The Constitution and Reform Education Consortium - CRECO

BUILDING A CULTURE OF PEACE IN KENYA

THE STATUS OF VIOLENCE IN THE COUNTRY JUNE – AUGUST 2012 REPORT

In support of the work of Elections Observation Group
Ee Mungu nguvu yetu,
Ilete baraka kwetu,
Haki iwe ngao na mlinzi,
Natukae kwa Undugu,
Amani na uhuru,
Raha tupate na ustawi!
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We finally thank the development partners working with and supporting us.

Long Live CRECO! Long live ELOG!

George Collins Owuor
Chairperson
Constitution and Reform Education Consortium - CRECO
1.0 ABOUT CRECO

The Constitution and Reform Education Consortium (CRECO) is a coalition of civil society organisations (CSOs) working on democracy, governance, legal and human rights issues. It was founded in 1989 and registered as Charitable Trust. Although, founded by legal and human rights NGOs, CRECO’s membership has evolved over the years. Currently the coalition has CSOs working in different sectors but with a common aim of promoting constitutionalism and good governance ion Kenya. As at December 2011, CRECO had a total membership of 25 CSOs.

CRECO began its work with country wide civic education targeted at citizens’ participation in the process of reviewing Kenya’s constitution. The climax of this was in the design and implementation of the National Civic Education Program (NCEP I) in the period 2000-2002. NCEP 1 served as a platform for creating a new cadre of leadership in Kenya. The “Moi Must Go!” campaign, an initiative of the program, was major success. It attributed to the massive triumph of the National Rainbow Coalition (NARC) in the 2002 general elections. The NARC Government come to power with a promise of delivering a new constitution in 100 days. The promise was never fulfilled due to a number of factors including the feeling that the public wasn’t adequately consulted and involved in the constitution review process. A draft Constitution presented by the Government was rejected by citizens during the 21st November 2005 Constitutional Referendum.

In the years 2006 – 2007, CRECO was involved in NCEP II, a follow on program of NCEP I. The purpose of the program was to champion comprehensive governance reforms ahead of the 2007 elections. Through this program, CRECO championed advocacy initiatives aimed at strengthening institutions that would guarantee free and fair elections come 2007. The reforms envisaged were not successful and this culminated in the chaos experienced during the 2007 elections. In the 2007 post-election period, CRECO among other CSOs campaigned for the inclusion of the Agenda 4 reforms in the political negotiations. A key output of this advocacy was that the coalition partners agreed on comprehensive reforms and set up several commissions and timelines for a realisation of the same. Subsequently the Independent Review Commission (IERC), the Commission for the Investigation of the Post-Election Violence (CIPEV) were set up. These commissions emphasized that the country had to have a new constitution to be the basis for comprehensive reforms.

In an effort to ensure that Kenyans got a new people-driven constitution, CRECO mobilised CSOs to create a national platform for advocacy on, and value addition to, the Constitutional Review Process. This initiative, called the “Katiba Sasa” campaign, was carried out for over one year and interfaced with the work of the Committee of Experts (CoE) - a committee that was tasked to harmonise the views of Kenyans on the constitution. During the 2010 referendum period, CRECO with other HIVOs-funded partners, set up and rolled out a national ICT based monitoring platform – Uchaguzi –
that monitored the referendum. In another front, CRECO with six other partners in a network called Elections Observation Group (ELOG), carried out a comprehensive e-day observation of the referendum voting process using the PVT methodology.

Approval of the new Constitution in the August 4, 2010 referendum was a key milestone in CRECO’s quest for constitutionalism and good governance in Kenya. CRECO envisions “a just society”. In its current strategy (2011-2015), CRECO shifts its focus and resources to promote implementation of the new constitution through advocacy, civic engagement, institutional strengthening and partnerships development. The strategic drivers identified in the strategy are Public Sector Management and Human Rights. From these, the organisation has developed three programmes: Civic Engagement, Human rights and Institutional Capacity Development

1.1 ABOUT ELOG

The Elections Observation Group (ELOG), a consortium of civil society organisations and other stakeholders was established in 2010, seeks to provide a permanent national platform through which citizens can monitor general elections in Kenya and other countries in Africa. The primary mission of ELOG is to promote democratic governance in Kenya and other African countries by ensuring that countries hold regular, transparent, accountable and credible elections. ELOG members include:

- Catholic Justice and Peace Commission (CJPC),
- Centre for Governance and Development (CGD);
- Consortium for Empowerment and Development of Marginalized Communities (CEDMAC);
- Constitution and Reform Education Consortium (CRECO);
- Ecumenical Centre for Justice and Peace (ECJP)
- Federation of Women Lawyers of Kenya (FIDA).
- Institute for Education in Democracy (IED);
- National Council of Churches of Kenya (NCCK)
- Supreme Council of Kenya Muslims (SUPKEM);
- United Disabled Persons of Kenya (UDPK)
- Youth Agenda (YAA)
ELOG Strategy on Thematic Issues Observation

Based on the Vision and Mission as captured in the strategic plan, ELOG has determined that its greatest focus within the plan period will be the 2013 General Elections. It is around this that all of ELOG’s planned objectives and strategies will be organized with the goal to comprehensively monitor and observe the next election in order to strengthen electoral process in Kenya.

The ELOG strategic plan identifies six key result areas. These include Enhancing stakeholders’ awareness; Strengthening ELOG Coalition and observation infrastructure; Comprehensive thematic monitoring and observation; E-day observation; Adoption and enhancement of technology based methodologies; and Enhanced regional developments and engagement on election observation and reforms.

Broadly, the objective identified under the key result area on enhanced thematic monitoring and observation is to monitor key thematic issues influencing the conduct of free and fair elections.

ELOG has particularly identified the following seven key thematic issues under which scientific thematic monitoring and observation shall be anchored:

- Voter Registration
- Monitoring implementation of Political Parties Act and Political Financing
- Advocacy on Electoral Law Reform and Constituency Delimitation
- Campaign Monitoring
- Promotion and Participation of Marginalized Groups
- Voter Education
- Media Monitoring

CRECO provides leadership in the monitoring of violence in the ELOG coalition.
2.0 CONTEXT OF THE REPORT

The period under review has been seen some incidences that are critical in the violent eruptions that have led to loss of lives. Key among these include:

- The fatal crash of a helicopter carrying the top leadership in the Security portfolio - Hons George Saitoti and Orwa Ojode and their security detail
- The attack on Christian faithful in churches in Garissa by perceived Al-Shabaab militants
- Riots in Mombasa by youth protesting the killing of the Muslim Cleric Aboud Rogo Mohammed; which resulted in direct attacks on several churches and the death of four people including two police officers.
- The clashes in Mandera involving militia from Ethiopia.
- The Tana River Massacre

This is indeed an escalation of occurrences of violence in the country.

In the violence mapping report that CRECO released in May 2012, we stipulated that we were using the indices developed by the Kenyan National Steering Committee on Peace Building and Conflict Management (NSC) to map potential for conflict in the country. Using this framework, we developed indicative scores against a maximum of 5 scores (the maximum denoting highest potential for conflict as a result of each variable).

In respect of that conflict mapping report for example, Tana River County, which was one of the High risk areas that were identified, scored as follows:

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2 The NSC dichotomizes conflict factors into structural (that is long term causes which create potential climate for violent conflicts without making its eruption inevitable) and accelerating or trigger factors (that is, events, actions and decisions which escalate disputes into violent conflicts). The structural factors according to the NSC include:

a. Political: exploitation of ethnic differences for political purposes (politicization of ethnicity), weak state institutions or manipulation of these institutions for political purposes, disenfranchisement, marginalization of minorities and peripheral groups and use of organized violence (gangs) to achieve political ends
c. Economic: poverty, inequality, corruption, class conflict and underdevelopment.
d. Legal: failure by legal system to resolve disputes justly and comprehensively, manipulation of legal system to perpetrate injustices.
e. Social and cultural: exploitation of cultural differences and identities with negative consequences, use of cultural tools (songs, poetry, narratives etc) to propagate and perpetuate conflicts.
f. Environmental: scarcity or inequitable access to and distribution of environmental goods (land, water, forests etc), environmental degradation causing environmental harm.
<table>
<thead>
<tr>
<th>County</th>
<th>Political/Security (5)</th>
<th>Legal (5)</th>
<th>Economic (5)</th>
<th>Environmental (5)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tana River</td>
<td>4.5</td>
<td>2</td>
<td>4.5</td>
<td>4.5</td>
<td>15.5</td>
</tr>
</tbody>
</table>

This was a very high score, and that there was “low” conflict indices in legal aspects (2/5), could have meant that there are no records of credible legal systems in place there.

