



MINISTRY OF STATE FOR THE DEVELOPMENT OF NORTHERN KENYA AND OTHER ARID LANDS
ARID LANDS RESOURCE MANAGEMENT PROJECT PHASE II (ALRMP II)

RAPID RESPONSE DIALOGUE REPORT

***BORANA/BURJI PEACE MEETINGS HELD ON 29TH AND 30TH MAY 2011 AT MOYALE POLICE
CANTEEN***

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Moyale District

Acknowledgement

The ALRMP/UNDP team wishes to acknowledge the role played by UWIANO Platform, National Steering Committee on Peace building and Conflict Management and the Ministry of State for the Development of Northern Kenya and other Arid lands for providing finances and logistics to facilitate the meeting organized to bring the warring communities to the negotiating table.

The team also wishes to acknowledge the immense contribution made by the area Member of Parliament Hon. Mohamed Ali who was on the ground throughout the entire process, the District Security team headed by District Commissioner, who in spite of earlier adverse allegation against them from one side of the conflicting party, worked against all odds to bring the parties together.

The team above all, wishes to most sincerely thank the mediators drawn from Gerri and Eji communities for facilitating several rounds of shuttle diplomacy that culminated to the peace dialogues between the Burji and Gabbra communities' elders.

We are further greatly indebted to the Regional Commissioner, Upper Eastern Region Mr. Isaiah Nakoru, who travelled all the way from Isiolo for the meeting and successfully headed the first rounds of talks with each party that paved the way for all inclusive intercommunity meeting.

Finally our heartfelt thanks go to all the community members from Moyale who attended the meeting in large numbers, the peace committees, elders and leaders from Ethiopia whose high profile presence underscored the gravity of the matter and the need to urgently resolve the impasse for the sake of peace and unity in the district as well as the equally affected cross border trade and commerce.

The intervention was timely and effective in halting further flare-ups of conflict and opened space for further rounds of talks to deal with outstanding issues under a friendlier environment.
THANK YOU ALL.

Abbreviations

ALRMP	Arid Land Resource Management Project
DC	District Commissioner
NSC	National Steering Committee on peace building and conflict management
DPC	District Peace Committee
DSIC	District Security and Intelligence Committee
PSIC	Provisional Security and Intelligence Committee
DCIO	District Criminal Investigation Officer
OCS	Officer Commanding police Station
UNDP	United Nations Development Program
UNV	United Nation Volunteer

1.0 Overview of Borana Burji conflict

The conflict between the two communities who used to live harmoniously in Moyale Township was sparked off by a single isolated incident of alleged rape and assault of a 17 year old Borana girl on 14th May, 2011 by 5 suspects (3men and 2women) believed to be from Burji community. The incident was allegedly reported to the suspect's father, the Burji elders as well as the police on the following day but no action was taken. The suspect's father was reported to have exonerated himself of any responsibility for the crimes committed by his children while the police, the day being a weekend, failed to act advising that the complaint be lodged on the working day of 16th May, 2011.

These turn of events enraged the Borana community with violent youths erecting barriers across the main highway leading to the town as a section of stone throwing youths spilled into the town breaking into and looting shops belonging to Burji community. The violence which continued the following day occasioned one fatality and dozens of injuries prompting the deployment of military personnel's from the nearby Moyale Oda Army camp as concerns emerged that the conflict could draw in more actors from a cross the border.

The situation deteriorated further in the days that followed with sympathizing Boran youths erecting numerous barriers along the main highway leading towards Sololo and Marsabit with the intention of targeting commercial vehicles owned by Burji thus paralyzing movement into and out of Moyale town. These prompted the intervention of Provincial Security Intelligence Committee (PSIC) which held separate meetings with the two communities on 22nd May, 2011. The meetings resulted with a commitment from each party to stop further hostilities and an assurance that a joint meeting mediated by neutral elders from Garri and Eji community be convened on 28 – 29 May, 2011 to negotiate an amicable solution to the problem.

