

**MODOGASHE DECLARATION, 8<sup>TH</sup> APRIL 2011**

We, the leaders drawn from the respective Counties of Marsabit, Isiolo, Mandera, Wajir, Garissa, Tana River, Samburu, Meru and Nairobi, gathered at the Almond Resort in Garissa on the 7<sup>th</sup> and 8<sup>th</sup> of April, 2011, do hereby commit ourselves and resolve that the Modogashe Declaration that was entered into in the first instance in 2001 and revalidated in 2005, stands further revalidated as at this 8<sup>th</sup> Day of April, 2011 as per the Amendments contained herein.

**We do hereby resolve that:**

This Community Peace Agreement and Declaration shall generally apply to the Parties herein. In addition, context-specific agreements and Declarations shall apply in unique circumstances as entered into by various communities in a stated locality.

**On unauthorized grazing:**

- (f) private farms, conservancies ,parks, and the environment at large should be protected and respected by all Parties
- (g) cross-border issues should be the responsibility of Government, Communities, peace structures and institutions.

**On Livestock Raiding:**

This Declaration and agreement respects sanctity of life.

- (g) with regard to compensation of lives lost through livestock raiding, the Declaration shall be applied on the basis of context:
  - (i) between those professing Islamic faith, the compensation shall be in line with Qura'nic teachings.

*Amendments to the Modogashe Declaration, April 2011*

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(ii) where the parties profess different faiths, customs or cultures, mutual agreement shall be reached in compensation for the victim as stated in the context-specific Declarations and Agreements.

(h) the communities, National and County Governments to invest in modern anti-livestock raiding technologies such as e-tracking.

#### **On control of livestock diseases and trade:**

(k) Counties in the target areas under this Declaration and Agreement negotiate with ranches on grazing rights and benefits during dry spells

(l) revival of all livestock holding grounds to facilitate livestock trade.

(o) Establish abboteaus in strategic areas in the country

#### **On Acquisition of identity cards by non-Kenyans:**

(c) The communities to work closely with the Government in curbing the influx of aliens, asylum seekers and refugees. Those suspected to facilitate the illegal movement and entry of aliens, asylum seekers and refugees be prosecuted in line with the Kenyan laws.

#### **On Socio-economic empowerment:**

(c) create market information systems and market based mediators

(p) To create joint response structures for managing agro-pastoralist conflict, especially in areas where communities interface.

#### **On the Role of Peace Structures, Institutions and Mechanisms:**

1. Strengthen peace committees and other collaborative response structures for peace within and between Counties; and neighbouring Countries, including Council of Elders, religious Mediation Councils, women and youth initiatives among others .

(ii) where the parties profess different faiths, customs or cultures, mutual agreement shall be reached in compensation for the victim as stated in the context-specific Declarations and Agreements.

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#### **On the Role of Peace Structures, Institutions and Mechanisms:**

1. Strengthen peace committees and other collaborative response structures for peace within and between Counties; and neighbouring Countries, including Council of Elders, religious Mediation Councils, women and youth initiatives among others .

We further resolve to collaboratively address the six (6) under-listed emerging issues arising from conflict dynamics within the target Counties and neighbouring Countries:

- i. Urban issues and related disputes (Plots and boundaries)
- ii. Conservancies
- iii. Youth and violence (involvement in local and international criminal activities, militia)
- iv. Strengthening cross-border frameworks i.e international boundaries, inter-community and intra-community
- v. Gender-based violence
- vi. Transitions to County System of Governance.

All present at this Forum resolve to the Joint Stakeholders Forum on Revalidation of the Modogashe Declaration resolves to expand the geographical scope of this Declaration and Agreement to include other neighbouring Counties and Countries.

**Finally**, all present at this Forum commit ourselves to reach out to all actors in the implementation of the Modogashe Declaration in line with the annexed Implementation Strategy as contained herein.