This report and the information has been shared widely and we have held roundtables with the security sector to further share the report and to get updates on what is happening. In one of those meetings, the Permanent Secretary in charge of Internal Security, Ms Nancy Kirui informed the meeting that the Kenya Defence Forces was authorised by the constitution to intervene in internal conflicts pursuant to Article 241 (3) (c) of the Constitution of Kenya. The question we need to ask is what merits this provision and why it was difficult for the National Assembly to authorise such a deployment.

From the time CRECO released the conflict mapping report, we have not seen any systemic action to mitigate violence. This is despite the fact that there have been many efforts including:

- Parliament held a meeting for lawmakers dubbed the National Conference and County Forum on Peaceful Elections in Mombasa on 8th and 9th June 2012
- The NCIC led elders of the Kalenjin and Kikuyu communities to sign a peace accord in Nakuru
- Peace initiatives such as Uwiano, Tuvuke Initiative, Mkenya Daima, Building Bridges Peace Movement, Nairobi Peace Forum, Kenya Kwanza among others have been launched.

The impact of these national and regional processes seem not to have had a lot of impact on the ground.

Surprisingly, the President and the Prime Minister remained rather quiet as the Tana River mayhem went on, only to promise to “deal firmly with the situation” many days after the conflict flared up and many lives have been lost.

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3 See: Daily Nation July 5th July 2012 pg 5
The release of the status of violence report comes at a time when the security forces have been exposed as totally unprepared to deal with violence by the ongoing skirmishes in Tana River County. Police have not been able to stop the clashes, protect the people nor even protect themselves. The Tana Delta clashes have left nine police officers and more than one hundred residents dead.

This is also a backdrop of seemingly stalled police reforms. Even with the enactment of the National Police Service Act 2011, the National Police Service Commission Act 2011, the Independent Policing Oversight Authority Act 2011, and subsequent appointment of the members of the Oversight Board, there are concerns that the delay in the appointment of the members of the National Police Service Commission, the Inspector General and the two Deputies has blocked further implementation of the reforms. These concerns have been raised by a cross section of stakeholders including Kofi Annan and the African Eminent Persons.

The reports of violence coming from the counties, both from media and the Long Term Observers, validate the baseline report that was released by CRECO in May 2012 that had identified counties such as Mandera, Tana River, Mombasa among others as high conflict risk areas.
The Status Report
INTRODUCTION

CRECO, in conjunction with the Elections Observation Group (ELOG), deployed 47 County Coordinators in June 2012 who were in turn supposed to coordinate 725 Long Term Observers in 725 wards across the country. Among other aspects of long term monitoring, the LTOs monitored violence in all the counties and submitted reports using Tools provided by ELOG. These include Activity and Critical Incident Reporting Forms on a monthly basis. The reports from the LTOs are collected analyzed, and shared with stakeholders.

CRECO, which is focusing on monitoring of violence with respect to ELOG work, analysed information on this on the aspect. The report below captures that singular aspect for the period under review. This was done through analysis of the Critical Incidents Forms, phone calls and independent supports from the LTO’s.

The Incident reporting form probed the incidents that cause violence:

1. Violence: Victims of Violence; motivation/ reason for violence; participants/ perpetrators of violence;
2. Hate Speech: Victims of hate speech; perpetrators; medium of incitement
3. Disruption of Campaigns
4. Vote Buying/ Bribery
5. Movement or Displacement of Populations
6. Misuse of Government Resources
7. Disputes over Electoral Boundaries
8. Problem with issuance of National Identity Cards

The analysis that follows is based on the counties that reported incidents and is a combination of the months of June, July and August 2012.

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4 ELOG is also doing general analysis.
A majority of the cases of violence were reported in the month of June followed by August and July respectively. Most of the cases of violence in June and July involved women candidates or campaigners and other individuals followed by youth candidates or campaigners. July did not record any cases of violence against female candidates or campaigners, while August reported one case. The months of July and August recorded more cases of violence that did not target any specific groups as compared to June which had only two cases reported on the same. In the month of June, more youth candidates or campaigners were involved in violence than July and August; the month of June recorded three cases of violence against youth candidates or campaigners while August recorded two cases and June while July had only one case.