On the eve of 27th May, 2011 a young man was killed in Manyatta Burji by unknown gun men and the incident sent the arrangement into a disarray but eventually reason prevailed and the meeting was re-scheduled to take place on 29th and 30th May 2011.

In synopsis, the Borana/Burji conflict is one of those puzzling cases where communities with long history of mutual peaceful coexistence suddenly turn violent against each other over issues that could have been handled through existing channels of arbitration under normal circumstances.

2.0 Objectives of the rapid response meetings

- To stop ongoing violence between the two communities living in Moyale and bring them to a negotiating table to resolve the conflict.
- To examine the root cause of the conflict and seek an amicable solution acceptable to both parties.
- Secure the opening up of the main highway disrupted by the conflict to ensure uninterrupted movement of people, goods and services.
- Strategize on the long term community confidence building to restore broken relationship.

3.0 Background information

Moyale District is mainly occupied by Borana (who are the majority), Gabra, Garri, Burji, Sakuye and others referred to as “corner tribes” which include Eji and Barawa communities.

The residents of the District are predominately pastoralists who practice nomadic way of life with exception of the Burji and the so called” corner tribes” who are purely traders. However, other communities have also settled around the town and village centers practicing farming, small scale trading and working as formal and informal employees in various sectors.

The pastoralists normally transverses the common border in search of water and pasture. The conflicts among them usually revolve around competition over scarce resources, unlike the present conflict which has taken dimension that has never been witnessed in the district before. The business oriented communities have always been at peace with the pastoral and agro pastoral communities because there is no common interest that summons unfavorable competition to warrant conflict of any noticeable scale.

In contrast, conflict among the pastoralist which is the most common in the area normally revolves around livestock theft and resources utilization (water and pasture) alongside historical concept of land ownership and control. In addition, local politics also plays a major role in fueling tribal conflict with aftermath being loss of lives, property and displacements of population.

Historically, these conflicts occur between the main protagonists in the district either between Borana and Garre, Borana and Gabra or Gabra and Garre. The current conflict between Borana and Burji is a new phenomenon with the underlying causes still concealed in secrecy but only

sprouting under the disguise of such unfortunate incidents. There is need therefore to interrogate the deep seated discontent that is beginning to rear its ugly head.

4.0 Borana and Burji peace negotiation

The meeting which started with a word of prayer conducted by Muslim, Christian and traditional leader was attended by over 300 persons bringing on board representatives from Moyale DSIC members, elders and leaders from Borana, Burji, Gabra, Garre, Sakuye and Eji communities, the Area Member of Parliament, elders and leaders from Ethiopian side, ALRMP/UNDP staff, and other peace actors among others. After the prayer, the spiritual leaders were accorded opportunity to set the pace for the deliberation by impressing upon the participants the virtues of promoting peace among communities and the need to resolve the conflict for the greater good.

The meals for the participants was provided by the National Steering Committee on peace building through UWIANO platform while mobilization and transport provided by Ministry of Northern Kenya and Other Arid Lands.

4.1 Opening remarks

The Moyale District Commissioner Mr. Joshua Nkanatha thanked everyone for their participation and welcomed the guests from the Ethiopian side who volunteered to attend the meeting as a friends of the Kenyans. He acknowledged that the conflict in Moyale has a ripple effect in that Ethiopia is affected as well and that they have equal stake and bear responsibility in the search for a peaceful conclusion to the matter. He urged parties to be open and truthful in their deliberation and generate a binding solution to the problem. He introduced the guest present and urged them to feel welcomed and their contribution to the negotiation process appreciated.

He welcomed the Ethiopia delegates lead by Mr. Ayu Duba, an Ethiopia Immigration Officer and Sololo District Commissioner to give their opening statement.

On his part, Mr. Duba stressed the importance of peace as a precondition upon which all other social economic activities such as trade, free movement of people and all sorts of goodies are enjoyed. He urged the two communities to reconcile and forge ahead imploring that what had already happened is more than enough and that they should stop any further hostilities.