Signed on this 8<sup>th</sup> Day of April, 2011:


**For and on Behalf of:**

**Mandera County**

Hussein Mohamed ADAN

Abdi Wili ABDULLAHI

Abdille Sheikh BILLOW

  
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**Wajir County**

Ali Abdi OGLE

Abdisalan Ibrahim ALI

Bishar Ali OLOW

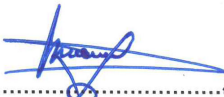


  
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**Garissa County**

Dagane Karur OMAR

Hassan Abdi HURE

Hussein Noor ABDI



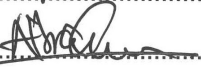
  
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**Tana River County**

Kahonzi Esther JARHA

Ijema Godana HASSAN

Aden Ibrahim ARALE

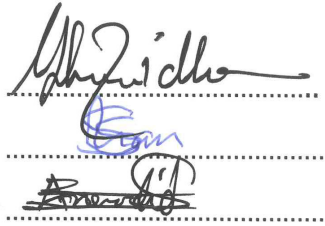
  
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### **Marsabit County**

Guyo Karayu DIKA

Hassan Lolterka LENAROKI

Boru Arero BORU

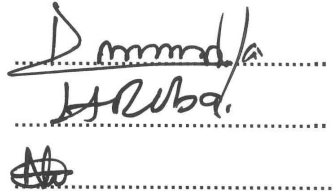


### **Isiolo County**

Dida Golicha DIMA

Roba GALGALO

Abdi MOHAMUD

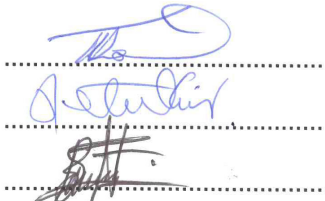


### **Samburu County**

Jason LESHOOMO

Peter P. LEKISAT

Benedicto L. LOLOSOLI



### **Meru County**

Linos Kathera M. ERIMBA

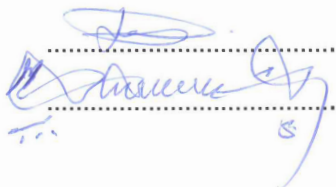
Mitabathi M.KIRIMANA KIRIMANA



**Nairobi County**

Lucy Nyambura NDIRANGU

John Charles ODHIAMBO


**In the presence of respective Provincial Commissioners:**

North Eastern Province

Mr. James Ole Serian,EBS



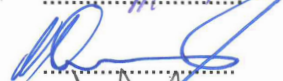
Coast Province

Mr. Ernest G. Munyi,EBS



Eastern Province

Ms. Clare A. Omolo,EBS



Rift Valley Province

Mr. Osman Warfa,EBS





## STRATEGIES FOR IMPLEMENTATION OF COMMUNITY PEACE AGREEMENTS AND DECLARATIONS BASED ON THE EMERGING ISSUES

[illegible]



ISSUE	Strategy	Responsible Actors	Timeframe
	<b>Education</b> a) Civic education for men, Women, youth on the community peace agree-ent and on peacebuilding b) Focus Group Discussions c) Context specific agreement  <b>Enforcement</b> a) Tracking foot prints/hoof prints b) Identification c) Apology and forgiveness d) Discuss mode of compensation	Chiefs, PCs, RCs, DCs, DOs, DPCs, CSOs, INGOs, NGOs, CBOs, church leaders, Imams, Women leaders, Youth leaders, Professionals, Local Authority leaders, council of elders, Media  Chiefs, PCs, RCs, DCs, DOs, DPCs, CSOs, INGOs, NGOs, CBOs, church leaders, Imams, Women leaders, Youth leaders, Professionals, Local Authority leaders, council of elders, Media	Immediate and continuous  Immediate and continuous
<b>3: Management of Grazing Patterns and Resource-Sharing:</b> a) Settlers coming without permission b) Lack of respect to the receiving community c) Migrants often do not want to go back after drought with intent to settle permanently d) Grazing on private farms without permission e) Overgrazing	<b>Negotiation and Consultation:</b> a) Community to send prior delegation to ask for pasture. b) Develop Inter-County & Inter-District grazing Sub-Committees under the auspices of DPCs c) Set agreeable rules and procedures to guide grazing d) Moving community should notify their recipients e) Undertake land-use suitability mapping with a view to make good use of land e.g. for tourism, farming, irrigation, live stock keeping, bee-keep-ing etc.	Peace committees, Sub-County Administrators, MPs, County Representatives, DCs, DOs, Chiefs, religious leaders, village elders.	As need arises.
f) Illegal settlements as the migrants move in large numbers with their families and live stock	a) Enforce agreements on grazing	Peace committees, DC. DO. Chief, religious leaders, village elders	3 weeks upon improvement of pasture in visiting community or upon expiry of grazing agreement

