

The Nakuru County Peace Accord

Peace Agreement between the leading protagonists in Nakuru County, the Agikuyu and Kalenjin communities, with all other communities invited to share in achieving the peaceful and cooperative objectives

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Signatures

This Accord may be signed by the following:

1. Founding Signatories

Comprising members from the Kalenjin, Agikuyu and other communities in Nakuru County who participated in the making of this Accord in discussions spread over 16 months, and who accept responsibility for upholding its terms. (A list of all Elders who participated will be added)

Witnesses

Compromising people in any organizational, official or personal capacities, who wish to record that they were present at and personally witnessed the foundation signing.

2. Joining Signatories

Comprising representatives from other communities, groups, or individuals in Nakuru County, who wish to embrace this Accord and share in the responsibilities of furthering its objectives and terms. Signatories in this category may join at any time by procedures to be established by the Elders.

3. Welcoming Signatories

Compromising any others, anywhere in Kenya or internationally, who wish to acknowledge this Accord and welcome its objectives and terms. Signatories in this category may be added at any time by procedures to be established by the Elders. People in this category may also 'sign' via the internet, when the Accord website is established.

Preamble

As Elders from the Agikuyu and Kalenjin communities in Nakuru County, we were initially brought together in April 2011 by the National Steering Committee on Peace Building and Conflict Management and the National Cohesion and Integration Commission. The background was our County's history of communal and election-related violence. As Elders of the principal protagonist communities in our County, we began a dialogue that has led to this Accord. At times, this process has been painful for us all. We have discussed the causes of the conflicts between our communities, the injustices we both felt, our hurts at insults and derogatory language applied to members of our communities, our impressions of each other, our suspicions and our hopes. Sometimes our perspectives have been directly contradictory. But we have all acknowledged the great suffering in Nakuru County, especially in the violence in 1992, 1997, 2002 and 2008. For many, that suffering continues.

Starting from our acknowledgment of that suffering, we have agreed to this Peace Accord.

1. Purpose

- a. In forming this Accord, we respect the many other communities, women and youth, persons with disabilities, businesses and organisations who share our lives in Nakuru County. Recognizing that they will have their own perspectives and interests, we are open to consultation with all in the hope that others will share the peace objectives of this Accord.
- b. As Elders in each of our communities in Nakuru County, we share responsibilities for the well-being of our communities. Our communities have mostly lived peacefully together for decades. We share with all the Kenyan family the simple hopes of improving our lives and communities in a climate of stability, security and mutual respect.
- c. However, we acknowledge that our communities in Nakuru have regularly been protagonists in violence, especially at election times. The purpose of this Accord is therefore to acknowledge the issues between our communities in Nakuru County and to take our share of responsibility for dealing with them – peacefully.
- d. Mindful of our responsibilities as Elders, we accept that violence has caused great suffering for many. As Elders, we are deeply sorry for the suffering that each of our communities has contributed to and experienced. That suffering is ongoing.
- e. Trust is the centerpiece of peace. We acknowledge that we each suspect and sometimes fear each other's motives, actions and even some of our traditions. We are determined to earn trust in and between our communities. We do not pretend that the paths will be easy and we do not have all the answers. But in humility, with God's grace and blessings, we make this Accord in our determination to heal, to learn, and to prevent further violence.

