitored.	Politicians	Have politicians preaching peace (watch against hate speech); Put in place measures that will curtail politicians from using bribery to influence voters.	Prevention: Prevent against any rising tensions by deflating the tensions early enough.
	Economic	Sharing of devolved resources; Sharing devolved resources cited by 77 per cent as a potential cause of conflict while youth unemployment cited by 61 per cent {Eldoret South highest at 30.3 per cent on sharing of county resources}.	Economic aspects relating to sharing of county resources may contribute more to tensions.	69 per cent	Likely-Major	3.5	Linked to the issues of sharing county positions is the issue of sharing of devolved resources. There is also a perception that youth unemployment may be a factor to be negatively exploited by politicians.	Youth	Support the youth in identifying and engaging in gainful employment; Ensuring that there is assurance of equal distribution of resources in the county after elections	Prevention: Engage youth in economic activities so as to mitigate against idleness that exposes the youth.

						2.3	Possible-Minor	46 per cent	The social tensions are likely to result from the feeling of marginalisation against specific ethnic communities.	Dominance & Migration of non-indigenous into the county; Dominance by group cited by 42 per cent while marginalization cited by 49 per cent. {Eldoret South highest at 20.9 per cent}	Social	Control: Use activities that bring together communities so as to control any tensions that may arise from ethnicity.
						3.3	Likely-Moderate	66 per cent	There are low knowledge levels on devolution leading to high mistrust of devolution system of government	There is inadequate knowledge on devolution; 81 per cent believe youth representatives will be elected; 51 per cent believe that the county governments will lead to division.	Legal	Through communal activities targeting youth, stakeholders can organise joint activities that will create unity and positive competition.
									It is possible that the perception of one community attempting dominance over other communities may lead to tensions in the county. There are also perceptions of marginalisation. However the consequences may be minor.	There is an indication of high levels of misconceptions about the devolved government. The county is divided on the role of county government in uniting the county.	Youth; Civil Society Organizations	Prevention: Embark on integrated civic education programmes that will be mainstreamed in organisational activities to address any misconceptions on devolution.
											Youth; Civil Society Organizations	Stakeholders to organise civic education using youth and targeting mainly youth and other community members.

	Environmental & Security	Land and border disputes: 40 per cent believe land disputes may potentially cause conflicts while 38 per cent believe border disputes would cause conflicts. {Eldoret South highest-land disputes- at 23.3 per cent}.	Land and border disputes are moderately likely to cause conflicts in some parts of the county.	39 per cent	Unlikely-Minor	2.0	It is unlikely that land and border disputes will cause conflicts in the county except for Eldoret South constituency.	Provincial administration; religious bodies	Stakeholders should focus on Eldoret South in addressing issues of land disputes.	Deflate: There should be measures to deflate land tensions in the constituency.
						14.5				

**Annex 2: Conflict analysis parameters**

						Consequence															
					Political	No tensions within the community due to political manipulations	Minor tensions within the community due to political manipulations	Moderate tensions within the community due to political manipulations	High tensions within the community due to political manipulations	Full scale violence because of the politics											
					Economic	No tensions due to fears of sharing devolved resources	Minor tensions due to fears of sharing devolved resources	Moderate tensions due to fears of sharing devolved resources	High tensions due to fears of sharing devolved resources	Violence due to disagreements on basis of resources											
					Social	No tensions due to ethnicity	Minor tensions due to ethnicity	Moderate tensions due to ethnicity	High tensions due to ethnicity	Violence due to ethnic tensions											
					Environment/ Security	No tensions due to land and insecurity	Minor tensions due to land and insecurity	Moderate tensions due to land and insecurity	High tensions due to land and insecurity	Violence due to land and security issues											
					Legal	No tensions due to misconceptions of devolved governance	Minor tensions due to misconceptions of devolved governance	Moderate tensions due to misconceptions of devolved governance	High tensions due to misconceptions of devolved governance	Violence due to misconceptions of the devolved government											
						Insignificant	Minor	Moderate	Major	Catastrophic											
Probability:	Historical:				0-1.4	1.5-2.4	2.5-3.4	3.5-4.4	4.5-5.0												
Likelihood	81-100 %	Is expected to occur in most circumstances	5	Almost Certain	M	H	H	H	E	E											
	61-80 %	Will probably occur	4	Likely	M	M	H	H	H	E											

	41- 60 %	Might occur at some time in the future	3	Possible	L	M	M	H	E
	21-40 %	Could occur but doubtful	2	Unlikely	L	M	M	H	H
	0 – 20 %	May occur but only in exceptional circumstances	1	Rare	L	L	M	M	H

**E – Extreme risk – Immediate action required**  
**H - High risk – needs stakeholders attention**  
**M – Medium risk – needs plans to monitor**  
**L – Low risk – managesby routine activities**  
**N – No risk – observe/no intervention**

**Rating:**

**E – Extreme risk – [21 - 25]**  
**H – High risk – [16 - 20]**  
**M – Medium risk – [11 - 15]**  
**L – Low risk – [6-10]**  
**N – No risk – [1 - 5]**





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