The month of June reported the highest number of female candidates or campaigners falling victim of violence where the cases reported were in Migori and Uasin Gishu.
One case of violence against women candidates was reported in August in Uasin Gishu County. In June violence against youth candidates or campaigners was reported in Siaya and Nyeri Counties. Such cases were reported in July and August in Makueni and Kajiado counties respectively.

**Graph 2: Motivation/Reason for Violence**

Of the cases of violence reported between June and August 2012, the overall motivation was unknown. However, ethnically motivated violence was reported more in August than in June while July did not exhibit any ethnically motivated violence. Violence arising over contestation over elective posts was reported mostly in June and July than in August. Local disputes over cattle were also reported to have contributed to the violence in the aforementioned period where one case was reported in June while July
and August and recorded two cases each. Graph 2 above shows the distribution of the motivation violence in the period between June and August.

Most of the violent cases reported in June involving unknown reasons were witnessed in Migori, Murang’a Meru and Uasin Gishu; while contestation over elective seats was the trigger for violence in Makueni and Nyeri counties; local disputes over cattle and water were witnessed in Uasin Gishu. In the month of July cases of violence involving unknown reasons were reported in Wajir, Mandera and Kisii counties. Ethnically motivated violence was witnessed in Migori, Kisii and Busia counties while violence erupting due to local disputes over cattle and water were reported in Migori and Mandera. In August, Tana River exhibited the highest number of ethnically motivated violence, as well as violent disputes over cattle and water.

Graph 3: Participants/Perpetrators of Violence
Most of the participants of the violence in the months of June, July and August were people who could be identified as either militia, campaign supporters or security agencies. The month of June witnessed the highest incidents of violence with campaign supporters as the participants, followed by August and July. Security agents participated in violence most during the month of July followed by June and August.

During the month of June and August, security agencies were involved in violence in Uasin Gishu and for July in Mandera and Migori. Campaign supporters were involved in violence in Migori, Nyeri and Siaya in June, in Migori and Busia in July and in Kajiado and Uasin Gishu in August. In the month of June, Migori witnessed the highest number of reported cases of militia involvement in violence.

Graph 4: Victims of Hate Speech
The month of June had the highest reported cases of hate speech followed by July and August respectively. Most of hate speech cases in June, July and August were either directed at an ethnic group, clan, candidates, political parties or their supporters.

Generally incidents of hate speech have tended to reduce over the three months period with August recording the lowest number of cases. Tana River reported the highest number of hate speech cases directed at an ethnic group for the month of August followed by Narok. The counties of Migori, Uasin Gishu and Vihiga had reported cases of hate speech directed at an ethnic group and for the month of July that was reported in Migori, Busia and Kisii.

**Graph 5: Perpetrators of Hate Speech**

Political party leaders and candidates were the main perpetrators of hate speech during the months of June, July and August. Other people that could not be classified as either
Candidates or political party leaders were also perpetrators of hate speech during the three months.

The fact that there was an increase of “other people” seen as perpetrators of hate speech means that hate speech, possibly because of the negative tag it has got over the last few months or the campaign by NCIC, is committed more by people who are not “prominent” and hence cannot be targeted for libel cases or do not attract enough attention to warrant monitoring.

**Graph 6: Medium of Incitement**

Most of the hate speech was communicated by persons at events. This is probably because most of the perpetrators were either political party leaders and/or candidates. Leaflets as a mode of communicating hate speech were used in Migori in the month of
July. This period also saw the distribution of leaflets in the Coast Region calling for the expulsion of “non-natives”.

Graph 7: Disruption of Campaigns

There were two cases of disruption of campaigns in Uasin Gishu and Kajiado in August and one case in June in Kisii. July did not have a reported case of disruption or prevention of campaign. There were case of prevention of campaign in Mandera and Siaya for the months of August and June respectively.
August and June had two cases of bribery of voters to influence voters to vote for particular candidates or parties in Uasin Gishu, Kajiado, Busia and Migori. There were three cases of bribery in June and July with unclear motive and one case in August.
There were no reported cases of disruption of activities of NGOs and CBOs in August but June and July had a case each of disruption in Meru and Kisii respectively. Does this mean that citizens appreciate the work of NGOs and CBOs more?
Only August had a case of forced movement of population in Mandera. June had two cases of voluntary movement of specific population groups due to fear. The cases of voluntary movement of specific population groups due to fear in August happened in Tana River County.
July had one case in Kitui County; where during a fundraising function (which turned into a campaign platform) one of the candidates blamed the others that they mislead the people to agree to move into a new constituency (Mwingi East) instead of remaining in Mwingi Central. A petition on the same was already with the Court against the IEBC.
Key Deductions
The general pattern emerging is that there is a marked increase in violent conflict as we go towards the elections.