2. Acknowledgement of causes and consequences of violence

- a. Some of the events and changes relevant to violence in our community have deep historical and socio-economic roots, reflected in differing degrees in specific localities. Whilst not every situation is identical, common features have included our different traditions of pastoralism and agricultural farming, patterns of settlement, ownership and economic development generally. We share many natural resources, including pastures and rivers. Competition over the use of resources, has produced claims that have been difficult to reconcile. This has produced claims of injustice, on all sides, that have been part of the concerns of each of our communities. At local levels, these issues have also often produced violence.
- b. Another category of historical causes lies in the nature and functions of the government of Kenya and in our County, from colonial times to the present. How the government has worked, who it has employed, how its political leaders and state officers have been chosen – these things have greatly affected our communities. The concerns of different communities include both domination and exclusion from the offices, functions and activities of government on ethnic grounds. These are of specific concern in Nakuru County.
- c. These roots have contributed to patterns of ethnic politics and government in which all communities are deeply concerned about exclusion, marginalization, injustice and identity. In Nakuru County, where our communities have been mobilized politically as Agikuyu and as Kalenjin in support of rival candidates. Justifications offered by political candidates include protecting and defending our peoples, our businesses and our lands. But we also know that unless we find peaceful paths forward, our communities face a spiral of attack and defence that will repeat tragic consequences. People have already died, homes and businesses have been destroyed, women raped, children traumatised, families and whole communities have fled for their lives.
- d. These complex factors have been key causes of violence between our communities in Nakuru County. We particularly acknowledge the suffering in 1992, 1997, 2002 and 2008. The problems from those years are still ongoing, particularly reflected in the issues of Internally Displaced Persons (IDPs).
- e. We acknowledge that the issues we face in Nakuru County are in various degrees shared by many of the communities of Kenya and that they are being addressed in the new Constitution and related changes. Our particular concern as Elders in Nakuru County, is that the safety and security of our communities should not depend upon national politics, or on events that take place elsewhere. For example, political slogans, or alleged events in neighbouring areas involving members of different communities, often have violent consequences in Nakuru. The events are often sensationalized in the media and may even be wrongly reported. We seek to build relationships that might reduce the sudden inflammatory effect of alleged events outside of Nakuru. We must avoid collective ethnic hurt, commission and retaliation.

3. Our Code of Conduct

To reduce the risks of violence, especially politicized violence, our vision is that our communities in Nakuru County will:

1. Respect our peaceful traditions and customs consistent with the rights and freedoms in our Constitution, including dispute-resolution mechanisms that might build better trust and resolve grievances so that we live in peaceful co-existence.
2. Recognize that violence is against the law, involves the commission of crime (and if mass violence, of mass crimes) and that all communities have rights to live peacefully.
3. Act towards each other in good faith; this includes speaking honestly about our fears as well as our ambitions, acknowledging each other's perspectives and reasons, and not participating in (or planning, encouraging, inciting or failing to prevent) activities relating to ethnic and political violence.
4. Encourage political candidates and supporters, leaders and the institutions of state, to find ways of acknowledging and dealing effectively with all our concerns about being permanently excluded from governance and state functions.
5. Insist that our leaders, candidates and supporters conduct political competition peacefully in accordance with mutually-respected rules.
6. Acknowledge that democratic processes and their results must be respected by all communities, whilst recognizing that with power comes responsibility. Once a person is elected, he or she is a representative of all communities and should recognize that power is a shared responsibility among all the people. Elected representatives must demonstrate integrity and goodwill in working with all communities to address their needs, interest, concerns and aspirations.
7. Mutually respect the rights guaranteed in the Constitution, especially the rights to life, security, property, and of free movement and residence.
8. Avoid derogatory stereotypes about Agikuyu and Kalenjin, and other communities living in Nakuru, especially including insulting language, descriptions and assumptions, as well as permanently calling whole communities terms like 'immigrants'.
9. Avoid 'communalising responsibility' for individual crimes, allegations, or slogans (where something done by an individual becomes a hurt done by or to, a whole community, often prompting attack and retaliation).
10. Be proud of our County's stability as a beacon for other communities seeking non-violence.

4. Follow up

4.1 Actions to be undertaken

- a. Accepting that as Elders we cannot offer simple solutions, we will seek ways of addressing mutual issues that may arise in different communities and localities. These might include local issues like drought, rivers, resource distribution, animal health and livestock movements. It could also include more general issues like state service delivery, schools, youth employment and job creation, crime and housing.
- b. We will establish mechanisms for ongoing dialogue between our communities and for furthering the objectives of this Accord. This will include making reference to, and linkages with other authorities, and seeking support from relevant authorities and donors.
- c. Our immediate institutional development will include:
 - 1) establishing a small secretariat for our ongoing work;
 - 2) creating a network of monitors and contacts with whom we can interact at different levels where that might be useful to local peace issues;
 - 3) disseminating, explaining and discussing this Accord in our communities and with others who share the concerns;
 - 4) establishing appropriate linkages with the National Commission for Integration and Cohesion (NCIC), the National Steering Committee (NSC) and other relevant institutions and processes;
 - 5) establishing the Nakuru Elders Mediation Committee (see below).
- d. Our major priorities between now and the forthcoming General Elections will be to:
 - 1) prevent election violence of any sort,
 - 2) disseminate and discuss this Accord, and to
 - 3) build linkages with surrounding Counties for the same purposes as in this Accord.

