

# The Conflict Early Warning and Response mechanism (CEWARN)



*in the*

**Inter Governmental Authority On Development (IGAD)  
Region**

**CEWARN Baseline Studies**

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## **Baseline Study for the Kenyan side of the Karamoja Cluster**

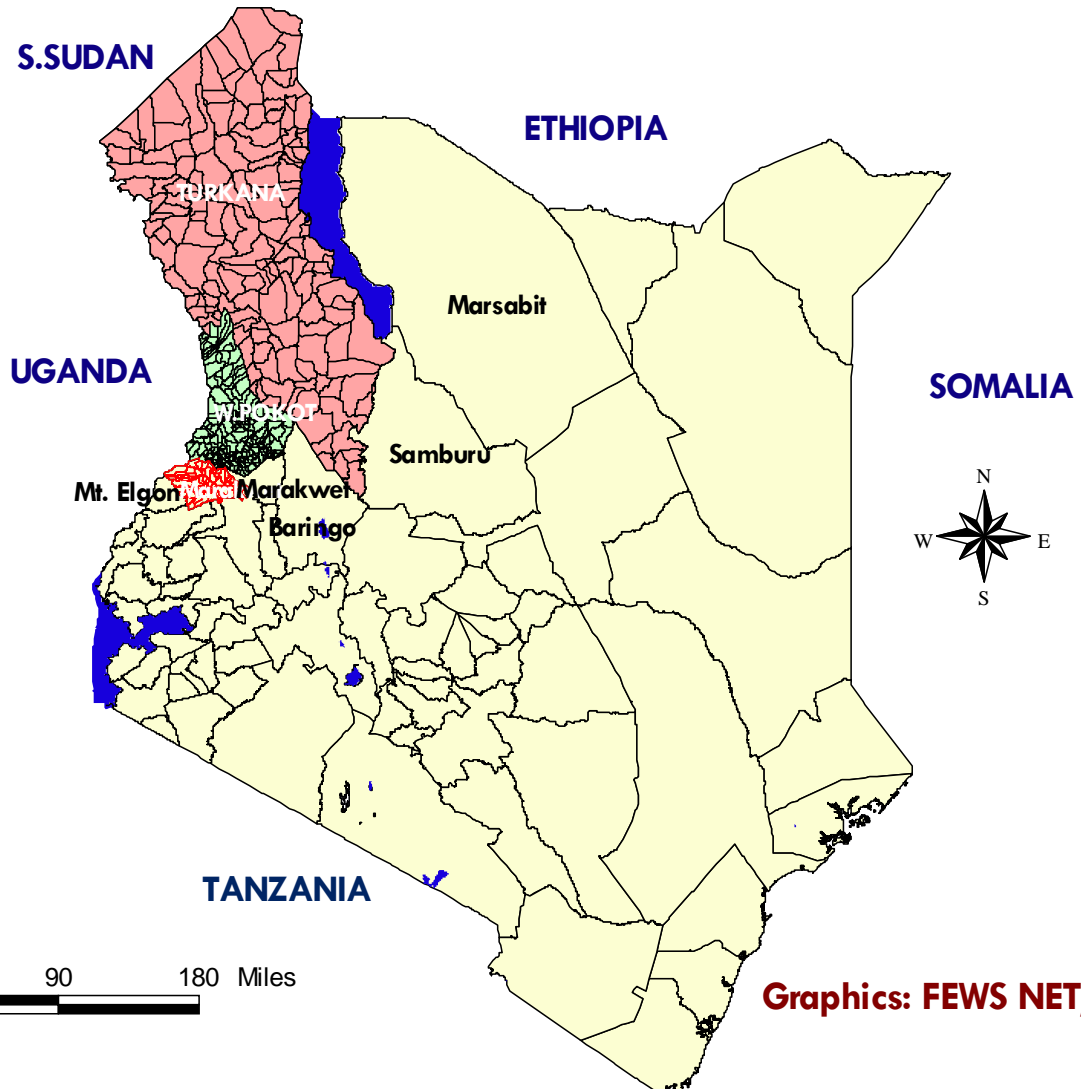
**Samuel Kona**  
Country Coordinator for Ethiopia

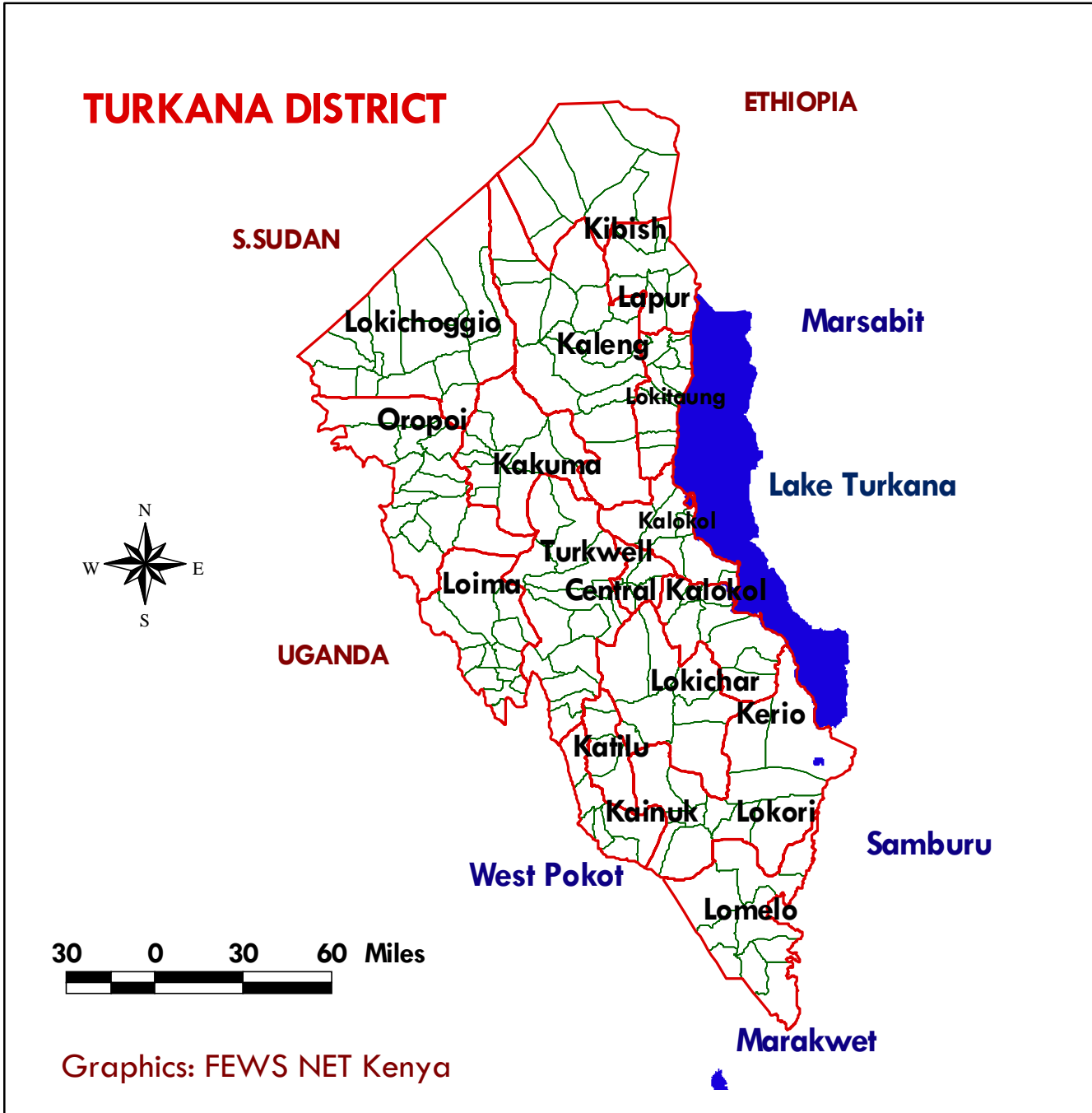
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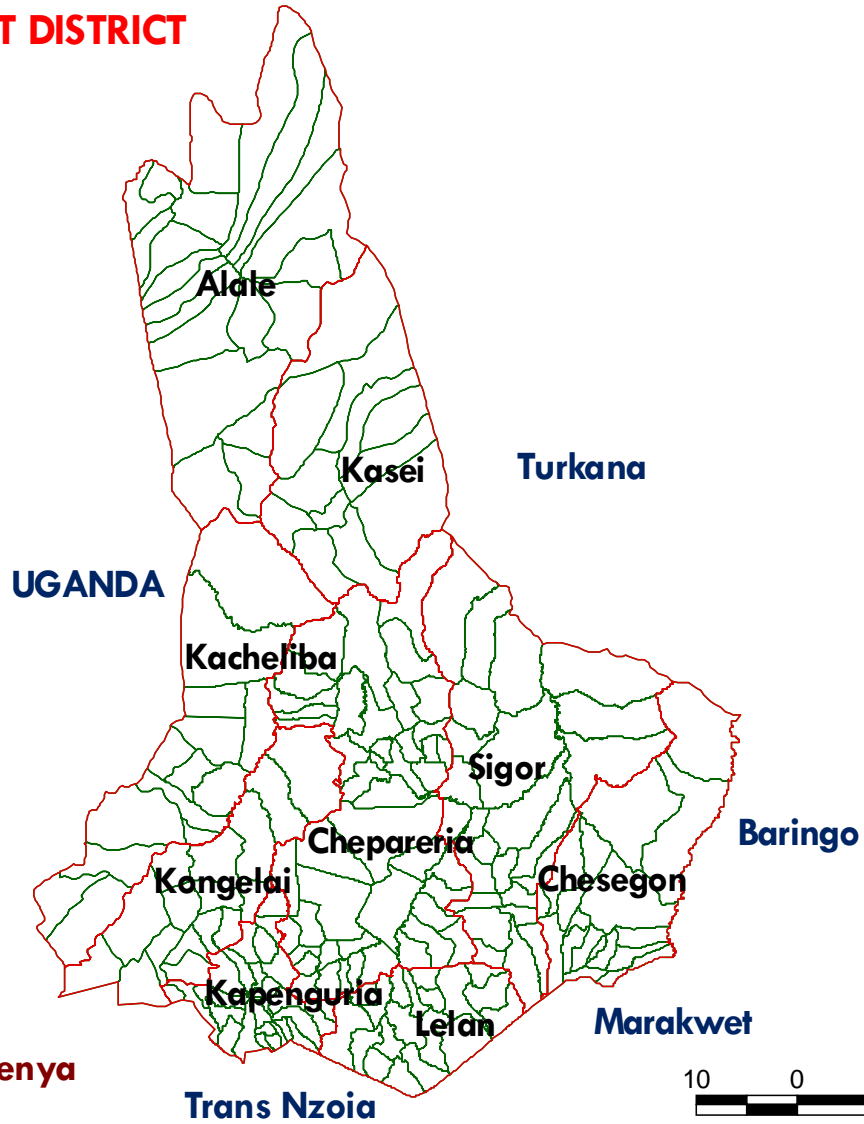
## AREAS OF REPORTING FOR KENYA

