



A NATIONAL AGENDA FOR PEACE

REPORT ON THE NATIONAL REVIEW
OF KENYA'S PEACEBUILDING
ARCHITECTURE

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I. GLOSSARY

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| ACLED | Armed Conflict Location and Event Data Project |
| ASAL | Arid and Semi-Arid Lands |
| CAG | Conflict Analysis Group |
| CAPs | County Action Plans |
| CEWARN | Conflict Early Warning and Response System |
| CEWERU | Conflict Early Warning and Response Unit |
| DPC | District Peace Committees |
| EACC | Ethics and Anti-Corruption Commission |
| IEBC | Independent Electoral and Boundaries Commission |
| IGAD | Intergovernmental Authority on Development |
| IPA | Independent Panel of Advisers |
| IRCK | Inter-Religious Council of Kenya |
| FCDC | Frontier Counties Development Council |
| KEPSA | Kenya Private Sector Association |
| KHPT | Kenya Humanitarian Partnership Team |
| KNAP | Kenya National Action Plan on Women Peace and Security |
| KNCHR | Kenya National Commission on Human Rights |
| KNFP | Kenya National Focal Point on Small Arms and Light Weapons |
| KPR | Kenya Police Reservists |
| LAPPSET | Lamu Port, South Sudan, Ethiopia Transport Corridor |
| LNOB | Leave No One Behind |
| MP | Member of Parliament |
| MPTF | Multi-Partner Trust Fund |
| NAP | National Action Plan on Women, Peace and Security |
| NCCAP | National Climate Change Action Plan |
| NCEWERS | National Conflict Early Warning System |
| NCIC | National Cohesion and Integration Commission |
| NCTC | National Counter-Terrorism Centre |
| NPMT | The National Peace and Mediation Team |
| NSC | National Steering Committee on Peacebuilding and Conflict Management |
| NODC | National Disaster Operations Centre |
| NOREB | North Rift Economic Bloc |
| ORPP | Office of the Registrar of Political Parties |
| PAF | Peace Actors Forum |
| PCVE | Preventing and Countering Violent Extremism |
| SALW | Small Arms and Light Weapons |
| TWG | Technical Working Group |
| UN | United Nations |
| WMN | Women Mediation Network |

II. FOREWORD

From the Cabinet Secretary, Ministry of Interior and National Administration

“ In a world marred by conflicts and challenges, the pursuit of peace is not just a noble endeavour; it is an imperative. The National Peacebuilding Architecture Review Process, the recommendations of which we embark on implementing today, signifies our unwavering commitment to fostering peace, stability and prosperity on a global scale.

Kenya, being in the Horn of Africa, is confronted with multiple peace and security threats, which have become increasingly complex with time. Internal disputes between different identity groups, driven by poverty, historical grievances, competition for natural resources, political rivalries and easy access to small arms and light weapons, have been exacerbated by spillover effects of conflicts in the Horn of Africa and the Great Lakes region. The emergence of new peace and security threats such as violent extremism, climate change-induced conflicts over resources, health emergencies, socio-economic shocks and adverse political influence of peacebuilding institutions hinder their capacity to prevent and respond to conflicts. Shrinking funding for peacebuilding has further constrained the effectiveness of existing institutional arrangements for conflict prevention and sustaining peace.

Peace is not merely the absence of conflict; it is the presence of justice, equality and the opportunity for every individual to live a life free from fear and want. The Ministry of Interior and National Administration recognises the vital role played by the national peacebuilding architecture, which emerged from the suffering of the post-2007 election crisis to become an effective and diverse network of peace institutions and processes that bring peaceful dialogue and reconciliation to communities all across the country. Our peace architecture is a model for the world, and one that Kenyans should be proud of.

The National Peacebuilding Architecture Review Process is a testament to our continued dedication to these goals. It represents a comprehensive evaluation of our strategies, mechanisms and partnerships aimed at preventing and resolving conflicts. It is a platform for reflection, innovation and collaboration—a space where we can assess the effectiveness of our efforts and chart a course for the future. It is a transformative initiative designed to shape the future of peacebuilding efforts in Kenya.

One of the milestones for the Government is the Bottom-Up Transformative Agenda, whose enabler is sustaining peace that requires the engagement of governments, civil society organisations, international organisations and individuals alike in addressing challenges that the country faces—from violent conflicts to the impacts of climate change—that are complex and interrelated.