I. Citizens have become boldly violent and there seems to be little regard for the rule of law
II. Violence is manifesting in ways that are not necessarily pre-meditated
III. There are many ways that violence is manifesting itself: disruption of campaign rallies, targeted murder, hate speech and harassment of aspirants.
IV. The perpetrators of violence range from political party leaders, youth and male aspirants
V. Physical violence is mostly directed at ethnic or religious groups
VI. There is marked unpreparedness by the Security Sector to provide security to people and property across the country.
VII. There is increasing targeting of women aspirants over the period
VIII. The police are increasingly at risk for targeting by unlawful citizens
IX. There is an obvious lack of political will to prevent violence and also political manipulation/exploitation of various incidences into violence.
X. People are moving to avoid conflict.
Conclusion and Recommendations

The country is 6 months shy of one of the most competitive and unique elections in its history. How the various processes are managed leading up to the elections will be critical in determining the outcome of both the elections and the envisaged transition

We recommend the following:

1. That the government takes the concerns about violence seriously to avoid further loss of life

2. That the NCIC and other relevant government agencies and Commissions carry out an in depth analysis of the potential for violence in all parts of the country and inform the security sector

3. That the peace initiatives that has been launched and established work at the local level to provide alternatives for dispute resolution. The civil society organisations that have established these forums need to work more closely with the government arms responsible for security

4. That to ensure that no further spilling of blood is seen, all factors mitigating violence that have been identified in the various areas start being worked on to avoid acceleration of conflicts

5. That there are responsible campaigns going forward to reduce any possible conflict based on political and ethnic mobilisation

6. That stiff penalties be taken on people who carry out, mobilise for, fund or support violence for it to be deterrence to others in future.

7. There is also dire need for application of Chapter 6 of the Constitution of Kenya on Leadership and Integrity on current and future leaders to weed out criminals amongst them.
Annex 1: Briefing note 24th August 2012

BRIEFING NOTE ON VIOLENCE IN TANA AND MANDERA COUNTIES (24th August 2011)

a) TANA RIVER – LTO REPORT

The Long Term Observer (LTO) in Tana River County5, informed us that in Tana Delta, there is inter-ethnic blood bath where 52 people have been hacked to death or burnt alive, among them 11 children and 31 women. Some 100 houses were reduced to ashes, 300 head of cattle killed, and 1,000 people displaced in the Pokomo retaliation attack on the Orma. The massacre was largely about pasture and water.

The bodies of those killed in competition for scarce pasture and water were taken to a mosque in the remote Rekite village in the Tana Delta. Horrified residents reported raiders descended on their village with blazing guns, machetes and fire to burn, kill, and pillage.

The village is situated 120km south of Hola, the county’s capital. Many of the victims had machete wounds on the head, limbs, and necks.

In 2002 at least 100 people were butchered in the perennial Pokomo-Orma clashes over pastoralist and farming rivalry.

Pokomo and Orma have long clashed over not only cattle grazing but also water rights in this poor, semi-arid region of Kenya. The Pokomo are farmers who plant crops along the Tana River, while the Orma are cattle-herding pastoralists.

The LTO Has promised to provide any additional information so as to enhance monitoring of violence in this county which is threatening to escalate.

NB

There was no incident reported in June and July in this County.

5 Name withheld for security reasons
Consultations with other actors on the ground (CJPC – Rev. Fr. Bernard Malasi) confirmed that this was an issue that revolved around access to pasture/water and destruction of property (crops destroyed when pastoralists going to pasture/water). It had been reported to the authorities but no action was ever taken until it culminated into the violence. The situation is still very tense and if government cannot get the elders to sit and talk there will be more trouble. Rev. Fr. Malasi was also at the meetings with Mathew Iteere and Esther Murugi which was disrupted with reports that another village was under attack. Those dead are almost 80 in total so far.

b) MANDERA COUNTY – LTO REPORT

The LTO based at Mandera County confirmed that at least six people were killed and dozens injured in the past week during inter-communal conflicts in Mandera in the northern part of Kenya. She reported that the sporadic attacks have been caused by inter-clan animosity between politically rival clans of Garre and Degodia. The clans whose animosity stems from the bungled 2007 general election are reportedly arming themselves for full blown clashes if the government does not intervene quickly and decisively.