### Turkana, West Pokot and Trans Nzoia Districts

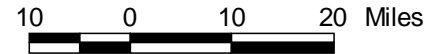




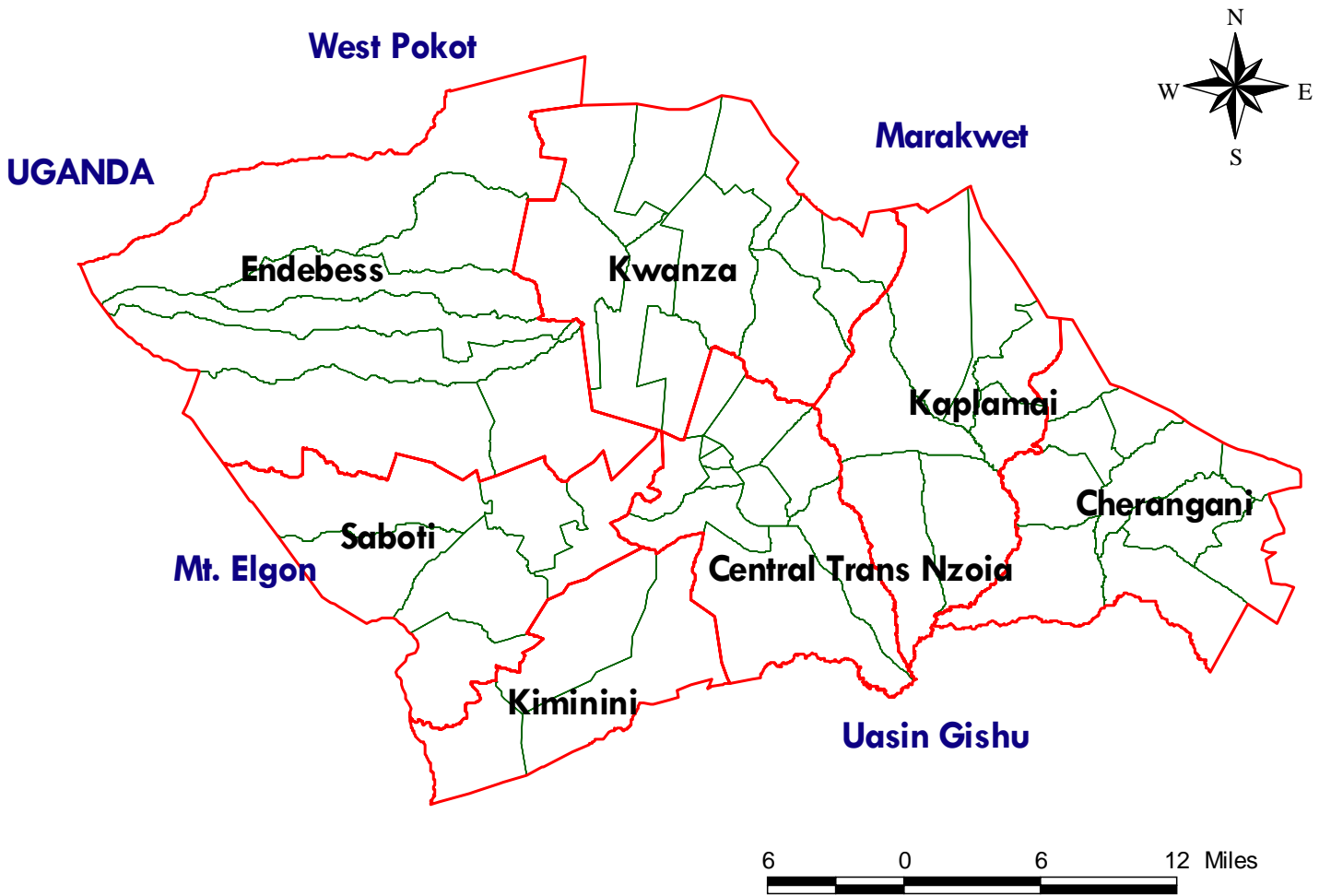
**WEST POKOT DISTRICT**



**Graphics: FEWS NET/Kenya**



## TRANS NZOIA DISTRICT



Graphics: FEWS NET/Kenya

## 1. Executive Summary

This conflict baseline report covers the Kenyan side of the Karamojong Cluster. It captures the trends and patterns of pastoral conflicts in Turkana, West Pokot and Trans Nzoia Districts in Rift Valley Province for the last ten months. It targets high level policy-makers in the IGAD-Sub-region with the capacity to influence policies and practices that can positively transform cross-border pastoral conflicts.

The purposes of this report are to: assess the vulnerabilities of pastoralists to violent conflict; provide an assessment of the impacts of violent to the communities; provide an assessment of the structural influences and constraints in the management of pastoral conflicts; and to outline policy recommendations for response. The report responds to the need concerning assessing the risks to security and peace resulting from violent conflict.

Over the years, pastoral conflicts have been transformed in terms of their frequency, fatality and scope, to the point that they are becoming increasingly intolerable. The causes of these conflicts are manifold, complex and multidimensional, ranging from natural resource tenure problems and violent competition for natural resources to structurally rooted economic, social, environmental and political factors. Apart from poor leadership and bad governance, violent pastoral conflicts are fuelled by poverty and marginalization of pastoral communities from mainstream development, ineffective state responses and a growing culture of impunity for raiders. Current conflicts and their violent nature is also function of political and economic processes and interests external to the pastoral conflict economy. Proliferation of modern automatic weapons as well as political manipulation, commerce, criminality and banditry further compound the conflict problem and escalate violence and lawlessness.

The impacts of violent pastoral conflicts on the local populations are severe and far-reaching. A great number of people, mainly women and children, have been killed and maimed, some displaced from their homes and majority made destitute after their property is destroyed and livestock raided. A number of schools and health institutions have been affected and general socio-economic development retarded.

The report identifies the following as the three scenarios:

- ***Status Quo Scenario:*** In the absence of any new intervention, the current level of violence is likely to continue escalating. Consequently, more human lives and livestock would continue to be lost through raids and banditry. Relations between the warring communities would continue to show a steady deterioration and the ‘peace dividends’ made through civil and governmental interventions would seriously be undermined.
- ***Recommended Scenario:*** The successful implementation of some the recommendations below would lead to a positive and peaceful transformation of pastoral conflicts and a reduction in violence in pastoral areas.

The destructive effects of conflict would also be considerably reduced and there would be a generalized improvement in community relations. The key to finding a lasting solution to pastoral conflicts lies in the government ensuring that the natural resource tenure systems are devoid of ambiguities and disputed access and use, and in promoting the integration of formal and customary institutions of conflict and resource management.

- ***Worst-Case Scenario:*** The current steady rise in the level of violence and the rate of raiding would continue to claim more lives and livestock. There is likely to be a vicious cycle of revenge and counter-revenge. The conflict would most likely further escalate both in terms of its vertical (intensification of violence) and horizontal (territorial spread) and would threaten to acquire both a national and regional scope. At this level, national and regional peace, security and stability would be seriously affected.

The report makes the following short-and long-term policy recommendations:

***(a) Shorter-Term Recommendations***

- prosecute individuals, including key personalities, involved in planning, organizing and executing livestock rustling and inter-ethnic raids that breed violence and hatred among pastoralist communities
- provide physical security to all pastoral communities to discourage them from acquiring arms under the guise of self-defense
- investigate ways of empowering, strengthening and increasing the competence of pastoralist grassroots communities to find lasting solutions to conflict through education, training, increased funding of local peacebuilding initiatives and nurturing a culture of peace

***(b) Longer-Term Recommendations***

- establish a national legal and policy framework for peacebuilding and conflict management that explicitly addresses all aspects of pastoral conflicts
- recognize the economic viability of pastoralism so that development programs and projects introduced in pastoral areas aim to improve on rangeland utilization and promote viable livestock development
- provide viable alternative economic livelihoods to young men to reduce the attraction of raiding and banditry

## 2. Purpose and Scope

This conflict baseline report covers the Kenyan side of the Karamojong Cluster. It captures the trends and patterns of pastoral conflicts in Turkana, West Pokot and Trans Nzoia Districts in Rift Valley Province for the last ten months. The report is one of the products of the IGAD's Conflict Early Warning and Early Response Mechanisms (CEWARN). It targets high level policy-makers in the IGAD-Sub-region with the capacity to influence policies and practices that can positively transform cross-border pastoral conflicts.

The purposes of this report are to: assess the vulnerabilities of pastoralists to violent conflict; provide an assessment of the impacts of violent to the communities; provide an assessment of the structural influences and constraints in the management of pastoral conflicts; and to outline policy recommendations for response. The report responds to the need concerning assessing the risks to security and peace resulting from violent conflict. The report therefore includes an analysis of the human death toll and livestock losses, the nature of prevalent pastoral conflicts, and the corresponding responses and the precipitating structural factors and conditions. It also gives an overview of three different scenarios and concludes by recommending responses that different actors can take to minimize the destructive effects of violent conflict among pastoralist communities in the areas of reporting covered by the CEWARN initiative.

The areas occupied by the pastoralist communities of Kenya constitute up to three quarters of the total landmass of the country, yet they are the most underdeveloped in terms of infrastructure and overall human development. They are also the most unproductive owing to the natural dictates of unfavorable climatic and adverse weather conditions. This is a factor that is crosscutting in all the regions occupied by these communities.

Among these communities, raids used to be largely social activities with gain only being realized after the other party has been clearly subdued through the use of superior force or tactics in war. In the past, one group would warn the other that they were intending to stage a raid in such and such a place, at a given time and in essence, give the second party a chance to prepare enough for any eventuality or even send emissaries calling for a truce or peace negotiations. That was then. Weapons used were mainly crude including spears, bows and arrows. Over the last couple of years however, the conflicts in pastoral areas have taken a different dimension with the introduction of sophisticated weapons and the changing issues that underlie these conflicts.

The pastoralist conflicts in Kenya are confined to the following districts: Turkana, West Pokot, Baringo, Marakwet, Isiolo, Marsabit and Samburu. Others are Tana River, Trans Nzoia, Mandera, Wajir, Garissa and Moyale. This report only covers Turkana, West Pokot and Trans Nzoia Districts. Other areas of the country also have low-key incidences of conflict but do not qualify for discussion here because the groups involved are mainly of agrarian orientation and do not pursue mainstream pastoralist livelihoods as in the example of Gucha, Kisii and Kuria Districts.

Pastoral areas of Kenya are sparsely populated and the mainstay of the economy is livestock (see tables below).



### **Pastoral Areas and Populations**

<b>Province</b>	<b>Districts</b>	<b>Population</b>
North Eastern	• Mandera, Wajir, Garissa, Ijara	961,000
Coast	• Tana River	183,000
Eastern	• Moyale, Marsabit, Isiolo	277,000
Rift Valley	• Turkana	447,000
	• West Pokot and Baringo	574,000
	• Samburu, Transmara, Kajiado and Narok	910,000
<b>Total</b>		<b>3,352,000</b>

*Source: Pastoralist Thematic Group, Pastoralist Poverty Reduction Strategy, March 2001*

### **Pastoral Livestock Populations**

<b>Species</b>	<b>Pastoral Areas</b>	<b>Rest of Country</b>	<b>Total National Herd</b>
Dairy cattle	negligible	3 million	3 million
Other cattle	4 million	5 million	9 million
Goats	6 million	6 million	12 million
Hair Sheep	4 million	3 million	7 million
Wool Sheep	negligible	1 million	1 million
Camels	1 million	negligible	1 million
<b>Total</b>	<b>15 million</b>	<b>18 million</b>	<b>33 million</b>

*Source: Pastoralist Thematic Group, Pastoralist Poverty Reduction Strategy, March 2001*

The Turkana have been involved in one form of conflict or the other with all their neighbours, both on the local and the international fronts. With the Toposa of Sudan, the Turkana have for long been in conflict over pasture and grazing rights along the common border with Sudan. Though ferocious in nature, the conflicts in this area have been characterized by occasional truces arrived at by both communities owing to their perceived common roots, according to folklore. The Didinga, Dodoth and Nyangatom of Sudan also conflict with the Turkana over the same issues mentioned above.

Of all the Turkana neighbours, the Pokot come out as the most persistent in an enduring conflict situation dating the last century. The two communities have gone through protracted periods of conflict to the extent that some scholars believe there is no end in sight despite the numerous peace initiatives. Both communities have an ingrained cultural belief that the other community is a traditional enemy with whom compromise is difficult to negotiate.

The Samburu –Turkana conflict differs slightly from the above in that the two groups have co-existed for long periods only for a specific event to trigger new surges of conflict. In this relationship, the Turkana have come out as the more daunting while the Samburu come across as the more submissive, occasionally enlisting the help of the Pokot to ward off Turkana attacks. The conflict of note in this context is that which exists between the Samburu and those Turkana residing in Samburu District.