ISSUE	Strategy	Responsible Actors	Timeframe
g) Settlers moving with illicit firearms	a) Awareness raising b) Migrating communities not to move along with firearms	Elders, DPCs, Chiefs, PSICs, DSICs	Immediate and continuous
h) Unclear boundaries e.g. Eldera location is in both Lagdera and Garbatula districts with two Chiefs and Assistant Chiefs posted in the area.	a) Consultations to be conducted in creating new administrative and electoral units b) Awareness raising to be scaled up c) Appointment of administrators to be done in a conflict sensitive manner  <b>Dissemination:</b> (Report to relevant authorities the exact number of livestock raided, or handed over, etc)	Independent Electoral and Boundaries Commission; Government Surveyors ; County Administration including security agents; Local leaders including MPs, Councilors; Communities; Business community Development partners  County Security Teams/ DSICs; Chiefs, PCs, RCs, DCs, DOs, DPCs, CSOs, CBOs, FBOs, Local Authority leaders, council of elders, Judiciary	Immediate and continuous       Immediate (less than two weeks)
	<b>Education</b> a) Public Barazas b) Elders meetings c) Inter/intra Community dialogue d) Capacity building for Law Enforcers including equipping them with modern technology  <b>Enforcement</b> 1 Tracking footprints; a) Credible and reliable information regarding the exact number of lost or raided livestock; b) Consultations.  <b>Monitoring</b> a) Number of successful recoveries b) Review of Declaration c) Regular consultations d) Documentation of recoveries	County Security Teams/ DSICs; Chiefs, PCs, RCs, DCs, DOs, DPCs, CSOs, FBOs, CBOs, Local Authority leaders, council of elders, Judiciary  County Security Teams/ DSICs; Chiefs, PCs, RCs, DCs, DOs, DPCs, CSOs, FBOs, CBOs, Local Authority leaders, council of elders, Judiciary  County Security Teams/ DSICs; Chiefs, PCs, RCs, DCs, DOs, DPCs, CSOs, FBOs, INGOs, NGOs, CBOs, church leaders, Imams, Women leaders, Youth leaders, Professionals, Local Authority leaders, council of elders, Media, development partners, Judiciary	Continuous       1 Week       Continuous

ISSUE	Strategy	Responsible Actors	Timeframe
<b>4: Unemployment</b>	a) Alternative livelihood (IGAs) b) Peace dividend projects c) Targeted Training/Education d) National Youth Volunteer Scheme e) Revitalize Youth Polytechnics	National and County Governments; Communities; Development Partners; Private and Corporate sector	Immediate and continuous
<b>5: Organized and Militia Groups</b>	a) Baseline surveys b) Disarmament, demobilization and re-integration (DDR) c) Regional and international approaches to wards disarmament d) Strengthening cross border peace initiatives (dialogue) e) Awareness raising f) Socio-economic development	County Security Teams/ DSICs; Chiefs, PCs, RCs, DCs, DOs, DPCs, CSOs, FBOs, INGOs, NGOs, CBOs, church leaders, Imams, Women leaders, Youth leaders, Professionals, Local Authority leaders, council of elders, Media, development partners	Immediate and continuous
<b>6: Control and management of illegal SALW</b>	a) SALW mapping and assessment b) Legislation c) Awareness raising and training d) Voluntary disarmament e) Peace dividend projects f) Restructuring of KPRs g) Sustained security sector reforms h) Marking of SALW i) Award system	County Security Teams/ DSICs; Chiefs, PCs, RCs, DCs, DOs, DPCs, CSOs, INGOs, NGOs, CBOs, FBOs, church leaders, Imams, Women leaders, Youth leaders, Professionals, Local Authority leaders, council of elders, Media, development partners, Judiciary	Immediate and continuous
<b>7: Urban issues and related disputes (related to plots and boundaries)</b>	a) Revival of district plot allocation committees. The membership should be of County government representatives, national government representatives, physical planner, land officers, community representatives b) Fast track individual land ownership c) Proper on planning with zoning for business areas, institutions, parks, industrial areas etc	DSICs; District Plot Allocation Committees; Local Authorities; CDF Committees; Chiefs; Dos; Elders	Continuous