Garre and Degodia clans, who have co-existed in Mandera and Wajir counties for years harmoniously, have turned bitter foes after the 2007 election, after the former clan lost its traditional Mandera central constituency to the later.

Garre, who are majority in the constituency, lost the seat to Abdikadir Mohamed, a Degodia after Garre’s votes were divided among over four candidates contesting.

The animosity boiled into full clashes after two secondary school boys returning from a weekend excursion at their homes in Banisa to Rhamu were accosted, killed and their motorbikes were stolen at Guba, just two kilometers from Banisa town. This retaliated a revenge killing of two people in Banisa in the following day. Scores of families gripped by panic of the inter-clan killings have moved to the areas where the clans are majority creating divisions of settlements on clan bases. Four people were killed on different dates in the last one week in Banisa district of Mandera West constituency. This has led to retaliation killings of two other people and the injuring of an education official in Rhamu town on Tuesday.

Scores of families from both sides have fled Banisa, Malka-Mari, Guba and parts of Rhamu town, fearing for their lives as revenge killings spread into other parts of the county.

In addition, in 2008, the government was forced to use the military to quell bloody clashes that claimed more than 40 people and displaced thousands of others in Mandera-East district residents. The two clans, who both have clan presences in the bordering Ethiopian region, are accusing each other of hiring militias across the border to be engaged in the killings.
Earlier this year, clashes between the Borana and Gabra communities around Moyale town, on the border with Ethiopia left at least 60 people dead. Fighting between the Borana and Gabra communities began in December, 2011, mostly over control of resources such as water and grazing land but the conflict has also been linked to politics.

Relative calm has returned in the area although more families who had fled the resource-linked conflicts between the Gabra and Borana pastoralist communities have not returned.

Livestock herding is the main livelihood and source of income in northern and some parts of eastern Kenya, and the hike in cattle thefts threatens to ignite cross-community reprisals and raids that could set the stage for a surge in ethnic fighting in the region.

Clashes between the rival cattle herding pastoralists in the region are common, with herders often carrying guns to protect their animals, but the recent fighting has been unusually heavy.

Intense monitoring is still going on.

**NB**

In Ilramu (Mandera Central) tensions are still very high. From 2 pm, houses were being burnt in Wajir and this is still going on (its now 6.54pm). Clans are shifting from Mandera to Wajir. Children especially those sitting exams are highly affected.

No incident reported in June 2012.
Annex 2: Report from CJPC field visit to Tana River (courtesy of Rev. Fr Benard Malasi of Malindi Diocese – Catholic Justice and Peace Commission)

VISIT TO TANA RIVER AREA ON 23RD AUGUST, 2012.

The visit to Tana River area – Witi/Kipini was as a result of the skirmishes between two tribes the Ormas who are pastoralists and the Pokomos who are farmers. Those present in our visit to the place included Fr. Bernard Malasi (CJPC Catholic Diocese of Malindi and CICC member Kilifi county), Sr. Margret (Caritas office- Catholic Diocese of Malindi) and Shk. Badawy (from Council of Imams Malindi and CICC Secretary Kilifi County). The purpose of our visit was to evaluate the situation on the ground and carry the message of peace to the two communities.


Armed Orma men keeping watch as the meeting is on at Dide Waride.

Sr. Margret – Caritas office and Fr. Malasi – CJPC Catholic diocese of Malindi.

6 CJPC is also a member of the ELOG thematic group on violence
Our first stopover was at Witu Catholic Parish where we talked to acting Father in charge Rev. Fr. Constantine Kimondo. According to him the problem began in a place called Kau when a group of pastoralists grazed their animals in the farms belonging to Pokomo community. This caused a lot of anger from the Pokomos who attacked their 193 cattle and cut them to death. Then followed the attack of Kau village and torching of more than 110 houses on the night of 13\textsuperscript{th} August, 2012. An old woman was badly burnt in this attack and died in one of the hospitals in Witu. The following day 3 Pokomo young men were gunned down at Kilelengwani apparently by the other side. Mr. David ng`ang`a who lives not far from Witu town had this to say “For me this has been caused by the laxity of the provincial administration. This is because we had farmers complaining that our brothers the Ormas are grazing their animals in the Pokomo farms but no action was taken. I wish attention was paid by our leaders from the beginning”. Pain in his face was evident as he made this statement.