This one is normally fuelled by socio-political factors characterized by the threats of expulsion of the Turkana from the District and violent competition over natural resources such as water and pasture. These threats become more pronounced after a successful raid by the Turkana (from Turkana District) on the Samburu and during the electioneering periods. On the whole, the Samburu distrust the Turkana with claims that they want to rock the political equation in the District owing to their numerical strength. (In some regions of Samburu District, the population ratio of the two communities is 1:1). This is a situation politicians have adroitly exploited on a number of occasions.

On the Uganda side, the Turkana have been in conflict with various Karamojong groups, the most notable being the Matheniko. After a series of devastating attacks by the Turkana, the Matheniko sought to make peace culminating in a peace accord between the two communities in 1973. This accord has endured the test of time as no major conflicts have been witnessed between the two groups since then. What exists currently is small-scale livestock theft that is increasingly being handled by the local institutions of the two communities. The two communities commemorated 30 years of peace between them last year in Lokiriana, Turkana District. Lokiriana is where the two communities consummated the present peace truce between them.

The Tepeth of Uganda are also in some small scale conflict with the Turkana but the casualties and animals lost in the scenarios witnessed recently show a situation that can be effectively handled by the local peace processes and initiatives. The Pokot on the other hand are involved in conflict situations with the Marakwet and some Karamojong sub-groups, notably the Matheniko, Pian and Bokora. Internally, they have also been involved in skirmishes with the non-pastoralist Luhya community in Trans Nzoia District. This latter conflict is over contested tracts of land the Pokot claim forcibly were excised from their District and given to the Luhya by the colonial administration.

### **3. Background, Actors and Historical Context<sup>1</sup>**

Though some inter-pastoralist conflicts in Kenya have deep roots in history and generally attributed to their retrogressive and outmoded practices, there is more to current conflicts. The underlying causes of the contemporary pastoralist conflicts are complex and manifold. A number of inter-linked socio-economic, cultural and environmental factors account for the escalation and persistence of conflicts in Kenya. It is against this backdrop that Kratli and Swift (1999) identified three types of pastoralist conflicts. These include traditional, commercial and political conflicts. These broad natures of pastoralist conflicts should be seen in the context of a continuum since there is great overlap in them. To them can be added conflicts caused by criminal tendencies that gradually develop into the three main categories. There are also latent conflicts frozen within the general institutional framework operating in pastoralist conflicts. These conflicts latently express themselves in the form of injustices, suppression and oppression of some ethnic groups particularly in multi-ethnic pastoralist conflicts.

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<sup>1</sup> The discussion in this part of the report covers all pastoral areas in Kenya since the issues/influences are fairly the same.

The structure, content, impacts and actors in pastoralist conflicts have been transformed generally by modern changes but mainly by the militarization of the pastoralist communities. These transformations will continue to increase the fatality of pastoralist conflicts in ways that will certainly have long-lasting repercussions. The introduction of the gun culture into the processes of education and socialization of pastoralist communities underscores the gravity of this transformation.

### **3.1 Historical Influences:**

***Colonial Legacy:*** Pastoral conflict in this area is closely related to the violence that accompanied the formation of states in the colonial era where large tracts of pastoralist land were appropriated and gazetted for other purposes denying these communities an opportunity to utilize the resources embedded therein. For a long time after independence, these regions were no-go zones or “closed districts” for both government and other visitors meaning that no development could take place in these areas till 1969 when this policy had to be lifted following a parliamentary outcry. This era heralded the dark period of pastoralist development because the official government policy of non-interference in pastoralist affairs led to the creation of alternative power centres in the region and even across the borders.

Guns were acquired and the more of these a community had, the higher its chances of survival in the new order of things. Tribal hegemony took root at this time with occasional fleeting alliances being formed between groups/communities to address a specific threat.

***Flawed understanding of pastoralists and pastoralism:*** Most communities in Kenya have very little understanding of the pastoralist communities and their ways of life. This may be tied to earlier anthropological research and positions taken by other communities that “moved ahead” or got developed during the pre and post-colonial periods. An example would be the long held general assumption that the Maasai are predominantly herders and cannot be agriculturalists.

***Global proxy wars:*** In the same way other regions, communities and countries got involved affected by the Cold War and other international conflicts, the pastoralist communities were also unknowingly drawn into these proxy wars waged the world’s superpowers.

### **3.2 Social Influences**

***Cultural Values:*** The pastoralist communities in Kenya and in deed all over have been in constant competition over pasture lands, water sources and cattle ownership. This urge has been largely driven by the need to restock the herds lost through raids, bad weather and periodic disease outbreaks. Cultural values such as the high cost of getting married (in relation to livestock paid by the groom) and the constant taunting of young men by girls and women sends them to war in a bid to prove their valor. In these communities also, acts of bravery and fearlessness are a sure way of gaining recognition and added status and respect in society.

All pastoralist groups believe that, it is as much their right to own cattle, as it is to graze and water them anywhere and to forcefully dispossess anybody of them. The “quasi-religious” attitude towards cattle sustains and reinforces this belief (Kona, 1999b: 50). It is therefore no wonder that livestock raiding still constitutes an important facet of the socio-economic organization of pastoralists. In addition, young boys are still socialized into martial roles. The cultural importance of the cow underscores the cultural significance of raiding. There are therefore conflicts driven by traditional interests such as restocking after a devastating loss, payment of bride price, generational status enhancement and hero worship for raiders. The perpetual insecurity and the use of sophisticated modern weapons strengthen the traditional way of life and hence, the cultural dimension of pastoralist conflicts.

The cultural importance that is given to the successful raiders by the communities motivates and encourages them to go for raiding escapades into the neighboring ethnic group territory. Their communities see raiders and their leaders not as criminals but as heroes and brave great achievers. Poetic songs are composed in their praise thereby making their families proud and enhancing the entrenchment of warrior-ship.

Most of the traditional pastoralist communities in the Kenyan side of the Karamoja Cluster pay a high bride wealth in the form of hundreds of livestock, to the girl's family. Since most young people do not have many animals, many opt to go for raiding in order to marry the girls of their hearts. The present scenario is such that a young man cannot favorably compete with an old man who has accumulated a lot of animals over the years. Many are occasions when old rich men have snatched young beautiful girls from poor handsome young men. With the high levels of poverty and the absence of alternative economic opportunities, the most convenient solution to the predicament of such young men has been to acquire their own animals through raiding.

***The Weakening of Traditional Institutions:*** Among the pastoralist communities, the elders traditionally played a role in the planning and execution of battles and also in conflict management and reconciliation. As noted earlier, their role is gradually being eroded by modern changes. The position, authority and role of elders in pastoralist communities is undermined by commercial, political, educational and administrative changes. The role of leadership is gradually being taken by young elite who see the elders as ‘living behind time’ and therefore cannot lead them. This is compounded by poverty, which makes the elders ineffective.

Tension exists between customary and formal mechanisms of conflict management and systems of justice. There is enormous diversity in terms of the content, procedure, process and product of the conflict management processes. The stark contrast between these two systems makes it difficult to negotiate a peaceful transformation of the pastoralist conflicts. Time and again, confusion arises as to what system to use after a raid or conflict.

The elders are not directly involved in the organization of inter-ethnic raids as they used to do before. They therefore have very little control in the planning of these raids and minimal in their reduction. It is equally problematic to know the commanders of raids. In the past and during the colonial period, it was easier to control raids, as the commanders were known.

Renegade youth spearhead raids these days and hardly seek the consent of elders. On their part, the elders are as yet to recognize the role the youth can potentially play in local and traditional peace processes.

The apparent increase in inter-pastoralist violence and conflict in the Kenyan side of the Karamojong Cluster can therefore be attributed to the dwindling fortunes the customary institutions of conflict management and reconciliation experience. The unifying principles of “common humanity, reciprocity and respect” (Mkangi, 1997:1) characteristic of African societies are constantly being eroded. The elders’ peacemaking role has been undermined by modern changes such as the development of modern state, market economy, the introduction of Kalashnikov culture into livestock raiding warfare and the replacement of traditional authority with state-based ascribed authority. The human suffering and challenges spawned by inter-pastoralist conflicts often suck in many actors as potential Third parties. The multiplicity of actors and influences, ranging from local states, NGOs, development agencies and factors external to pastoralism, also contribute to breakdown in indigenous traditions and practices. These coupled with the complex dynamics of contemporary raiding overwhelm the culturally approved rules and mechanisms of conflict management.

There is a trend in modern states to marginalize indigenous approaches of peacemaking and reconciliation in their constitutional and legal arrangements. The traditional African justice systems where the institution of elders functions as a traditional court system is alienated and ignored in the state’s legislations. By the same token, there is considerable tension and contrast between the two systems. The friction is intense time and again since the institution of elders still retains a significant measure of freedom of choice with respect to conflict management and reconciliation. Since state’s influence is weak in pastoralist areas, its role in pacifying parties in conflict is compromised, contributing to the rising trends in violent conflict among the pastoralists.

In the traditional setup of the pastoralist communities, raids and other social events were sanctioned by the authority of the elders. Within the last couple of decades however, there appears to have been some significant erosion of the authority of the elders over specific matters in these communities. This is evident in the fact that bands of young men currently organize raids on neighboring communities (or even their own) without being blessed by the elders or seers of that community.

In this original order of things also, elders played the role of negotiators for the return of illegally acquired stock or even compensation. This is not so these days because young men can even refuse to part with stolen livestock and times may even threaten the elders with death.

### **3.3 Economic Influences**

***Unfair policies and systematic marginalization by governments:*** Within the government and civil society setup in Kenya, there has been a strong and systematic bias against the pastoralist communities in this country. This is expressed in many ways such as the absence of land tenure laws that govern land use and ownership within the pastoralist regions of the country, yet the other agricultural areas are well served by the system complete with title deeds for privately owned parcels of land.

The colonial and post-independence administrations have also been largely dominated by the agricultural communities, which therefore hold sway at both policy and decision making levels. The argument that the pastoralist economy offers little in terms of returns as compared to the agricultural economies farther tilts the balance of opportunities to the detriment of the pastoralists. This means that government budgetary allocations for the improvement of this sector are either dismal or non-existent.

The laissez faire attitude exercised at policy level ensures that pastoralists and pastoralism survive on the whims of the natural elements and in most instances, totally gets out of control.

***Poverty and Under-developed infrastructure:*** The pastoralist regions of Kenya are largely characterized by limited economic opportunities both within the pastoral sector and outside. In fact, in Kenya's National Poverty Eradication Plan (1999-2015) the ASALs are rated as the poorest with poverty levels estimated at nearly 80% of the population being poor. In these areas also, there is a poorly developed physical and administrative infrastructure in terms of roads, schools, healthcare safe water and security.

Frequent droughts and spells of famine decimate the animal numbers within these communities, forcing some to opt out of mainstream pastoralism in frustration. Faced with limited livelihood options especially for the young men and women, some migrate to the urban centers while others may obtain guns and engage in highway banditry that has increasingly become a common feature in these areas.

***Commercialization of Raids:*** In the days of yore, raids used to be a social pastime for most communities, apart from being a means of restocking. Of late however, this practice has mushroomed into a business activity with individuals not from mainstream pastoralist communities getting involved in the purchase of the spoils of raids. This is one reason that explains the dismal number of animals that are recovered by security personnel after a raid. The animals so obtained are loaded onto trucks and transported to faraway markets from the conflict scene.

The lure of ready cash after a raid undoubtedly instills a sense of business in participating youths prompting them to participate more.

### **3.4 Environmental Influences**

The most widespread cause of conflict among the pastoralists is competition over scarce resources. It is not uncommon for pastoralist groups to compete and collide over limited resources such as land with better pasture for grazing, watering points for their stock and significant administrative boundaries which guarantee some ethnic benefits, perceived or real. Disputes over access and control of natural resources often acts as the trigger for violence and conflict in the cluster.

