

AGREED MINUTES OF THE SECOND MEETING BETWEEN ETHIOPIAN SOUTHERN NATIONS NATIONALITIES AND PEOPLES' REGIONAL STATE AND KENYA'S RIFT VALLEY PROVINCE ADMINISTRATORS/COMMISSIONERS TOGETHER WITH COMMUNITY REPRESENTATIVES: HAWASSA, ETHIOPIA – 2ND NOVEMBER, 2009.

A: PREAMBLE

The second Southern Nations Nationalities and Peoples Regional State and Rift Valley Province Administrators/Commissioners meeting was held on 2nd November 2009 in Hawassa, Ethiopia as a follow-up to the Nakuru Meeting held on 10th October 2009. The Ethiopian delegation was led by H.E Mr. Shiferaw Shigutie Wolas the President of SNNPNRS and the Kenyan delegation was led by Provincial Commissioner Rift Valley Province Mr. Osman Warfa.

1) Adoption of the agenda

The following agenda was adopted:

- a) Introduction
- b) Adoption of the agenda
- c) Introductory remarks by head of Ethiopian delegation
- d) Introductory remarks by head of Kenyan delegation
- e) Statements from Ethiopian and Kenyan parliamentarians
- f) Statement by the CEWARN representative
- g) Report on the Implementation of Nakuru Agreement
 - Kenya
 - Ethiopia
- h) Way forward
- i) Joint communiqué

B: STATEMENTS BY HEAD OF DELEGATIONS AND OTHER REPRESENTATIVES

2. Introductory Remarks- Head of Ethiopian delegation

The Head of the Ethiopian delegation H. E. Ato Shiferaw Shegute extended a warm welcome to the Kenyan delegation and he expressed his thanks for the warm and brotherly welcome and hospitality accorded to him and his delegation during the last meeting in Nakuru, he wishes the delegation a pleasant and fruitful stay in Hawassa.

In his speech he underscored the existing excellent and long standing historic relationships the two countries are enjoying for generations. He stressed that the two countries share fundamental interest of peace, stability and economic prosperity. The spirit of cooperation is deep, historic and has always been warm at all times, with succeeding generations contributing their share to consolidate the existing relations, he underlined.

He also pointed out the agreements reached in Nakuru; that cattle rustling is a common challenge; cooperation of local government authorities on both sides of the frontier is crucial. It was also agreed to deploy all available instruments both traditional and legal to address the problems. Above all it was agreed to return the identified 800 cattle and verify the rest which were claimed by Ethiopia.

In light of these agreements, he outlined the objective of this meeting is to evaluate the implementation of the agreements and discuss the way forward to stop the criminal activities by sending a clear message to the individuals and groups involved in cattle rustling that the two governments will not tolerate this recurring.

He also expressed his disappointment that not much developments as related to these crimes has been witnessed. The cooperation between local authorities is weak or non-existent. There have been several cattle raids and human deaths in the weeks that followed the Nakuru meeting.

As a common challenge, he expressed his conviction that cross border cooperation which involves administrators and elders will mitigate cattle rustling and related crimes. He stressed there is no other solution but sustainable positive cooperation and he promised to make his utmost to cooperate with his counter part in addressing the issue at hand including the root causes. He indicated with satisfaction the attention given to the problem by the parliamentarians from both countries and hoped their involvement would contribute positively in addressing the recurring problem.

In this meeting, he said, the Ethiopian delegation is prepared to discuss with good faith and he outlined the following indicative direction for the meeting;

- To evaluate developments of post Nakuru meeting; the implementation of the agreements, the steps taken by both sides to discourage cattle raids and related crimes and efforts to reconcile the people
- Find ways to return identified stolen cattle
- To evaluate why the problem is persisting. At this point it will be important to identify the negative elements involved.
- To strengthen cross border cooperation, establish a time frame of joint border administrators meetings
- Strengthen legal and police cooperation to mitigate the problem

3. Introductory remarks by the Head of Kenyan delegation.

The Head of the Kenyan delegation on his part expressed his appreciation for the warm welcome extended to him and his delegation since their arrival in this beautiful city of Hawassa and recalled the agreements reached in Nakuru meeting on 10 October 2009, on how to address the problem of cattle rustling and related crimes and pointed out that the consultative forum between Kenya and Ethiopia demonstrated trust, frankness and brotherly spirit which sought a constructive solution to the security challenges facing both countries. He stated that this meeting was to take stock of what was agreed during the initial meeting in Nakuru.