Moyale DSIC members and area MP with Mr. Ayu Duba (standing), an Ethiopian Immigration Officer, addressing the crowd

The District commissioner, Sololo, Mr Komora informed the crowd that Sololo District perceives itself as an offspring of the older Moyale district and that it emulates Moyale for virtually everything that is good or bad to follow. He urged the community to forget the past incident and embark on rebuilding peace that has always prevailed and embrace God who has the power to make things right.

After the opening session the DSIC excused themselves to allow free discussion and handed over the mantle to the Area MP to lead the negotiation process.

4.2 Remarks by the area MP

The Area MP thanked the District Commissioners for attending the meeting as per his request and the participants for turning up in large numbers.

He informed the participants that Moyale is known for peace and that he had personally spent a great deal of time as peace ambassador to reconcile various warring communities in different Districts in the region. He lamented over what happened to Moyale people in the specific incident, which took him and all by surprise and opined that it should have been resolved as quickly as possible.

He urged all the speakers to be sober and truthful stressing that all should realize that the problem and its solution are jointly owned and that focus should shift towards the successes that will come after peace is attained. He requested both Borana and Burji community to nominate 3 representatives who will present their side of the story to save time.

The selection of the 3 representatives were interrupted by the Chief Manyatta Burji Mr. Adan Nur who wanted to apologize to the Area MP on behalf of the Burji community for the previous day's attempt by some angry Burji youths to stone his vehicle while he was heading for burial of the murdered boy. The apology was accepted and presentation of the case began.

5.0 Presentation by Borana Community

One the Borana side, the following persons was nominated to present the case:

- Guyo Halake
- Cllr. Jarso Jillo
- Hussein Dida

The Borana side argued that the problem originated from the rape of the 17 year old Borana girl by the Burji gangs. They lamented that such incident had never happened in their life time and it was very painful. Moreover, they complained that despite the incident being reported to Mr. Siko Dae for him to see the Borana elders to resolve the issue; he ignored the matter arguing that he is not responsible for the crime committed by his sons or daughters. They also equally blamed the Burji elders for not acting in good time to avert the problem.

They further accused the Burji community of bribing the Police and the Moyale MOH to give false information with malicious intention of protecting the culprits and derailing the course of justice for the victim of rape and torture. They also alleged that the Burji community killed a Borana man on 16th May, 2011 at the height of the clashes and to make the matter worse failed to show any remorse after innocent live was lost in their hands.

In addition, the Burji community was also blamed for provocative utterances such as describing Borana as a poor community.

On their part, the Borana community exonerated themselves from any wrong doing asserting that they had always treated Burji community as brothers with who they never had any outstanding differences. They narrated various occasions when they stood together, assisted one another and tackled common issues including conflict problem with North Eastern people.

They also raised concern for the lives of the Boranas who are residents of *Manyatta* area and have been forced to flee for their lives. However, the chief of Manyatta Burji was praised for protecting the Boranas who were in the *Manyatta* (kraal/village) that is predominantly occupied by Burji.

It was also reported that the Borana drivers and other employees working for Burji had been sacked while they had created their own barrier at manyata area.

Presentation by Burji Community

On Burji's side, the following were nominated to argue their case:

- Cllr. Abdi Bando
- Mr. Warsitu
- Mr. Ote

They started by confirming that Borana and Burji are one people with same origin and worship the same God and that they are in Moyale by right and are not foreigners. They said that the problem that occurred was unexpected and was not intentional. Regarding the rape incident they disputed the Borana version that the victim was a girl revealing that she is a woman with a child. They absolved the community from blame claiming that they did their best to contain the situation by providing their own vehicle to search and arrest the culprits and wondered why the larger community was later victimized. They blamed the Borana community for looting and killing of 17 year old Burji boy. They also blamed Mr. Siko Dae, the father of the youths who gang raped the girl, for not taking enough precaution to avert the problem.

They alleged that the elders who were sent to seek information from the girl and the doctor's report indicated that the girl was assaulted and that the rape allegation was a mere fabrication by Borana side to attack the Burji community.