Land tenure and policy systems are of utmost importance in understanding pastoralist conflicts as they play a role in the conflict process. The national legislation of land tenure and resource management is in conflict with, and undermines, the pastoralists' traditional land tenure regimes and resource use. The customary regime governing pastoralists' land recognizes the communal use of land and is in contrast to the privatization and individualization of land advocated by the different states legislation. As a result, the pastoralists' traditional grazing patterns and drought coping strategies are disrupted. This jeopardizes the source of pastoralist livelihood as their livestock risk starving to death. To minimize the chances of such a catastrophe, the pastoralist to develop a non-challant attitude and graze anywhere they can find grass and water. This becomes a cause of conflict.

The tension between state legislation and customary land regimes create grounds for conflict between the pastoralists and the governments' wildlife conservation policies. Tension is usually high particularly when pastoralists impinge into land from which they were displaced. Conflict also does arise when pastoralists encroach into land set aside for irrigation schemes, wildlife game parks and reserves and military purposes.

Since droughts have become more frequent<sup>2</sup>, water sources are drying up and grass is increasingly becoming scarce. Thus communities in the cluster see the violent acquisition of as much land as possible and displacing others as one of the solutions. This is particularly true of the conflict between the Turkana and the Pokot. The Pokot are claiming vast parcels of land currently occupied by the Turkana, despite the fact that the Turkana have lived there from time immemorial. The Dongiro and Toposa also claim that the Turkana chased them away from parts of what is currently northern Turkana (the Elemi Triangle) and are therefore not ready to stop grazing on the same area, possibilities of violent encounters notwithstanding.

### **3.5 Political Influences**

***Bad Leadership and Poor Governance:*** Pastoralist conflicts should be seen within the broader context of governance. Since the attainment of political independence, the policies pursued by governments have led to the marginalization of pastoralists from mainstream national development. The needs, interests and aspirations of the pastoralist are disregarded in the general planning of national development. In this connection, the state plays an integral role in these conflicts.

<sup>2</sup> Sandra Gray reports that from 1979 to the present, there have been seven years of drought and crop failure in the Greater Horn of Africa (in Halderman, *et. al* 2002:29)

Pastoralism as a viable economic activity has generally been neglected with pastoralist areas regarded as of no economic contributions to make to the greater national economy. The continued attempts at sedentarization of herders, nationalization of resources and privatization of range (Lane and Mooreland, 1994) attest to this bias towards non-pastoralist groups and economic activities.

***Lethargic and Ineffective Responses:*** State response to pastoralist conflicts has not also endeared it to pastoralists. More often than not, the response is at best lethargic and at worst not there, a policy described as “slow response or non-intervention” (Fratkin, 1994:6). Accusing fingers have repeatedly been directed to the governments for the manner in which they intervene in inter-pastoralists conflicts. The blames range from ineffective recovery of stolen stock, biased conduct of security operations to a prejudicial system of justice. Wanjala, writing about the Pokot and Marakwet clashes of April 1997, reports that “...the failure of the government to arrest those responsible...” (Wanjala, 1997:3) is responsible for the revenge attacks that led to the escalation of the conflict. Similar views have also been reported in conflicts between other pastoralist ethnic groups. The pastoralists find it increasingly difficult to comprehend why it is difficult for the government to abort raids even when it is aware of them or when there are abundant indicators of inter-ethnic tensions. More disconcerting is the tendency that the security forces appear helpless and powerless insofar as pastoralist raiding and banditry are concerned.

The nature of states’ responses to pastoralist conflicts often gives rise to suspicions that the governmental authorities are tolerating these conflicts and maybe behind them. These suspicions are further reinforced by reports that military vehicles are used for the transportation of stolen stock (Kratli and Swift, 1999:9). If the governments concerned were willing to stop banditry and resolve pastoralist conflicts, these will be things of the past. What is lacking is the political will to stop them. As a result of governments’ inaction and ineffectiveness, the communities have taken the advantage by acting as predators preying on other.

Another way in which the state’s response to pastoralist conflicts is suspect is manner in which they unleash indiscriminate reprisals during security and disarmament operations. The security forces engage in rape, looting, human rights violations and violent reprisals. They carry these indiscriminately and at time they misplace their aggression to innocent civilians and not the bandits or rustlers. This strains the relations between the state and the pastoralists to the point that it is difficult for the pastoralists to co-operate with the security forces and hence, the state. As I have argued elsewhere, the “... security forces, instead of anticipating, limiting or even ending pastoralist conflicts, seem to be trained to react to them” (Kona, 1999:52). Kratli and Swift further add that the violent and indiscriminate response by security forces “appear very much as primarily directed towards re-establishing the state’s unique right to violence, and only secondarily towards conflict resolution” (Kratli and Swift, 1999:5). In a nutshell, the security forces possess a strong propensity to resort to brutal force, a factor that negates any attempts by the government to peacefully intervene in conflicts.

***The Culture of Impunity:*** In Kenya, those who over the years have been responsible for livestock rustling, roadside banditry and murder, have not been brought to justice. There is therefore a legacy of punishable acts, such as conspiracy and attempt to commit crime, direct and indirect public incitement to lawlessness, damage to property and murder being unpunished.



For the peaceful co-existence of pastoralist communities, and the political stability of Kenya and the Cluster as a whole, the perpetrators of these crimes must be brought to justice. And if this culture of impunity is allowed to continue unabated, the spiral inter-ethnic violence and its attendant consequences, seems almost bound to be repeated in the future. Needless to say, related to the culture of impunity is the legacy of mutual fear and suspicion that exists in the social fabric of pastoral communities.

***Government approaches to conflict:*** The approach by governments to conflict within these areas also contributes a great deal to the causation of conflict. In times when government has intervened, strong-arm tactics have been employed in disarmament and pacification of communities leaving destruction and vulnerable populations in its wake.

This approach further fuels resentment to government structures and an all out defiance of the government policies. This has at times also pitted communities against each other where there is perceived or real favoritism towards one community at the expense of the other like in the case of the disarmament exercise in the early 80s targeting the Turkana and Pokot communities, the Turkana felt that the government was more brutal on them while the Pokot arms caches were left largely intact. This exercise made communities more vulnerable to raids from the communities not adequately disarmed.

***Relief assistance at the expense of development:*** Massive relief and humanitarian assistance has been channeled to the pastoralist regions of Kenya over the past several years largely in response to emergencies and drought/famine situations. This assistance has however not been coupled with appropriate sustainable development strategies that would enhance coping at the end of this relief period. The consequence has therefore been that episodes of relief assistance are inevitably followed by an upsurge of newly vulnerable groups driven to dependency by this relief effort.

For those who cannot cope, especially so for the youth alternative livelihood options have to be pursued this in many cases may involve participation in cattle raids against neighboring communities or, highway robbery.

***Regional instability and the proliferation of modern weapons:*** By some design, most of the areas inhabited by the pastoralist communities of Kenya lie adjacent to regions of political or social instability. From the North Western tip, Turkana borders Sudan and Ethiopia countries that are various stages of internal war and Uganda, that's battling secessionist rebel elements. In the North Eastern corridor, the North Eastern Province borders Somalia and Ethiopia, countries that are still in conflict with their neighbors or groups within them. In this scheme of things, the adjoining pastoralist areas become a fertile ground for the disposal and trade in illegal arms that spill out of these countries. These weapons are in turn used by these communities for matters of their own security and of course, self enrichment.

The widespread availability, illicit transfers, unregulated flows and unlawful use of modern automatic weapons is credited for the escalation of pastoralist conflicts. Unlike in the past when crude and simple implements were used in traditional raiding, modern automatic weapons like Kalashnikov AK 47 assault rifles, ultra-light G3A3 automatic guns and grenades are now in use.

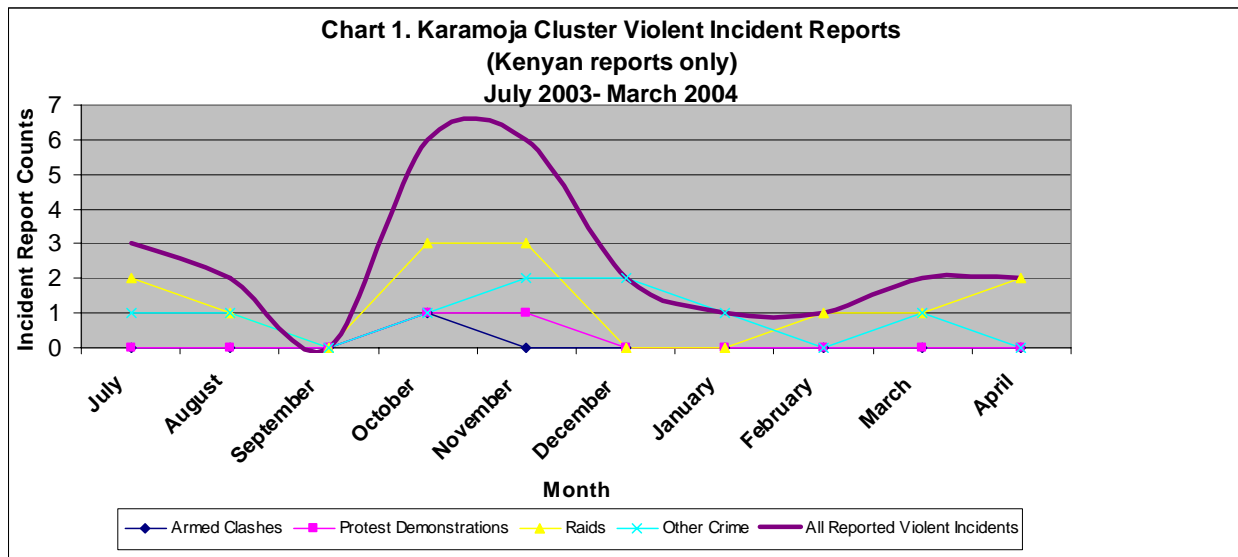
The devastating impacts and misuse of small arms increases the deadliness of pastoralist conflicts. Their proliferation and use results in high casualty rates, indiscriminate killing and have made it easier to exploit young children and women as fighters, posing a monumental threat to pastoralists' security.

Pastoralist communities own guns not only to protect them against being plundered by hostile ethnic groups from conterminous countries but also to defend their livestock against other equally armed pastoralist communities. The same guns are used to forcefully dispossess other pastoralists of their stock. While modern automatic weapons could have been the source of security in the past, they have now become a source of insecurity. Thus, the acquisition of modern automatic weapons is both the cause and consequence of insecurity and conflict in pastoral areas of Kenya. In recent years, they have resorted to using them to protect themselves against security forces particularly during forceful security disarmament operations and during efforts at recovery of stolen stock.

**Media:** The media is often blamed for inflammatory and unbalanced reporting of conflict events when portraying one community as savages while the other as just innocent victims. Apart from worsening the hostilities between the two communities this still feeds into the institutionalized bias that already exists against the marginalized pastoralist groups them farther.