4.2 Initial requests to relevant authorities

- a. We recommend that the police and other security agencies make all appropriate efforts to build trust with the communities in Nakuru County as part of conflict reduction. This should ensure that policing is conducted transparently, in accordance with law and without favouritism or disadvantage to ethnic communities. There should be regular dialogue with local communities, to build trust at all levels of command and operation. There should be community confidence in the ethnic representativeness of staff. We particularly recommend that planning and capacity should enable rapid responses to early warnings of conflict, so as to defuse tensions early. Organized gangs/militia and illegal weapons pose great risks to peace, and these should have appropriate priority in prevention strategies. Particular attention should be paid to the prevention of incitement to violence.
- b. Similarly, we recommend that law enforcement authorities, especially District Commissioners, should build community confidence, including by regular meetings. We note the importance of promptly addressing local issues that might

give rise to conflicts (such as the movement of livestock across farming areas and livestock theft, especially near ethnic boundaries).

- c. We ask the NCIC and NSC to continue to assist the Elders of Nakuru County in addressing issues of particular relevance to conflict in our County, including IDPs both in camps and 'integrated'.
- d. We request the NCIC to establish appropriate linkages with us as Elders in Nakuru County, in furthering the objectives of this Accord. These linkages may include dispute-resolution in Nakuru County, sharing experiences as resource people in other conflict areas, and other mutual assistance.

5. Dispute resolution

- a. In relation to matters that concern our communities and this Accord, we commit ourselves as neighbours and communities in Nakuru County, to resolve issues that arise through ongoing discussions between us.
- b. For problems that may prove difficult to resolve by discussions, we will establish the Nakuru Elders Mediation Committee, comprising of at least three respected members of each community. They will address the issues and propose ways forward.
- c. If the Mediation Committee is not able to reach agreement with the parties, it may of its own accord convene a wider meeting of Elders of our communities to discuss the issues, and where appropriate, invite the NCIC (or another relevant authority with most connection to the issue) to participate, chair or convene such a meeting.

6. Relationships with other communities

We acknowledge that all of the issues in this Accord will be relevant to, or be the direct business of, many other communities. We will try to work constructively with all to achieve the purposes of this Accord.

7. Relationships with women, youth, persons with disabilities and other processes and institutions in civil society

Similarly, we acknowledge that all of the issues in this Accord will be relevant to, or be the direct business of, faith organisations, families, women, youth, persons with disabilities and other groups, and institutions of civil society. We will particularly engage with youth groups, given the substantial proportion of youth in Nakuru County and the challenges for youth in our society.

8. Review of this Accord

Recognizing that events may change quickly, we will meet to review the progress under this Accord as necessary, and in any event no later than 3 months after its signature.

9. Walking forward

This Accord resulted from nearly 16 months of discussions between us as Elders.

We have built better mutual understanding of each other, as well as of the issues that confront all the communities in Nakuru County.

We acknowledge, however, that the work is only just beginning.

We express our deep gratitude to our communities in Nakuru County and to the many others who walked with us up to the signing of this Accord, especially members of the National Cohesion and Integration Commission and the National Steering Committee on Peace Building and Conflict Management.

We express in advance our thanks to those who will walk further with us as we implement our commitments.

That journey has no end in our hope that there will never again be violence between our communities.

1. Founding Signatories

Comprising members from the Kalenjin, Agikuyu and other communities in Nakuru County who participated in the making of this Accord in discussions spread over 16 months, and who accept responsibility for upholding its terms.

Dated: 19 August 2012

Co Chairs of the Elders Committees

Mr Samuel Maigua
(for Agikuyu Elders)

Hon Wilson Leitich
(for Kalenjin Elders)

Patrons

Daniel Kamau Kanyi EBS

Gideon Toroitich EBS

Coordinators (Secretariat)

Maina Muhia

Andrew Yatich

Founders

Ndungu Gaithuma

Joshua K Toroitich

Community Chairs

Abaluhya	-----	-----
Abagusii	-----	-----
Akamba	-----	-----
Ameru	-----	-----
Luo	-----	-----
Maasai	-----	-----
Mijikenda	-----	-----
Ogiek	-----	-----
Somali	-----	-----
Turkana	-----	-----

Witnesses

Compromising people in their organizational, official or personal capacities, who wish to record that they were present at and personally witnessed the foundation signing.

Dated: 19 August 2012

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Comprising members from other communities, groups, or individuals in Nakuru County, who wish to embrace this Accord and share in the responsibilities of furthering its objectives and terms. Signatories in this category may join at any time by procedures to be established by the Elders.

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