Above all, they squarely placed the blame on Mr. Guyo Halake, Mr. Abdub Jillo and Concillor Golicha Galgalo for incitement and instigation of violence against the Burji community. They lamented that they had never fought Borana and wondered why this had to happen to them at this time.

6.0 General deliberations

The elders opened the floor for everyone to make clarifications on the presentation made by the respective nominees from the two communities.



The crowd keenly following the proceedings.

Borana

The Borana side sought the following clarifications;

- Whether it really matter for the victim to be a woman or a girl in the light of the criminal offence committed?
- They also sort assurance that those adversely accused of incitement to violence by the Burji side are not targeted for reprisal without evidence.

Burji community Response

- The Burji side clarified that it really did not matter whether the victim was a girl or a woman in the light of the offense but argued that the categorization is of material significance when it comes to penalty under traditional arbitration. They also assured that the mentioned person will not be targeted.

Burji community clarification

They requested clarifications on;

- Why they were being attacked despite their effort to arrest the culprits and hand them over to the lawful authority
- They also wanted to know who witnessed the rape incidence as alleged.

Borana response

- The Borana side clarified that though the Burji elders made effort to arrest the culprits it was belated intervention. Moreover, they argued that though they fulfilled the legal requirement they ignored the traditional aspects to Borana elders. They further clarified that those who attacked them were just angry youths and irresponsible community members.
- The second question raised tempers with some interpreting it as a provocative question but it was deciphered that the girl's personal testimony and the state of her blood soaked condition was enough proof to warrant production of witness.

7.0 The decision making process and resolution

At the end of the clarification five selected elders from Borana of Moyale and five elders from Burji of Moyale with the mediation team both from Kenya and Ethiopia went into side meeting separate from the large crowd for further consultation.

In their deliberations the elders and the mediation team arrived at a consensus that the main cause of clashes was the rape incident and the lack of quick action by Mr. Siko Dae who is a Burji thus the community was found liable to carry the blame by extension.

The Burji side sought a separate session to deliberate further on the same and after a while returned back arguing that they loved peace and that they are not above the arbitration team. They requested for forgiveness which was granted. The arbitration team reported back to the large gathering to present the breakthrough of the negotiation meeting which was unanimously

endorsed. The community then resolved to forgive one another and to forget the past as they passed the following resolutions;

7.1 Final Resolutions

Below is a summary of the resolutions of the two-day rapid response dialogue:

We, the leaders drawn from the Borana and Burji communities, gathered at Moyale Police Canteen on the 29th and 30th of May 2011 do hereby commit ourselves to the cessation of hostilities amongst our communities residing in the District and resolve as follow:-

- That the two communities cease hostilities immediately and henceforth live in peace as before.
- That peaceful co-existence should be embraced by all communities living in Moyale.
- That road transport and schools affected by the clashes resume normal operation.
- That all displaced persons return to their homes without fear of attack or victimization.
- Further peace meetings to be held between the two communities to discuss and resolve any outstanding issues between the two communities. The following were selected to spearhead the planning of the further reconciliation meetings and healing process,
 - i. Guyo Halake - Borana
 - ii. Abdi Bando - Burji
 - iii. Qala Bante - Gabra
 - iv. Hajj Nura Ibrahim - Gari
 - v. Mal Adan - Sakuye
 - vi. Ali Awad - Eji

Signatories;

From the Borana side;

Guyo Halake Signature_____

Jarso Jillo Signature_____

From the Burji side;

Abdi Bando Signature_____

Chief Adanoor Signature_____

Witnessed by;

The area MP Signature_____

The Regional Commissioner Upper Eastern Signature_____

The DC Moyale Signature_____

The Gabra elder Mr. Qalla Bante Signature_____

The Garre elder Mr. Nura Ibrahim Signature_____

The Muslim Shiek Mr. Abdi Ali Signature_____

The Sakuye elder Mr.Mal Adan Signature_____

The Eji Elder Mr. Ali Award Signature_____