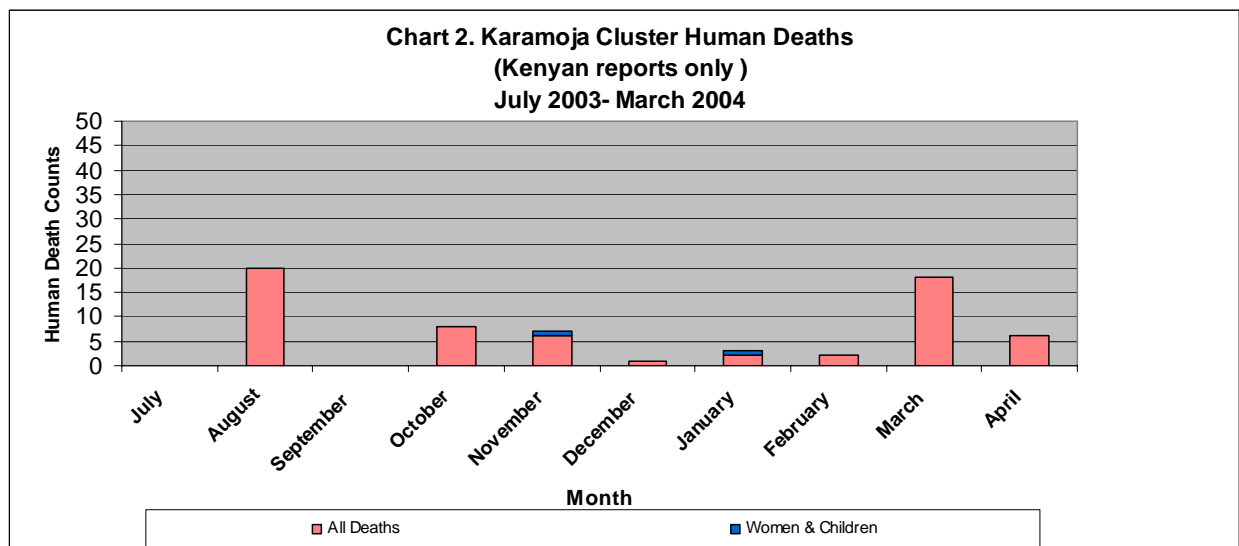
#### 4. Current Situation

The general conflict outlook for the CEWARN project area for Kenya for the last ten months covering the period June 2003 to March 2004 can be described as volatile in terms of the incidents recorded and their severity. The number of violent encounters between groups/communities within this period maybe directly attributed to a number of factors that have been discussed in last section.



During the period under review, the CEWARN Field Monitors reports for the areas of reporting recorded an average of five incidents per month. Among the conflict incidents reported, the fatalities attached are 48 with a total of 29 (twenty nine) injuries. Property lost in terms of “animals lost” comes to about 9,000. Most of these incidents are however confined to the mostly pastoralist districts of Turkana and West Pokot and the adjoining cross-border communities, particularly the Toposa of Southern Sudan and the Dodoth of Uganda. A single incident of March 2004 accounts for more than 50% of the total livestock loss. Internally, the statistics show that most of the fatalities and property losses are between the Turkana and the Pokot.

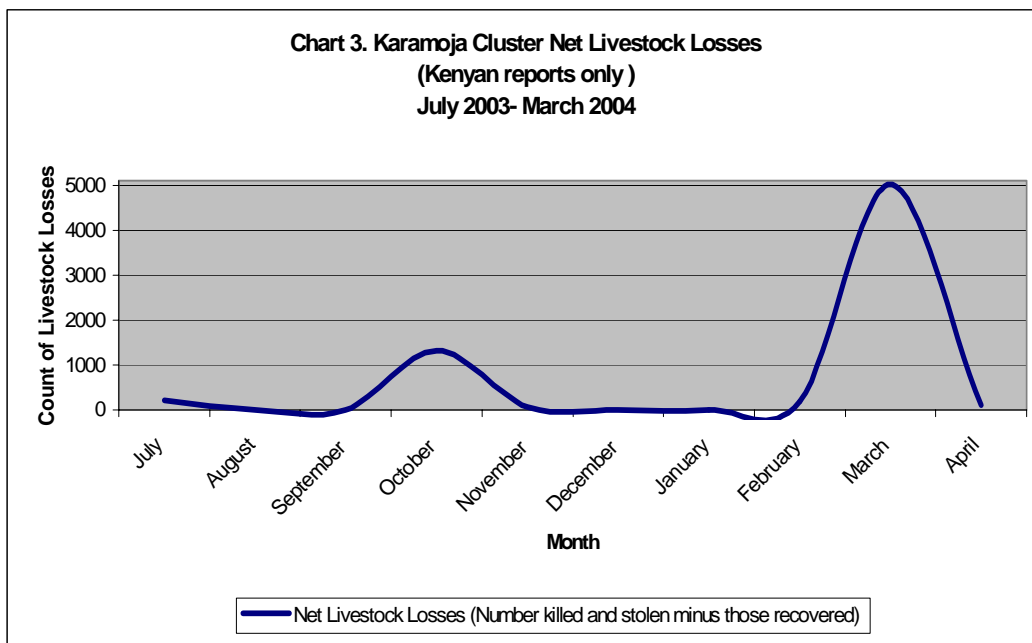
There was a rapid increase in reported violent incidents bulge in November 2003 (see Chart 1). During this period, violence between the Turkana and Pokot communities picks up and this is attributable to the onset of school holidays and the December festivities. Traditional ceremonies such as initiation are often carried out during school holidays and the consequent festivities may result into violent raids.



March 2003 (see Chart 2) noted a sharp increase in human death following the Kaabong conflict between the Turkana and Dodoth of Uganda. The Kang’ole incident involving the Pokot and Turkana also contributed to the sudden increase in human deaths over the same period. Both incidents involved violent confrontations over grazing fields and watering points. The result of community dialogue meetings accounts for the declining number of deaths over the December – February period. It is instructive to note that human and livestock losses vary from one violent incident to another. As illustrated in the cross-border incident below, large numbers of animals can be lost in a single incident:

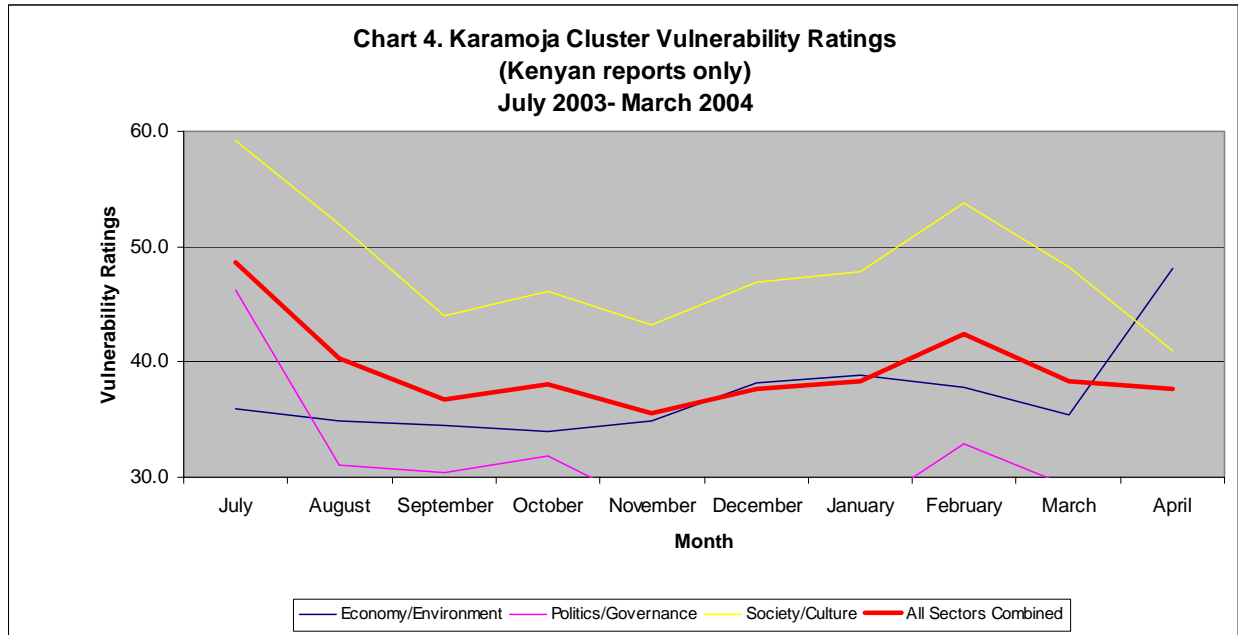
“On the 20th of March 2004 at Kaabong Sub-County in Uganda, Turkana pastoralists who had brokered a grazing accord with the Dodoth of Uganda (on the 5th March 2004) to allow them to temporarily graze their animals in Uganda were attacked by the combined force of Uganda People Defence Forces (UPDF) and Dodoth militia at a water point in Kaabong.

Over 30 people are believed to have perished in the attack as the UPDF used rocket propelled grenades and heavy machines guns to attack the herdsmen who were watering their animals. Due to the current dry spell on the Turkana side, many of the animals that survived the raid are dying in thousands due to lack of water and pasture. There is a heavy human and livestock concentration at Oropoi, Kakuma and Lokichoggio and a huge humanitarian disaster is likely to occur if intervention is not done immediately to save thousands of women, children, the elderly and the disabled from dying after they lost their animals in the raid and drought. It is estimated that over 5,000 head of cattle and a countless number of goats and sheep were driven away to Uganda by UPDF and the Dodoth tribesmen.” (Excerpted from a Kenyan incident report)



The months of July 2003 and March 2004 ranked high in vulnerability ratings (see Chart 4) because these months are usually dry months with the pastoralists experiencing water shortages and the grazing pastures exhausted or where there is pasture there would be no water. This often triggers mass migrations across both national and international borders making them more vulnerable to violent confrontation with other ethnic groups. The high value in July 2003 may also be a function of the field reporters getting used to the reporting protocols. However, this reporting may also be an accurate indicator of environmental pressures as the ongoing drought in the region began in mid-summer of 2003. The November bulge is not associated with a similar number of deaths (see Chart 2) because not all violent incidents result in death.

In some violent incidents, livestock rustling missions by a few raiders keen on acquiring livestock do not result into deaths particularly if the raiders do not encounter any resistance from the raided group. These kinds of incidents are often driven by a criminal logic to steal livestock rather than killing, are often opportunistic and do not involve elaborate preparations mobilization.



The occurrences above may broadly be attributed to the twin issues of natural resource use and age-old community relations and practices. The Turkana and the Pokot primarily feud over pasture and water resources along their common border. This is the same set of factors that sets the Turkana and the Merille on a collision course and this partly explains why in the two encounters between the Merille and the Turkana, the aggressors tend to kill in line with one of their traditional rites (“*ekichum*”) whereby, to become a man, a young man has to kill an enemy who in this case is the Turkana. No animals were reported stolen in these incidents despite the fact that Todonyang, the scene of violent encounters, has a remarkable livestock population.

During the period in focus, there have been largely no new policy decisions that have been made by the government that will directly impact on the pastoralist livelihoods apart from the creation, in early June of a Ministry of Livestock and Fisheries, whose impact is yet to be felt by the pastoralist communities. All in all, government has not come out strongly to intervene in these conflicts. Its activities have largely been limited to pursuing bandits after the event with little tangible impact.

A new phenomenon that is also emerging among the communities in these areas is the open challenge residents offer to the authorities over a number of issues ranging from insecurity (the Kakuma and Lokichoggio incidents) and general governance of institutions (the Ortum and Lodwar incidents).

In the first example above, the Turkana community twice demonstrated against the government and the local administration on the insecurity wrought on the local population by the unchecked movement of refugees from the Kakuma Refugee Camp. In the preceding incident, one AK-47 rifle was recovered from the refugees by the locals after a bloody confrontation.

In the Lokichoggio incident, a disarmament exercise turned awry when the Lopiding community resisted attempts by the GSU to disarm them. The Turkana community even went ahead to write a letter to the government threatening to violently invade the local police station should another disarmament exercise be instituted. This clearly points to a deficiency in government policy with regard to the safety and security of the pastoralist communities, given their geographical location and the existing security infrastructure.

The role of media has also come sharply into focus. In its inherent duty to inform, there have been several media reports highlighting on the conflict events in the project area but mainly on the regional scene. Coverage of conflicts within the Cluster have not been given the requisite press coverage with this being reserved for the on going regional peace processes for the Sudan and Somalia conflicts.

In the more settled communities in West Pokot and Trans Nzoia, the conflict incidents in these areas mostly revolve around non-livestock items and in cases where livestock is involved, the numbers involved are minimal and there are less fatalities.