We acknowledge that the pursuit of peace is not without its difficulties. The road to peace is often marked by setbacks and hurdles, but it is a journey worth undertaking. It demands patience, persistence and adaptability. It calls for a commitment to dialogue and cooperation over confrontation. It is an opportunity for us to learn from our past experiences, adapt to new realities and reaffirm our commitment to peacebuilding.

Through the National Peacebuilding Architecture Review Process, we reaffirm our belief in the power of diplomacy, mediation and reconciliation. We emphasise the importance of inclusivity, where the voices of all stakeholders, especially those who are marginalised or affected by conflict, are heard and valued.

The Ministry extends gratitude to the Office of the UN Resident Coordinator for its unwavering support towards the realisation of this noble course and all those who have dedicated themselves to the cause of peace. We salute the peacebuilders, the humanitarian workers, the diplomats and the countless individuals who work tirelessly in the pursuit of a more peaceful country. Your dedication and sacrifice inspire us all. Thank you for your commitment to peace and may our collective efforts lead us towards a brighter and more peaceful future for all.

”

Kithure Kindiki
Cabinet Secretary
Ministry of Interior and National Administration

From the Principal Secretary, State Department for Internal Security and National Administration, Ministry of Interior and National Administration.

“ In an ever-changing global landscape marked by security, socio-political, economic, environmental, cultural, legal and technological complexities and challenges, the pursuit of peace, stability, and sustainable development cannot be underestimated. The current global security trends project that increasingly, there is high potential for conflict rather than cooperation among states. Yet the dynamism and multiplicity of the conflict and security challenges that abound in the international system require more collaboration and cooperation. The world over, nation states and governments are in constant pursuit of multilateral cooperation aimed at addressing the numerous transnational “problems without passports” which threaten global peace, health and prosperity. These range from conflict, transnational organised crime, terrorism, drugs and substance abuse, influx of refugees and asylum seekers, proliferation of small arms and light weapons, among others.

As a nation, Kenya, has experienced both moments of triumph and tribulation in the peace and security front and has continually demonstrated its commitment to the pursuit of lasting peace. It is notable that Kenya has a peacebuilding architecture that brings on board both state and non-state actors. This model has often embraced the “Whole-of-Society Approach” that features national, regional and international perspectives. This architecture has been deployed over the years, with mixed results. In view of the rapidly changing peace, security and governance contexts, it was deemed necessary to review the peacebuilding architecture with a view to have a reality assessment as to whether we maintain *status quo* or make a leap towards reshaping our National Agenda for Peace.

The gains and experiences that have been consolidated over the years were deployed during the Review. The Review delved into an intricate journey that explores the foundations, achievements, and potential improvements in the country's peacebuilding efforts.

This report serves as a comprehensive analysis of Kenya's approach to peacebuilding, examining the strategies and initiatives employed to maintain stability and harmony within its borders and across the broader, the Region and the international system. The primary aim is to provide a candid assessment of Kenya's journey, highlighting areas of success and those in need of enhancement.

We recognise that peacebuilding is not a static endeavor, but rather an evolving process that requires adaptability and innovation. By delving into Kenya's experiences, we aim to shed light on the dynamic nature of peacebuilding and offer recommendations for strengthening the nation's peace architecture.

This Review draws upon a wide range of sources, including governmental reports, academic studies, expert interviews, and field assessments. It is our hope that the findings and recommendations presented in this report, and its attendant National Agenda for Peace, will contribute to Kenya's ongoing efforts to consolidate peace and stability while serving as a valuable resource for policymakers, practitioners, researchers, development partners and stakeholders at the national, regional and international spheres.

We express our gratitude to all those who contributed to this review, including individuals and organisations who generously shared their insights and expertise. We also acknowledge the commitment of the Government of Kenya and its people to the pursuit of lasting and sustainable peace and development.

As we embark on this journey of implementation of Kenya's new National Agenda for Peace, we appeal to Kenyans and all like-minded stakeholders to approach this report with an open mind and a sense of collaboration. Together, we can work towards a more peaceful and prosperous Kenya and, by extension, a more harmonious world. ”

Dr. Raymond Omollo, PhD
Principal Secretary
State Department for Internal Security and National Administration
Ministry of Interior and National Administration

From the Chairperson of the Independent Panel of Advisers

“ Over the last several decades, the people of Kenya have been engaged in a conversation on what peace entails for our people and how it should be nurtured and protected by the state and society. In a country as diverse as ours, the answer to that question is complex. Our ways of governance and shared resources must include and accommodate a wide range of perspectives, priorities and concerns for our fellow citizens.