He stressed that security agents together with local leaders have been tasked to contain bandit activities and disciplinary action has been taken on some officers who have been complacent. In addition to this, he indicated that a Joint Ethio-Kenyan committee whose responsibility will be to identify the stolen animals and return to their owners was formed.

Finally he concluded that his delegation is preparing to undertake a comprehensive animal census and branding for easy identification as part of a lasting solution.

4. Statement by the Chairman of the Kenya Parliamentary Select Committee

The Chairman of the Kenya Parliamentary Select Committee for Cattle Rustling expressed his appreciation to the people and Government of Ethiopia for their reception and making this consultation meeting possible in the colorful and beautiful region of Hawassa.

He reminded of the strong relationship between the people of the two countries in culture, language and tradition and stated that this should be used as an opportunity to consolidate the relations between the two peoples. He further stated that the Kenyan parliamentarians believe that cattle rustling and related crimes are very serious offences. He further said that this cycle of cattle rustling which has led to many deaths and displacements should and can be changed by the current administration. He reiterated that Kenya pays serious attention to the issue and hence the parliamentary delegations mission to find out the root causes and possible solution to cattle rustling.

5. Statement of Ethiopian Parliamentarians

The representative of Pastoralist Affairs Standing Committee cited the current problems of cattle rustling in border areas, the ensuing displacement, death, losses and suffering due to this problem.

He said parliamentarians have a responsibility to avoid such incidents and ways of normalizing the relations of the communities around the border areas. He further stressed that Kenya and Ethiopia have good diplomatic relations at government levels but the communities of the two countries at the border areas are fighting each other.

6. Remarks by Representative of CEWARN/IGAD

The CEWARN representative appreciated the initiative of the two countries. CEWARN also pledged to contribute positively in finding a lasting solution to this problem.

C: PROGRESS REPORTS

7. Report from the Kenya delegation

The representative provided the implementation process of what was agreed in Nakuru on 10 October, 2009. One of the resolutions was to task the Turkana North District Security and Intelligence Committee to recover some 800 Nyangatom herds of cattle which had been positively identified to be held by known Turkana pastoralists in the Turkana North District. (Part of the alleged 13,000 herds of Nyangatom livestock)

The Turkana North District Security and Intelligence Committee as well as the District Peace Committee had a consultative meeting with local administrators and representatives from the communities holding the Nyangatom livestock on 21st October, 2009. The return of the animals did not materialize due to the events that took place on 15th October, 2009.

Indications were that as much as this process was acceptable to the community representatives, it would meet resistance given the following recent raids conducted against the Turkana by either the Dassenach or Nyangatoms of Ethiopia since 12th August 2009 which is the reference period for the purpose of the exercise.

- On 13th September, 2009, Ethiopian Dassenachs waylaid Turkanas in the shores of Lake Turkana and the Kenyan side and killed three Turkanas. The Omorate Woreda administration was fully informed of this incident.
- A sizeable number of Dassenach (approximately 1000 have forcibly crossed and are currently grazing in Kenyan Turkana territory around Todonyang and Lorubae grazing fields of Turkana North District.
- On 28th September, 2009, Dassenach of Ethiopia attacked Turkanas at Lorubae area whereby four Turkana were killed and 500 cattle stolen by the Dassenach
- On 15th October, 2009, just 3 days after the Nakuru meeting, Nyangatoms of Ethiopia raided Kibish area of Kenya and stole 1740 goats, and 230 herds of cattle. Kenyan security forces managed to recover only 230 goats

He further stressed that a culture of action and revenge couldn't bring any solution but rather dialogue and regular meeting and stated that for the sake of a sustainable recovery and peace process, it would be advisable that the three communities genuinely engage in dialogue on the past and future engagements. Any unilateral action taken against only one would invite further discontent and revenge motives amongst its group members. Currently, there is visible resentment by the Turkana's since they view themselves as the victims. Hopefully, today's communal meeting would provide a way forward even as we implement the decisions of the Nakuru meeting.

8. Report by Ethiopian delegation

After meeting in Nakuru officials working at regional, zonal level at both Woreda and Kebele together with the community members gave due attention to implement the agreed points. Community leaders admitted that there are problems and resolved to work at the community level in a cooperative and good spirit.