“...A Pokot herdsman was injured after a fracas that took place on 21st December 2003 at a Mr. Kipkeu's farm. The fracas started when a group of Pokot herdsmen drove in their cattle into Kipkeu's farm, which was being harvested. The yield was still in the farm. According to Mr. Robert Masika, who reported the incident by phone, Mr. Kipkeu used the Kenya Police Reservists (KPR) to disperse the intruding herdsmen. The KPR had to open fire to scare them and in the process a bullet injured one herdsman. The injured was taken to Kitale District Hospital”  
(Excerpted from a Kenyan incident report)

Such incidents do not also affect whole communities, as there are no migrations or displacements reported after such events. In the context of conflict early warning therefore, it is problematic to monitor and make predictions on such incidents, as there are no parameters that can be attached to their eventual occurrence/non-occurrence. Such incidents are more criminal in nature and may not be described as conflicts per se. For this reason, we have tried to capture in a SitRep (situation report to complement the incident reports) format periodic assessments of the evolving conflict situations.

During the period under review, it is noteworthy that the communities went on with their ritualistic activities (weddings and initiation ceremonies) un-interrupted despite the conflict events reported in the vicinity. This is especially so in Turkana South and West Pokot. This was not the case for the economic activities though. On the Kenya-Uganda border of Turkana District, despite the incessant fears of attack from the Tepeth of Uganda, barter trade was booming amongst these two communities and Karamojong in as far away regions as Moroto.

This should somehow point to some relationship traits between the two communities despite being in conflict, or the fact that the insecurity posed is from a small band of thieves and not an organized societal issue.

The livestock markets in Turkana South and at times in West Pokot have however been susceptible to the conflict events or have seen a down turn in activity with every reported case of insecurity. This is the same area that has been faced with a disruption of its social services on a number of occasions. Nakukulas Primary in Turkana South was closed twice (once in May and once in July) over insecurity, while Lopiding Primary School in Lokichoggio was closed for a number of days in July after the failed disarmament of the local community in July. In this latter case however, no disruption of economic activity was reported.

## **5. Analysis and Vulnerability Assessment**

### **5.1 Decelerators**

Within this region, there have been a number of factors that have contributed to the situation currently obtaining on the ground. For the period under review, there have been a myriad number of peace initiatives aimed at resolving raging conflicts and easing the tensions. By and large, these have primarily been spearheaded by the civil society with the government giving the necessary institutional and legal framework. This renewed collaboration between government and civil society may explain the successful return of animals in various incidents in Turkana District/West Pokot and the Turkana/Tepeth of Uganda. The renewed trust in the ability of all the actors will positively transform pastoralists in the region.

***Civic Peacebuilding:*** The MAPOTU Peace Initiative, the Turkana District Peace and Development Committee (with branches at the locational level), the CAPE Unit of AU/IBAR in collaboration with VSF-Belgium are all options that have served these communities well. The conflict environment has witnessed increased activity by these organizations and the Catholic Justice and Peace Commission not forgetting the local NGOs and CBOs that are charged with the responsibility of grassroots mobilization.

***New Administration:*** In the past, there used to be suspicion amongst some communities in the region that the government of the day was in favour of one community against the other. In the last transitional elections in Kenya, which were billed as peaceful, free and fair ushering in a new government, the fears that previously existed were reduced with all communities expecting equal treatment from the government. This new attitude is good for peacemaking and peace maintenance.

***The Constitution Review Process:*** Kenyans are currently drawing up a new constitution and therein lie the aspirations of all communities in Kenya. The mood that has prevailed since the last elections portends for greater things to come and in the context of pastoralists, better policies on land tenure and property rights and community empowerment in the exploitation, management and sustenance of the natural resources under their care.

The new constitution, it is hoped, will guarantee the equality and access of each and every Kenyan to the basic necessities of life including the free primary education (already on course), better health care, improved minority rights etc.

**Capacity Building:** In the last several months, there has been a flurry of institutional strengthening and capacity building activities by the government and civil society in the entire North Rift region of Kenya. This has been made possible by the realization the local capacities for peace hold more sway in nurturing sustainable peace and peaceful co-existence between communities. Most of these have been successfully carried out targeting the grassroots (community leaders and ToTs), meso-level managers (of CSOs, CBOs and NGOs) and even senior civil servants. The organizations that have taken a leading role in these include: World Vision-Kenya (MAPOTU and POKATUSA Projects), African Peace Agenda (APA), ISGM/PACT-Mwengo and the Oxfam-GB/Government of Kenya supported Riam-Riam Turkana (formerly Turkana District Peace and Development Committee).

**Donor Funding:** Another positive intervening factor would be the anticipated resumption of donor assistance to Kenya in the near future. This will enable the new government to deliver its electoral pledge of allocating adequate resources to the insecurity-prone regions of this country.

**Improvement of physical Infrastructure:** The Government of Kenya is set to commence the recarpeting of the Kitale-Lodwar road which forms a part of the Trans-Africa Highway. On its completion, it is hoped that response to conflict situations will be swift especially along the Kainuk-Sigor stretch. This is because many a times, various actors and individuals have blamed the poor state of the road to insecurity posed by highway bandits who ambush motorists as they slow down in the bad sections of the road.

**Branding Initiative:** Within the months of September and October, several organizations within the region undertook to sponsor the purchase and distribution of livestock branding equipment to these communities. The equipment for each community has a distinct insignia that is common to that community. For the Turkana for instance, its symbol is the traditional Turkana stool and the serial number of the division where the particular animal comes from. The concept is built upon the premise that with the symbol branded conspicuously on the side of the animal, it would be easier to track down a stolen animal and return it to the actual owner. If this proves effective, it is hoped that cattle rustling incidences will reduce though the challenge would be on how to track down those animals stolen, sold and slaughtered away from the Division under which it registered.

**IGAD: The Sudan Peace Process and the CEWARN Initiative:** A regional attempt by neighbouring states supported by the international community (especially the United States of America) has made some headway in bringing the conflict parties in the Sudan conflict to the negotiating table. Over the last several months, agreements have been made that will seek to shape the future of Sudan and the conflicts within the region. Given the influence of a stable Sudan in the regional context, there is hope that most of the contentious issues would have been sorted out within the first quarter of 2004 paving way for a united conflict free Sudan.



The commissioning of the CEWARN Project within the major pastoralist conflict zones of Kenya will ensure that there is a co-ordinated response and sharing of information (on conflicts) between national and local actors. A long term study of the conflict events in the region will also help in deciphering patterns and trends in the conflict cycle, hence informing the interventions designed for the region.

## 5.2 Accelerators

Alongside the positive intervening factors there are also other scenarios that emerge negating the significant gains made in containing the conflicts in this region. The failed Lokichoggio disarmament example will illustrate this better:

In the months preceding this incident, there had been several peace initiatives going on between the Turkana (on the Kenya-Sudan border) and the Toposa of Sudan. There were several focal meetings and *ng'alogitasia* (plural for *alogita* or peace crusade ) held with elders from all the sides to the conflict complete with government representatives in attendance. Then, one early morning, the GSU descended on the Lopiding community for an unplanned disarmament exercise. This was met with armed resistance with casualties on both sides.

In the example above, the response by the government to the situation would automatically make the local community feel alienated and their participation in any development initiative or otherwise would not be forthcoming because they will be viewing each other as adversaries. According to the local community, they would not comprehend why their own government would want to negotiate with outsiders (the Toposa) and yet the same government will use force in its own citizens! Such a response will definitely impact negatively on community relations with the government and other actors.

The onset of drought or livestock diseases that wipe out pastoralist herds will mean that the communities will have to restock from their neighbours driving them into farther conflict with them.

The region occupied by the pastoralist communities of Kenya border unstable countries that have for long become a cheap source of illegal guns into the country. Due to the poor policing of these and other international borders, it is been estimated that up to 11,000 of these illegal weapons are in make their way and are sold in Kenya yearly with a sizeable percentage being in pastoralist hands. With this magnitude of firepower in wrong hands, there is little doubt that peacebuilding is still fraught with many challenges.

## 5.3 Triggers

***Political Utterances:*** Unsavory statements by politicians both from the pastoral areas and from outside still serve as a trigger for most conflicts in this region. By playing the role of “spokespersons” to their respective communities, their contribution cannot be underestimated as they knowingly (or unknowingly) play communities against each other for their own political gain.

**Poverty:** Debilitating poverty is another major cause of conflict among the pastoralist communities in Kenya. The marginalization of pastoralists from mainstream development and the concomitant unequal distribution of national resources play a major role in causing ethnic tensions and discontent. It is instructive to note that the regions inhabited by pastoralists in the area of study, are among the poorest in those countries. The Arid and Semi-Arid Lands (ASAL), according to the recently launched *National Poverty Eradication Plan* (1999-2015), have the highest incidence of poverty in the whole country. The constant rise in the trend of inter-pastoralist conflicts should therefore be seen against this backdrop.

Development is crucial to conflict reduction, and sustainable peace is to a large measure a consequence of sustainable development. The deprivation resulting from poverty and the endless struggle the pastoralists endure in search of basic life necessities like food, water, health services and clothing predispose them to conflicts. Consequently, poverty, accentuated by the violent conflict, and vice versa, is increasing the pastoralists vulnerability on a massive scale. Strong feelings of deprivation and neglect provide fertile grains for ethnic groups to engage in communal violence and confrontation. The livestock of neighbouring ethnic groups become obvious target. Poverty then becomes a catalyst of conflict. Conflict worsens the already deprivation caused by poverty and leads to a vicious cycle of collective violence that becomes the rule rather than the exception – a kind of a positive feedback, in which conflict causes more conflict. Breaking this cycle remains the challenging agenda for all the actors interested and involved in the peaceful transformation of pastoralist conflicts in Kenya.

Raging poverty within pastoral areas is also occasioned by frequent droughts and loss of herds through raids has made the many attempts at addressing pastoral conflicts in Kenya a nightmare for both non-governmental organizations and government alike. The results of the inroads made in the fields of education and the establishment of income generating activities for the vulnerable groups in these communities will take time to bear fruit.

**Resource constraints:** All the activities designed by the many stakeholders in the pastoralist regions are limited in both time and resources. In these areas for example, many projects that have existed for the past decade or so were focused on the development component while none was directly addressing conflict. It is only until recently that organizations started to appreciate the fact that no meaningful development will take place in the presence of raging conflict.

This phase has slowly seen the spirited attempt by organizations to integrate peace and conflict work in their programmes but if this will mean a commensurate increase in the resource allocation to the conflict component is yet to be seen and even if resources allocations were improved, there is the issue of mandate and limit as to what a given stakeholder can do.

**Insecurity, crime and culture of impunity:** Without the government's commitment to improve the security status of the pastoralist communities in this country, it is inconceivable that the institutionalization of the gun-culture within the pastoralists can be reversed. Like ever before, individuals and entire communities will seek to protect themselves and property from internal and external aggression leading to the acquisition of more guns, some of which may be used in raids and highway robberies.

***Slow pace of attitude change:*** In as far as the message put across by peace organizations is geared towards creating attitude and behavior change among the communities, this feat cannot be achieved in a short period of time without the attendant change in other structures of society, governance and survival options. Attitude change will occur in a structured manner when communities feel they are part of the greater national fabric and when their specific livelihood concerns are adequately addressed by the government and other agencies.

***Assassination of popular leaders:*** The assassination of a popular leader may serve as a trigger for new and prolonged conflict amongst communities or even within sections of a community. Though this has not been witnessed within the pastoralist communities over time, it is never the less an important factor in most other conflicts.

#### **5.4 Interventions**

Due to the genuine need for lasting peace, the regions affected by the pastoralist conflicts of Kenya have had their fair share of interventions whose successes cannot be quantified here but rather will be looked at comparatively and the output of their collective initiative will be treated as a sum of all their efforts. From the ground however, the *local actors* who will include the CBOs, the NGOs, religious organizations etc appear to have more sway in the peacebuilding processes for several reasons. The general perception is that they are locally based and therefore closer to the problem as compared to the rest of the actors. Besides, their focus is on that individual problem and they are therefore in a position to target interventions, responses and approaches appropriately.

For the kind of geographical area of coverage, the resources and personnel required by the local actors is quite reasonable and in the event that it is not adequate, they can depend on the traditional institutions already established at the grassroots. This efficacy of local mechanisms can be demonstrated with the cases of the *Adakar* Peace and Development Committees and the Elders in Lokiriana and Kanaodon.