It is not surprising that Kenya has developed a rich array of institutions, processes and people dedicated to helping groups resolve their differences. Stretching from the smallest rural communities to the centre of power, the peacebuilding architecture has proven itself effective and resilient in helping Kenyans overcome their differences, especially at moments of great peril for our country. The cause of peace is alive and well in Kenya and that is to be celebrated and admired.

As a former military man, I can attest that Kenyans must always remain vigilant. While we celebrate the successes of Kenya's peacebuilding architecture, we must ask if it remains well tuned in today's changing world. Both old and new challenges bear consideration in this regard. The government's decision to undertake a Review of Kenya's Peacebuilding Architecture and the appointment of an Independent Panel of Advisers to lead it is a bold and laudable approach to answer those questions. On behalf of the Panel, I express my thanks to H.E. the President and the Government of Kenya for giving us the space to ask hard, self-reflective questions and to follow the issues diligently and independently.

To do justice to this most important of tasks, the Panel has undertaken an extensive, country-wide and clear-eyed process to learn from Kenyans. With the help of peacebuilders from across the country, we have heard from thousands of stakeholder groups, technical experts, government authorities and individuals from across Kenyan society. In this report, we endeavour to raise their voices to the ears of political leaders, peace and security actors and our partners. Our proposals present what, we believe, is a necessary and realistic vision for the next generation of peace and prosperity for our nation.

I would like to thank the Deputy Chair, Ms. Shamsa Abubakar Fadhil, for her visionary leadership and members of the Panel for engaging in this process with exceptional faith, energy and dedication. I also wish to thank our Technical Working Group, our secretariat at the National Steering Committee on Peacebuilding and Conflict Management in the Ministry of Interior and National Administration, our UN and international partners. Last and not least, I thank the many Kenyans who took the time to share their perspectives with us. It is through their collective will and commitment that peace in our country will remain vibrant for the next generations. ”

Lt. General (Retired) Daniel Opande
Chair, Independent Panel of Advisers

The **Independent Panel of Advisers** is comprised of the following members: Lt. Gen. (Ret.) Daniel Opande, Chair; Shamsa Abubakar Fadhili, Vice Chair; Dr. Fatuma Ahmed Ali; Esther Ang'awa; Sheikh Abdullahi Abdi Ibrahim; Caroline Kariuki; Lizzie Kiama; Liyayi Magotsi, HSC; Patricia Philip Mativo; Rev. Father Joseph Mutie; Mukhtar A. Ogle, EBS, OGW; Benson Odhiambo Owiti; Irene Chepoisho Tulel, HSC.



III. EXECUTIVE SUMMARY

Kenya stands in a position of unique political, ecological and economic opportunity, but also uncertainty. The country's mechanisms for early warning, conflict prevention and reconciliation are world-class and Kenya is hailed as a regional and continental leader of stability, economic growth and sustainable development. Nevertheless, deep and longstanding conflict drivers remain within Kenyan society, a fact sometimes overshadowed by the intense focus on the prevention and resolution of election-related conflicts. As these underlying fissures become exposed to new stressors brought by the effects of climate change, new technologies and regional insecurity, it is more important than ever that Kenya's peacebuilding institutions, processes and tools are fit for purpose. While the government has made significant progress in strengthening peacebuilding institutions, challenges remain due to limited capacity, perceived political bias, weak coordination, limited capacity for digital peacebuilding and poorly calibrated financing models.

In early 2023, the Government of Kenya established a national Review of Kenya's Peacebuilding Architecture and commissioned an Independent Panel of Advisers (IPA) to lead the assessment.

The IPA was mandated to undertake a heavily consultative process and provide answers from Kenyans on how best to re-energise the infrastructures for peacebuilding. In line with the government's commitment to prioritise peace and security as a development enabler, the Review sought to assess the strengths and weaknesses of the peacebuilding architecture as currently constituted at the national and subnational levels, including its capacity to respond to emerging new conflict dynamics. In a period of shrinking donor funding and growing need, the Review was tasked with articulating a vision on how to engage innovative and sustainable financing models, including with the private sector.

In this report, the IPA presents its findings and recommendations on the basis of what it has heard from Kenyans at all levels and from all facets of society. The report provides an analysis of the ways in which new and old conflict drivers in Kenya are evolving. It then maps and critically assesses the current peacebuilding architecture.