The delegate from Ethiopia further gave a historical account of raids as well as those that took place after the Nakuru meeting. He proposed that to settle this crisis in a brotherly and diplomatic way, the

delegates from Ethiopia and Kenya come up with a good solutions. He reiterated that the Nakuru meeting had agreed:

1. To hand over the identified 800 cattle belonging to the Ethiopian Nyangatom
2. To verify other cattle which were raided on the same day.
3. To organize a special committee which would include community leaders and local officials from sides to come up with sustainable solutions to the problem.
4. That the Ethiopian side had requested for compensation on the crime is committed by either side.

He further gave examples of raids such as:

1. On September 20, 2009 Turkana crossed the common border and killed two children and took 200 goats from Nangoton Tirga area. That was at the time when the regional delegation members were preparing to go to attend Kibish meeting.
2. On September 27, 2009 Turkana killed one man and took 650 goats from Lokurale Kebele in the same Woreda, Nangatom Woreda officials and community members reported the issue and informed the Turkana and Kibish officials. After a day they returned only 50 goats. The remaining 600 goats were not returned.
3. On 9th October Turkana fishermen stole 60 Dassenech fishnets from the lake and are not yet returned to the owners.
4. On October 13, 2009 Turkana killed four children from Nangatom and took 325 cattle. These are unacceptable and serious crimes. They followed their cattle by crossing the common border and they fought against Turkana pastoralists at Kibish and 5 people died from the Nangatom side.
5. On 25th October Turkana took 6 donkeys from Locuralem Kebele.
6. On 28th October Turkana raiders went to Tirga and stole cattle from one house hold and three donkeys but the cattle were recovered.

He stated that although there was resistance for the return of animals, currently Nyangatom and Dassanach communities are ready and committed to handover the cattle which were raided on November 13, 2009 from Turkana.

D: WAY FORWARD

We the delegates from Ethiopia and Kenya hereby agree to the following;

1. Establishment of a joint cross border administrators committee, including local elders and other actors headed by the Head of South Omo Zone Administration, Ethiopia, and Turkana North District Commissioner, Kenya, to follow up on the verification and recovery of livestock and ensure that the rule of law is upheld. This committee will be expected to attend the meeting during the simultaneous return of livestock scheduled for November 16th 2009 in Kibish.
2. Recover within 7 days and hand over stolen livestock by 16th November 2009 in Kibish of which 875 goats belonging to Turkana have already been identified and 800 cattle belonging to Nyangatom have also been identified.
3. The joint cross border administrators committee holds meetings every 15 days.
4. Jointly apprehend and hand over culprits involved in cattle rustling and other related crimes.
5. Enhance contact among the various structures through improved, reliable, timely, and credible information sharing.
6. Sustain political support in addressing cattle rustling.
7. Establish and strengthen joint cross border peace structures with a view to improving coordination and response to issues of conflict.
8. Jointly work towards stamping out cattle rustling.
9. The Omo Zone Administrator, Ethiopia, and Turkana North District Commissioner to give monthly reports on the implementation of the peace process to the President of SNNPRS and the PC, Rift Valley.

**DONE AT HAWASSA, ETHIOPIA
ON 2ND NOVEMBER 2009**

LIST OF PARTICIPANTS

KENYAN GOVERNMENT REPRESENTATIVES

- | | |
|------------------------------|---------------------------------------|
| 1. S.O. WARFA | PC RIFT VALLEY AND HEAD OF DELEGATION |
| 2. S.M. MWADIME | OFFICE OF THE PRESIDENT |
| 3. R.A. ONYANGO | OFFICE OF THE PRESIDENT |
| 4. FRANCIS M.MUNYAMBU | PPO RIFT VALLEY PROVINCE |
| 5. P.N. NJORE | REGIONAL COORDINATOR, RIFT VALLEY |
| 6. DICKSON L. MAGOTSI | OFFICE OF THE PRESIDENT/NSC CEWERU |
| 7. DOUGLAS G. KARANJA | PROVINCIAL AP COMMANDER |
| 8. NDUNGU WA IKONYA | OCPD TURKANA NORTH |
| 9. J.O OBUO | D.C. TURKANA NORTH |
| 10. F.K. KIPSANG | DCIO, TURKANA NORTH |
| 11. HELLEN GICHUHI | MINISTRY OF FOREIGN AFFAIRS |
| 12. HON. BOAZ KAINO,MP | PARLAMENTERIAN |
| 13. HON. JOSHUA KUTUNY,MP | PARLAMENTERIAN |
| 14. HON. RAPHAEL LETIMALO,MP | PARLAMENTERIAN |
| 15. JOHN WANYOIKE | SELECT COMMITTEE SECRETARY |
| 16. GILBERT NG'ENO | KENYAN EMBASSY IN ETHIOPIA |