In the Lokiriana example, the Council of Elders and the local peace and development committee stopped youths from sharing out animals raided from the Tepeth of Uganda. Instead, they decreed that they should wait while they mediate for the return of Turkana cows previously taken by the Tepeth. Their word was final. (*Ref: CEWARN Reports: Week 3, June 2003*)

In the Kanaodon example, the elders and the local *Adakar* Peace and Development Committee followed up animals raided by Pokot youths with their counterparts on the Pokot side. These were successfully returned to the rightful owners at a colorful ceremony in Kanaodon (*Ref: CEWARN Reports Week 1, September 2003*). This was witnessed by the local District Officer on behalf of the provincial administration.

The above examples seek to reinforce the effectiveness of strengthened local peace structures.

In the context of the pastoralist conflict of Kenya, there is very little *national, regional and international* actors can contribute except the setting up of conducive policies and structures for cross-border forays by these communities and support to the local actors in these initiatives.

This is because at that level, the approaches prescribed for use at the grassroots will at best be elitist and theoretical not taking experiences from the ground into account.

In recent years, the number of peacebuilding interventions in the region has rapidly increased. Notable among them is the intervention of civil society organizations that rejuvenated interest in the role of customary institutions of peacebuilding and conflict management.

## **5.5 Overall Assessment and Analysis of Interventions**

**(5.5.1) NGOs and Civil Society Interventions:** Some of the interventions that have made significant progress in reducing pastoral conflicts in Kenya have been undertaken by NGOs, CSOs and Interfaith organizations (IFOs). The binding peace between the Turkana and the Matheniko was reinforced by sustained effort by Oxfam GB, particularly in the late 1990s; the violent conflict that rocked Wajir District in mid-90s was successfully mediated by the Wajir Women for Peace and the Wajir Peace Group (these two merged and expanded to form the highly inclusive, participatory and diverse Wajir Peace and Development Committee); World Vision's POKATUSA and MAPOTU peacebuilding initiatives have contributed to the current lull in Kerio Valley, while multi-agency interventions in Turkana District have resulted in the establishing of a grassroots-driven and community-owned peace and development committee, Riam-Riam-Turkana. One characteristic feature of these successful interventions by NGOs/CSO/IFOs is the fact that they are deeply rooted in the cultures of the communities in conflict. These organizations took time to understand the cultures of the communities they were dealing with, their resources and institutions for peace, and integrated traditional approaches to conflict management with conventional mechanisms of conflict resolution. Another feature of these interventions is the highly inclusive nature, particularly the tendency to work together with government and other strategic actors like the youth, ethnic elites and political leaders.

The main limitation of NGO/CSO/IFO-led peace efforts is that they are insufficiently funded, quickly convened as soon as little funds are made available, inconsistent, lack proper co-ordination and limited follow-up. The resolutions passed during community dialogue meetings are also poorly implemented and rarely honored. It is hoped that the current surge in networking activities in Turkana District will not only address some of these weaknesses but also catalyze the evolution of such a culture in other pastoral areas affected by violent conflict.

**(5.5.2) Governmental Interventions:** Governmental interventions have not enjoyed the same fortunes as civil society initiatives. The principal mechanism by which the government of Kenya intervenes in pastoral conflicts is through security operations and 'peace directives'. The government intervenes violently, uses armed intimidation and forcefully imposes its authority on communities in conflict. Governmental interventions also do not take in account what civil society actors have been doing to address pastoral conflicts. And despite its monopoly in the ownership of violence and its resort to violent means, the government has not succeeded in coercing pastoralist communities to surrender illicit firearms and ammunitions in their possession. There is also a general trend in which security operations and disarmament missions are conducted partially. Over the years, pastoralist communities have become more bold and courageous in their apparent attempt to want to break the state's violence interventions by also becoming violent.

Pastoralist communities are increasingly engaging security forces in what is akin to direct combat whenever the security forces attempt to disarm them or during stolen stock recovery missions. What is worrying however, is the permissible notion that the versatility of pastoralist communities seems to be exceeding the government's capacity either to disarm them or recover livestock stolen during raids. Other factors that undermine government efforts to disarm the pastoralists include difficult terrain, poor road network, low morale of security forces, porosity of international borders and the burying of firearms and ammunitions under sand, among other constantly changing tactics by pastoralist communities. Additionally, the issue of disarmament needs a regional strategy and is beyond the scope of one country.

Whenever the government attempts non-military and non-violent means to respond to pastoral conflicts, it uses handpicked chiefs and elders who may not be aware of the feelings and movements at the grassroots and unable to effectively communicate with broad masses. The dominant perception of selected elders and appointed chiefs is that they are used by the government administration to legitimate government decisions. The government administrators instead of encouraging community-based deliberations and supporting decisions arrived at through consensus, instruct them to give directives on what should be done ('peace directives'). These directives cannot be binding to grassroots communities who are often detached from the administrators. It is also traditional for the Minister for Provincial Administration and Internal Security or the Provincial Commissioner (PC) to have a one-day tour of conflict-prone Districts and banditry-ravaged areas to address people at public barazas which double up as 'peace rallies'. The former President also used these rallies a lot. It all the more worrying to note that the government does not implement some of the directives they give. Many a times, the government has threatened to confiscate livestock for any community across which territory stolen stock pass, etc. This gives the livestock raiders the impression that the government is not serious and they get added impetus to conduct more raids. In a nutshell, governmental interventions are 'doing more harm' to the communities.

Experience in Kenya indicates that, whenever government *supports*, and not leads peacebuilding and conflict management interventions; there is a higher chance of these interventions succeeding, as happened in Wajir, Tana River and now in Turkana and other pastoral Districts. The District civil administration, army and the police force should learn from this and begin to embrace more collaborative, inclusive and participatory strategies for mitigating conflicts in pastoral areas.

**(5.5.3) Sub-Regional Inter-Governmental Interventions:** Interventions by Sub-Regional and Regional Institutions such as IGAD and EAC are fairly new for an assessment of impact to be made.

## 6. Diagnoses and Response Options

Pastoral conflict in Kenya is getting worse, both in terms of its ferocity and also outcomes. Conflicts, which were once part and parcel of the economic and social fabric of pastoral societies, have undergone marked transformations making it a more violent, unpredictable and destructive phenomenon.

This notable increase in the ferocity and fatalities attributable to present-day pastoral conflicts should be seen in the overall context of a complex interplay of multiple factors among which access to and control over natural resources is one of them. The traditional conflict management institutions seem to be unable to cope with the challenges posed by contemporary pastoral conflicts as these institutions have been weakened and their legitimacy is increasingly being contested by emergence of new authority structures among pastoralist communities as well as the widespread availability and use of modern automatic weapons. The role of political elites is particularly pertinent in understanding contemporary pastoral conflicts. Political elites have grown to become one of the most potent triggers of violent conflict between pastoral communities and the scramble for votes the breeding ground for ethnic hatred and cleavages. Raiding among pastoral communities has also evolved into a commercial enterprise through economic entrepreneurs and arm merchants are accruing economic benefit from the continuing violent conflict. A diagnosis of response options to current conflicts between pastoral communities should therefore integrate an analysis of political and economic interests external to the pastoral economic system. The culture of impunity arising from the lethargic, ineffective and inefficient state responses to pastoral conflicts is a factor in the unrestrained escalation of violence and raiding among pastoralist communities.

Based on the reinforcing role of history, culture and the structural causes of conflicts in pastoral areas, and building on the lessons learned on successful peacebuilding and conflict management interventions, the following recommendations are suggested:

## 6.1 **Short-Term Recommendations**

### **(a) International Actors**

#### *i. Governmental Entities*

- continue to prioritize the development of community-based early warning and early response networks to stop and/or settle disputes at an early stage
- explore regional support to local and national peacebuilding and conflict management initiatives

#### *ii. Non-Governmental Organizations*

- support research to explore how drought contingency planning can include considerations of conflict and how conflict analysis can be incorporated in to drought early warning systems

## **(b) National Actors**

### *i. Governmental Entities*

- improve livestock marketing strategies
- prosecute individuals, including key personalities, involved in planning, organizing and executing livestock rustling and inter-ethnic raids that breed violence and hatred among pastoralist communities
- provide physical security to all pastoral communities to discourage them from acquiring arms under the guise of self-defense
- explore ways by which the proliferation and use of small arms can be controlled, monitored and prevented at the local and national level.

### *ii. Non-Governmental Organizations*

- investigate ways of empowering, strengthening and increasing the competence of pastoralist grassroots communities to find lasting solutions to conflict through education, training, increased funding of local peacebuilding initiatives and nurturing a culture of peace
- continue strengthening local institutional capability (including customary institutions and local CSO/IFO) to better manage pastoral conflicts
- lobby for better reporting of pastoral conflicts in the national press

## **6.2 Longer-Term Recommendations**

### **(a) International Actors**

#### *(i) Governmental Entities*

- promote the incorporation of development planning into conflict mitigation projects and policies and introduce assessment of likely impact of development policies and projects on conflict
- advocate for the incorporation of conflict mitigation goals into national poverty reduction strategies and plans;
- develop a conflict analysis framework for all new projects

#### *(ii) Non-Governmental Organizations*

- identify the gender perspective of pastoralist conflicts and strengthen women's capacities to participate in all peacebuilding initiatives and widen the women's networks for peace amongst the warring communities.

- promote networking and coalition-building and establish effective working relationships between NGOs and community-based civil society organizations in pastoral areas in order to share information, co-ordinate peacebuilding efforts, coherently plan advocacy initiatives and promote post-conflict reconstruction.

## **(b) National Actors**

### *(i) Governmental Entities*

- i. explore and implement constructive models and procedures for dealing with pastoral conflicts through the integration of customary and formal institutions for conflict management;
- ii. establish a national legal and policy framework for peacebuilding and conflict management that explicitly addresses all aspects of pastoral conflicts;
- iii. recognize the economic viability of pastoralism so that development programs and projects introduced in pastoral areas aim to improve on rangeland utilization and promote viable livestock development;
- iv. address the underlying cause of violence and conflict in pastoral areas through initiatives that contribute to just and peaceful transformation of violent pastoral conflicts;
- v. design and implement an effective disarmament strategy;

### *(ii) Non-Governmental Organizations*

- provide viable alternative economic livelihoods to young men to reduce the attraction of raiding and banditry
- promote the mainstreaming of peace into all development projects

## **7. Scenarios and Implications**

From the current interventions that are evident on the ground, the future to resolve pastoralist conflicts looks promising so long as the effort is sustained, well-targeted and the limitations of each type of intervention reduced. The pastoralist communities should also be vigorously involved in other socio-economic activities to mitigate the effects of bad weather, droughts and the need to engage in conflict. In this regard, lasting peace can only be achieved with the active participation and support of the parties to the conflict. The role of government and other external actors is to create a conducive external environment in which locally-driven peace processes can thrive.



In the absence of any new and dynamic intervention, the following are the likely scenarios insofar as pastoral conflicts are concerned:

***Status Quo Scenario:*** The current level of violence is likely to continue escalating. Consequently, more human lives and livestock would continue to be lost through raids and banditry. Relations between the warring communities would continue to show a steady deterioration and the ‘peace dividends’ made through civil and governmental interventions would seriously be undermined.

***Recommended Scenario:*** In the event that the above shorter-term recommendations are successfully implemented, the likely scenario is that pastoral conflicts would be positively transformed and a reduction in violence would be observed. The destructive effects of conflict would also be considerably reduced and there would be a generalized improvement in community relations. The key to finding a lasting solution to pastoral conflicts lies in the government ensuring that the natural resource tenure systems are devoid of ambiguities and disputed access and use, and in promoting the integration of formal and customary institutions of conflict and resource management. Since these recommendations will be implemented in a context of occurring violent conflict, the challenge would be to stop the raids to give the different actors an opportunity to implement the recommendations.