ISSUE	Strategy	Responsible Actors	Timeframe
<b>8: Drugs and substance abuse</b>	a) NACADA to devolve its services to other areas	NACADA; Line Departments; Judiciary; FBOs; CBOs; CSOs; Media; Youth Groups	Continuous
<b>9: Conservancies</b>	a) Mutual understanding between local communities and conservancy management with a view to mutual co-existence b) Address human wildlife conflicts c) Government to assist pastoralist on livestock uptake d) Corporate social responsibility be intensified	KWS; Ministry of Livestock; County Security Teams/DSICs; Chiefs, Dos, DPCs, CSOs, FBOs, INGOs, NGOs, CBOs, Women leaders, Youth leaders, Professionals, Local Authority leaders, council of elders, Media, development partners	Continuous
<b>10: Youth and violence</b>	a) Create awareness and encourage youth to engage in income generating activities b) Open up more opportunities for youth in NYS training c) Encourage cottage industries in the rural areas d) Establish Recreational Centres in all Counties e.g. Youth Centres for Games e) Censorship of films, music showcasing negative violence	Line Ministries and Departments; County Security Teams/DSICs; Chiefs, DOs, DPCs, CSOs, FBOs, INGOs, NGOs, CBOs, Women leaders, Youth leaders, Professionals, Local Authority leaders, Council of Elders, Media, development partners,	Continuous
<b>11: Strengthening cross border framework i.e. international boundaries, inter and intra communities</b>	a) Continuous engagement by DPCs, national and county governance structures b) Strengthen existing cross border structures e.g. Joint Border Commissions and establish them where there is none especially between Kenya and Somalia c) Encourage inter-cultural and exchange programmes and activities including peace races and	RECSA; IGAD/CE-WARN; EAC; NSC/CEWERU; KNFP; Local Cross-Border Peace Committees; County and District Security Teams; Local leaders including County Representatives, MPs, Youth and Women leaders	continuous

ISSUE	Strategy	Responsible Actors	Timeframe
	<p>tournaments</p> <p>d) Establish and operation alized standing committee on peace in the counties and neighbouring countries</p>		
<b>12: Gender based violence</b>	<p>a) Sensitization on existing laws in the new constitution e.g. bill of rights</p> <p>b) Advocacy on sexual offences act</p> <p>c) Religious reaching should be encouraged</p>	Human rights organizations, CSOs, FBOs, judiciary	Continuous
<b>13: Transition to county system of governance.</b> <p>a) Issue of resource allocation and sharing</p> <p>b) Competition for emerging opportunities e.g. political seats</p> <p>c) Intra &amp; Inter-County disputes over HQs and boundaries</p>	<p>a) Inter-County dialogue forums</p> <p>b) Peace structures at County level to retain linkage to the national peace structure</p>	National Governments, County Governments, local leaders including MPs, Senators, Governors, Task Force on Devolved Government, development partners, DPCs, communities, CSOs, CBOs, FBOs, Professionals, National Assembly, Elders	Immediate to 2012
<b>14: INSTITUTIONALIZING AND STRENGTHENING OF PEACE STRUCTURES AND PROCESSES</b> <p>Lower level Peace Committees including the Village, Locational and Divisional Peace Committees</p> <p>Membership: 15</p>	<p>a) Reconstitution</p> <p>b) Training</p> <p>c) Awareness raising and public education</p> <p>d) Resource Mobilization</p> <p>e) Partnership building, consolidation and strengthening</p>	Representatives from elders, women, youth and religious leaders; Security Representatives; CBOs/NGOs; Councilors	Immediate
<p>Sub – County Peace Committees (current District Peace Committees)</p> <p>Membership: 15</p>		Divisional Peace Committee Chairpersons; MPs; Local CBOs/NGOs; Security representative	Quarterly

ISSUE	Strategy	Responsible Actors	Timeframe
County and Inter-County Peace Forum Participation: Expanded		Platform that brings together all stakeholders and actors with interest in peace and security including Sub-County/ DPC Chairpersons; National Government Representatives; Governor; Senator; Woman MP; MPs; Youth Representatives; County Representatives; local NGOs, CSOs, FBOs, County Peace Monitors, Council of Elders	Annual
National Peace Forum Participation: Expanded	i) Facilitation ii) Presentation & Division of Tropical Issues iii) Strategy Development	County representatives; relevant line Ministries from National Government; development partners, NGOs, CSOs, National Commissions, human rights groups, Media, Corporate Sector, business and Private Sector, UN agencies, INGOs, academia, research-based organizations, women and youth organizations/representatives.	Annual

Source: Bonita Ayuko and Liyayi Magotsi, eds., “The Modogashe Declaration III” (National Steering Committee on Peacebuilding and Conflict Management (NSC) Secretariat, Ministry of State for Provincial Administration & Internal Security, 2011), <http://www.nscpeace.go.ke/resource-library/downloads/category/6-reports.html?download=36:revalidation-of-modogashe-declaration-2011>.