KENYAN COMMUNITY REPRESENTATIVES

- | | |
|---------------------|--------------------------|
| 1. EKAL MERESIA | DPC/VICE CHAIR |
| 2. PHILIP LOBOLIA | DPC MEMBER |
| 3. NAPEYOK EIPA | DPC WOMEN REPRESENTATIVE |
| 4. JOSEPHAT EWOI | CHIEF, MEYAN LOCATION |
| 5. GEOFFREY EKAI | CHIEF, KAREBUR |
| 6. GEORGE LONYALA | ELDER TODONYANG |
| 7. PETER ACHELE | PEACE MONITOR |
| 8. JOSEPH LAMEKWI | PEACE MONITOR |
| 9. ROBERT ASURUT | ELDER |
| 10. EZRA L. LOCHOKA | CHIEF, KOKURO |

ETHIOPIAN DELEGATES

- | | |
|-------------------------------|--|
| 1. H.E. ATO SHIFERAW SHIGUTIE | PRESIDENT OF SNNPRS/HEAD OF DELEGATION. |
| 2. ATO ADMASU ANGO | SNNPRS HEAD JUSTICE |
| 3. ATO WODO ATO | POLICE COMMISSIONER |
| 4. ATO ASFA ABIYU | HEAD OF SECURITY ADMINISTRATION OFFICE |
| 5. ATO KASSA G/YOWHANS | MINISTRY OF FOREIGN AFFAIRS |
| 6. ATO ZELALAME ASIRAT | HEAD DIASPORA AND PUBLIC RELATIONS OFFICE SNNPRS |
| 7. ATO EKAL NETIR | CHIEF ADM. NYANGATOM DISTRICT. |
| 8. ATO LOSIYA ERGUDO | CHIEF ADM. DASSANECH DISTRICT. |
| 9. ATO TSEGAYE MULUNEHE | HEAD OF SOUTH OMO POLICE OFFICER |
| 10. AGEAZI BRHANE | MINISTRY OF FOREIGN AFFAIRS |
| 11. ZELALAEM AMADO | MINISTRY OF FOREIGN AFFAIRS |
| 12. GETACHEW TOROCHI | HEAD OF SOUTH OMO ZONE JUSTICE AND SECURITY |
| 13. NIGATU DENISA | CHIEF ADMINISTRATOR NYANGATOM DISTRICT |
| 14. TEDIWOS LEBEN | DASSANCH DISTRICT JUSTICE AND SECURITY. |

15. COM.DEMEKE ENDALE

16. JON ACHIEHIYU

17. SIJIN TEKILU KFILE

18. HON.MR AWOKE AIKE

19. HON W/RO NAKYA ANKOSYA

20. HON W/RO ZEMA MAMO

DASSANCH DISTRICT

POLICE COMMISSIONER

JUSTICE & SECURITY NYENGATON

POLICE COMMISSION REPRESENTATIVE

NYANGATOM

MP ETHIOPIAN

MP ETHIOPIAN

MP ETHIOPIAN

ETHIOPIAN ELDERS

1. ATO LOKITORI ERGUDO

2. ATO LORUMUR GEBITE

3. ATO NANGORTIKE HILE

4. ATO SHULGUTE LOSILINYANG

5. ATO HELEKUA GURILE

6. ATO OLO LOTUO

7. ATO LOBOTOL LOKUTI

8. ATO ACHOK TIKAPEL

9. ATO LABOTO LOKUJA

10. ATO EKENO ETULYABONG

DASSANACH ELDERS

DASSANACH ELDERS

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DASSANACH ELDERS

DASSANACH ELDERS

NYANGATOM ELDERS

NYANGATOM ELDERS

NYANGATOM ELDERS

NYANGATOM ELDERS

OBSERVERS

1. TIGIST HAILU

2. TEEMET BEKELE

3. BELAY G/HIWOT

CEWARN/IGAD

CEWARN/IGAD

CEWARN/IGAD