***Worst-Case Scenario:*** The current steady rise in the level of violence and the rate of raiding between the Turkana and the Pokot on the one hand, and the Turkana and the neighboring ethnic groups in Southern Ethiopia and Sudan on the other hand, are likely to claim more lives and livestock. There is likely to be a vicious cycle of revenge and counter-revenge. This could ultimately result in more mobilization; elaborate planning and large scale massacres of one community by another. The conflict is also likely to suck more actors, more issues and hence become more complex and intractable. To this end, the conflict would undoubtedly further escalate both in terms of its vertical (intensification of violence) and horizontal (territorial spread). Should this conflict be allowed to reach this stage, the likely possibility is that it could become both national and regional in scale and scope. At this level, national and regional peace, security and stability would seriously be affected.

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## Annex 1: Analysis of Key Actors

The main actors involved in conflict prevention and mitigation work in the Kenyan side of the Karamojong Cluster include the following:

**1. Oxfam GB:** Through the Arid Districts Conflict Reduction Project, Oxfam GB is supporting grassroots-based and community-driven conflict reduction activities. The project aims to build the capacity of government, civil society and communities to better respond to conflict. District peace and development committees have been formed and are operational in a number of the districts in Kenya. Through this project, a national committee on peace and conflict management has been established comprising an array of actors involved and /or interested in peacebuilding. The project emphasizes the creation of synergy between traditional and formal state mechanisms of dispute resolution and justice. When adhered to in practice as well as in principle, these two systems converge to make a self-reinforcing virtuous mechanism and the simultaneous application of the two enhances the prospects of establishing effective and sustainable peacebuilding structures.

**2. Pokatusa:** World Vision's Pokatusa<sup>3</sup> cross-border peacebuilding project is funded by the DFID Civil Society Challenge Fund. The project aims to reduce violent conflict between the Pokot, Karamojong, Turkana and Sabiny communities along the Kenya-Uganda border. The focus of the project is training and mobilization, education and culture, exchange visits, advocacy and micro-enterprise development. In each of the districts covered by the project, district peace and reconciliation committees (DPRCs) have been formed. These are composed of representatives from strategic actors such as government, Members of Parliament, youth and women groups representatives, religious and civic leaders, and elders and kraal leaders. At the Regional level, a Joint Venture Implementation Committee has been established and includes top level leadership from Kenya and Uganda.

**3. The Government of Kenya:** The government of Kenya is a key actor in issues of peace, security and crime prevention in pastoral areas. The Arid Lands Resource Management Project (ALRMP) undertakes conflict mitigation interventions targeting the root causes of conflicts in pastoral areas. It also monitors and collects early warning information for purposes of conflict prevention. Through it, each Arid District in Kenya has a District Steering Group (DSG) that brings together all development actors in the District to share, discuss and plan development interventions together. This forum is chaired by the District Commissioner (DC) and meets on a monthly basis. The District Peace and Development Committees (DPDCs) in these Districts are recognized as legitimate actors in peace and they attend and participate in all DSG activities. At the national level, there is a National Steering Committee for Peacebuilding and Conflict Management housed in the Office of the President.

<sup>3</sup> A peacebuilding initiative seeking to reduce violent conflict among the four cross border ethnic groups (Pokot, Karamojong, Turkana and Sabiny).

This is also a multi-agency committee that comprises government, donors, NGOs, CSOs, Interfaith organizations and UN Agencies. USAID/REDSO is supporting the National Steering Committee on Peacebuilding and Conflict Management to develop a policy framework that would put it on the path of being institutionalized.

**4. AU/IBAR:** The entry point of AU's Inter-African Bureau for Animal Resources to peacebuilding work can be traced to its animal health work with different groups of the Karamojong Cluster. Through their community harmonization meetings, AU/IBAR facilitates peace meetings between different groups involved in conflict in the Karamojong Cluster. They also facilitate women peace crusades and utilize audio-visual media to transmit peace messages. More specifically, CAPE Unit undertakes the following activities: community dialogues, peace crusades by women, capacity building of community structures (APDCs). It also conducts cross border harmonization meetings to defuse tension and prevent conflict. At other times, CAPE Unit conducts pre-mediation meetings for the formulation of peace agreements where punitive and compensation measures are agreed upon. Taking advantage of its Pan-African mandate, CAPE Unit also organizes international cross border meetings. One such meeting was held between Kenya and Uganda in Moroto, Uganda in June 2003. Other activities undertaken by CAPE Unit include: conducting leader's meetings, linking CBOs/LNGOs to donors (e.g. ECORDEP) and facilitating financially, the activities of partner organization e.g. Riam Riam-Turkana. They also undertake dissemination of information (briefing papers) sent down from CAPE Unit headquarters. CAPE Unit's activities are not bound to any specific area because of its broad territorial mandate as it operates in all member countries of the AU. The point of departure in conflict terms comes when addressing intra-ethnic conflicts which CAPE Unit is averse at mediating. At the grassroots, CAPE Unit utilizes the basic Riam Riam structures (the APDCs) to undertake its activities. It also uses CBOs like Pastoralist Integrated Management Organisation (PIMO), Lokichoggio Oropoi Kakuma Development Organisation (LOKADO), Kapedo Education and Development Association (KEDA) and Lokichoggio Youth Association (LYA). It also partners with organizations like VSF-B, SNV, Oxfam-GB, ITDG, WV-MAPOTU and CJPC with whom they hold joint meetings. The main funders for CAPE Unit activities are USAID and DFID. Other supplementary funding comes from VSF-B.

**5. FEWS NET:** The Famine Early Warning System Network (FEWS NET), through funding from USAID, has been implementing a pilot conflict vulnerability study in the Karamojong Cluster of Kenya and Uganda. The principal objectives of this phase were to determine the level of demand for FEWS NET-type weather and climate information, situated in a livelihood context, and the degree to which this and other information might contribute to the promotion and sustainability of conflict prevention processes at the community level. The activity also aimed at promoting the establishment of a dynamic and sustainable conflict prevention network in the Cluster. The main targets of this pilot phase were the local communities, grassroots-based peace organizations and district level civil society institutions and government structures. This project has now been extended for a period of 18 months (October 2003 – May 2005). The main focus of the extended project is to continue the implementation and consolidation of the pilot activities carried out in the Karamojong Cluster in 2002, to determine the correlation between the information collected and analyzed and the prevention and mitigation of resource-based conflicts and to integrate FEWS NET products and analysis

**6. *Pact/Mwengo*:** Pact and Mwengo have been implemented a USAID-funded Institutional Strengthening and Grant Management (ISGM) program in the Greater Horn of Africa Region. The program supports the strengthening of the capacity of Regional African Organizations-Consortia-Associations working in the areas of Food Security and Conflict Prevention, Management and Response (CPMR) through the promotion of innovation and increased strategic co-ordination. Training of grassroots actors in CPMR and the development of a training manual “*Conflict Prevention and Peacebuilding in the Greater Horn of Africa*” were the two main components of this program.

**7. *Catholic Justice and Peace Commission (CJPC)*:** CJPC is that “arm” of the Catholic Church that monitors conflict trends in the Districts with a specific focus on human rights abuses and the collection of data on conflict incidences, severity, casualties etc. Its main distinguishing factor is its propensity to follow up cases of alleged infringement on individual or communal rights with a view to litigating the cases. Being an “offshoot” of the Catholic Church, CJPC operates through Peace Committees established in all its parishes in the three Districts. CJPC works in partnership with CAPE Unit of AU/IBAR, ITDG-EA and ALRMP. Although it has no specific fund for peacebuilding and conflict resolution activities, its other activities are made possible through funding from Trocaire and Development Corporation Ireland. CJPC’s activities in West Pokot continue to show a steady decline.

**8. *Christian Children’s Fund (CCF)*:** CCF mainly deals with partial sponsorship of needy children to enable them attain an education. It however undertakes other child related activities that eventually benefit the whole community. For instance, they do undertake a vaccination campaigns against the outbreak of yellow fever, the latest one being in Nachukui, Lokitaung, Nareng’ewoi, Nariokotome, Lokitonyala and Lowareng’ak areas of Turkana North. This was being done in partnership with the Ministry of Health. On peacebuilding however, CCF does not have any running programmes but may soon start one with a specific focus on the Turkana-Merille conflict at Todonyang. They intend to use education as an entry tool by sponsoring both Turkana and Merille children and admitting them to common border schools. Despite the fact that it does not have any peacebuilding component at the moment, it has been supporting other partner’s initiatives. For instance, during the commemoration of the thirty years of the Lokiriana Peace<sup>4</sup> Accord, CCF donated fuel for use by CAPE Unit, who were the fete organizers. CCF staffs also take part in and share with the local APDCs initiatives as exemplified by their involvement in a peace crusade in Namoruputh recently. In the areas where it operates, CCF has closely knit units called “*Jirani Groups*”. Each *Jirani* Group consists of about 20-25 households brought together for the purpose of co-ordination of their own activities. They meet twice a month and report to the Project Co-ordination Committee at the monthly meeting. CCF contributes to other partners’ peacebuilding activities through a budgetary provision that they prefer to call “a small monthly subsidy”.

**9. *Intermediate Technology Development Group-Eastern Africa*:** ITDG’s main focus is on development activities but because it was not possible for them to attain this goal in the presence of civil strife, it had to develop a peacebuilding component where such activities as community dialogue meetings and international peace meetings are organized.

ITDG also advocates for the promotion of peaceful co-existence through activities such as drama, football matches and support to peace races (like the Tecla Lorupe Peace Race of 13<sup>th</sup> December 2003). ITDG conducts crusades against the proliferation of small arms as well as organizing exchange visits for peace committees. It also undertakes documentation and dissemination of peacebuilding activities through their quarterly newsletter, the *PEACE* Bulletin. The areas of focus for ITDG are the border areas of Todonyang and Kibish in the North and Loima Division, the later being brought in through the GEF (Global Environmental Facility's Cross Border Biodiversity Project) whose implementation period has come to an end. ITDG utilizes already existing structures in implementing its activities like the Alliance for Pastoralist Development (APAD) in the Western parts of the District and TUPADO in the North. The APDCs are also used. Most of ITDG's activities are funded by USAID and UNDP (for the East Africa Cross Border Biodiversity Project) and the Elton John's Foundation funds its HIV/Aids project. The organization has already raised a proposal to Cordaid and is hopefully waiting for funding.

**10. Alliance for Pastoralist Development (APAD):** APAD deals with peacebuilding and conflict resolution within the Loima and Turkwel Divisions of Turkana District. They also deal with livestock related issues like pasture management and the monitoring of migration patterns of the pastoralist communities in these two divisions. Due to funding constraints, this organization has not been able to undertake its own peacebuilding activities save for occasions when they enter into loose partnerships with other organizations (like ITDG, CAPE Unit, Riam Riam-Turkana) to undertake mobilization for peace meetings. They have been involved in the formation of APDCs in areas like Kanaodon, Kalemunyang, Lorengippi, Lokirama and Namoruputh.

**11. The Netherlands Development Organization (SNV):** SNV's involvement in the peacebuilding sub-sector is a deviation from the norm. Whereas other organizations directly confront the problem through peace meetings and crusades, SNV looks farther and critiques their capacity and ability to actually undertake these activities. It identifies partners as clients who need capacity building so as to let them do what they do better. One such client is Riam Riam-Turkana. SNV is planning a series of capacity strengthening activities for this institutional structure. SNV utilizes the APDCs for its grassroots activities mainly through Riam Riam-Turkana. It however maintains a vibrant networking relationship with other partners.

12. Other actors include Development Alternatives Inc. (DAI), Amani Forum (The Great Lakes Parliamentary Forum), the National Council of Churches of Kenya (NCCCK), World Vision's MAPOTU (Marakwet, Pokot and Turkana) project, Pokot Educational and Development Program (PEDP), and Alale Community Integrated Development (ACID) operating in Alale Division of West Pokot.

## Annex 2: Analytical Framework for Pastoralist Conflicts in Kenya

## Analytical Framework: Pastoralist Conflicts in Kenya