On the 17\textsuperscript{th} August, 2012 there was a meeting convened by Coast Provincial leadership and other government leaders but many said it was not fruitful as the Pokomo community did not attend. The early morning of 22\textsuperscript{nd} of August, 2012 will remain in the memories of Many in Witu/Kipini and the country at large when a gang of unconfirmed number from the Pokomo side attacked Reketa Village with crude weapons and 49 people were killed, structures burnt and hundreds of cow killed. An Orma man who feared to identify himself told us that among those who died were 6 men, 11 children and 32 women. The bodies were buries in two mass graves one for men and the other for women and children. Unconfirmed reports say that the chiefs and the elders from the attacking community tried to stop their people but their efforts were futile. But
this will rise the major question why not seek the help from the higher offices? Fr. Constantine says some lives could have been saved but Reketa village is not easily accessible for it is surrounded by swamps and one has to walk a good stretch of these swamps before reaching the village. Those who had time to visit this place especially the government officials, they used choppers.

From Witu Catholic parish we went to Dide Waride which is 8km from Witu town. Here we found top security officers led by Police Commissioner Mr. Iteere and other government officials led by the Provincial commissioner addressing the Orma community. Those who spoke expressed their sorrow in the killings that occurred and asked the government to arrest the situation by bringing all the perpetrators to book and use all means possible to bring peace between the two communities. The different levels of the provincial administration were called to be responsible and not sleep on their duties. The M.P Lamu West Hon. Fahim called for the immediate efforts to sit with the elder from the two communities for the way forward. He also promised Ksh.1m from CDF account for relief to the affected people. There was also a call for different organizations and well wishers to assist the affected families.

Just before the police commissioner could address the community the meeting was disrupted by shouts “Adui ameingia, Adui ameingia” (the enemy has come, the enemy has come). This caused a lot of tension and in our inquiries we learnt that there was a phone call from a village called Onido because apparently the Pokomos wanted to attack them. The police commissioner and other officials left by helicopter to that place. Seeing no possibility of the meeting continuing we also plucked courage to go to Onido village in the afternoon. When we arrived
having used the poor roads we did not find the government official but several police officers around the village.

In our talk to heavily armed young and old men we confirmed that it was true that the Pokomo group tried to invade the village. To this group we preached peace and emphasized that we must be agents of peace and that coexistence calls for reconciliation, forgiveness and love, and that retaliation will never bring healing but increased loss of innocent lives and the wealth our families have struggled to acquire over the years. We also tried to explore the possibility of the meeting of the elders from both communities but was met with a lot of resistance as some young men walked away asking for an open fight between them and the Pokomo community. It was at this time when the Minister for Special Programmes, Hon. Esther Murugi and Dr. Mzalendo Kibunjia landed at the place. Their arrival added a lot of meaning to what we were preaching. Although they had a peace mission, the young men angrily told the minister that the killing of their loved ones was painful and they were prepared to revenge before they can talk of reconciliation. They also called the government to send security officers to their villages namely: Onido, Kilelengwani, Nairobi area, Dida Waride, Mwanja and Reketa.
The Catholic diocese of Malindi through the Caritas office made a contribution of maize flour, water and some tents to Witu parish to be distributed to affected families.

Our assessment.

a) The tension is high around Witu/Kipini and those who are able are moving to Witu Town, Wema, Malindi and Mombasa.

b) There is also tension growing in Tarasaa and Garsen after a killing of one person at Ngao.

c) The government to give priority to the security of the people in the affected areas as well as the areas around.

d) The government to do proper investigations and bring all perpetrators to book.

e) There is an immediate need to convene a meeting of the elders from the two communities. We suggest that this be held in a neutral place due to the tension that is there.

f) Provincial Administration, Christians, Muslims and Civil Societies to have peace meetings and workshops in these areas.

g) The government to explore the possibility of bringing more development to these areas including improving access roads to some villages.