The Evolving Peace And Conflict Risk Landscape

The health of peace in Kenya depends on how its political and economic leaders manage unpredictability and make progress on deep-seated societal cleavages in the coming years. Neither good governance nor economic development alone are sufficient to ensure that Kenya remains resilient to risk and avoids violent conflict amid the uncertainties of the future. Effective, just systems of representation are necessary to ensure that prosperity is distributed equitably and with responsible stewardship of the environment, especially amid unpredictable changes in the country's economy. Effective public services and genuine political representation will only prevent conflict and promote national cohesion if they include processes to redistribute wealth, promote environmental health and deliver economic justice to all Kenyans, especially the most vulnerable.

During periods of electioneering, the “winner-take-all” system of elite political competition is a core source of conflict risk. Inter- and intra-ethnic conflict in Kenya permeates the political system from top to bottom. It is a zero-sum system of power organised around political leaders aligned to ethnic groups, clans, regions and other interests. At all levels of the country, successful political candidates arrive in office indebted. This system, which is exacerbated by the weak enforcement of electoral finance and eligibility rules, has encouraged a political culture of ruthless competition, the political instrumentalisation of poverty and the rejection of election results by losing candidates. For the winner, it has incentivised the unequal distribution of the levers of government power to incumbents for the purposes of amassing short-term gains at the expense of other Kenyans.

Unjust land ownership is at the root of many conflicts in Kenya, and land scarcity is worsening as tensions grow around land redistribution, landlessness, absentee landlords and contestations over the perceived political and economic domination of migrants over indigenous people. Historical land injustices

cause many inter-communal conflicts in Kenya. More recently, the grabbing of public, private and communal land is exacerbating poverty and exclusion in vulnerable areas of the country such as the Coast and parts of the Rift Valley. As climate change continues to put pressure on the contested use of land and resources, efforts to adapt to and mitigate the effects of climate change offer an opportunity to systematically incorporate peacebuilding initiatives into climate-related policies and programmes.

Emerging industrial technologies are likely to become major drivers of inequality and conflict if not well planned for and managed by the government and the private sector. New technologies in the agro-business sector are necessary to ensure Kenya's industry remains competitive. However, unless their introduction is carefully managed with accompanying social protection strategies, these trends risk enflaming historical grievances.

As the use of social media expands, so do opportunities for spreading misinformation, disinformation, hate speech, extremist messaging and polarisation. A strengthened regulatory framework and better enforcement capacities at the national level are necessary to systematically monitor and counter hate speech and incitement. At the local level, Kenya's peacebuilding actors and mechanisms require support to increase digital literacy and incorporate the online world into their peacebuilding initiatives, offering an important entry point to meaningfully involve youth in peacebuilding mechanisms.

Assessing Kenya's Peacebuilding Architecture

The Review of Kenya's Peacebuilding Architecture evaluated the country's conflict prevention and resolution institutions, networks, actors and tools to assess how these systems might support or hinder their efforts.

Collectively, Kenya's peacebuilding system is robust. The sector features a complex, multi-layered network of formal and informal actors that distributes risk across many nodes. State

and non-state actors are integrated in unique and effective ways that leverage the comparative advantages of all types of peacebuilding actors. This networked approach to peacebuilding builds redundancy into the system, establishing failsafes and resisting political capture. At the local level, peacebuilding committees, community policing mechanisms and systems for mediation and alternative dispute resolution led by elders and religious leaders enjoy a high level of confidence among communities. These contribute to a broad if sometimes disjointed early warning system.

However, the efficiency and effectiveness of this system suffer from fragmentation, insufficient resources and poor strategic direction. Institutionally, the respective roles and authorities of Kenya's key peacebuilding bodies – the National Steering Committee on Peacebuilding and Conflict Management (NSC) and the National Cohesion and Integration Commission (NCIC) – are unclear in relation to one another and command and control within the peacebuilding architecture is weak. Systemic under-investment in the sector by the government has rendered the system highly dependent on external donors, which has undermined the strategic direction of the peacebuilding agenda in Kenya and led to unsustainable, piecemeal efforts at the local level and eroded principles of volunteerism. A more deliberate, nationally resourced peacebuilding agenda is required.

The current prioritising and sequencing of peacebuilding and securitised responses to conflict risk is skewed in a way that undermines long-term sustainable conflict resolution. While peacebuilding mechanisms are usually involved at the early stages of risk, when these risks escalate there has been a tendency to employ heavily securitised responses, often in ways that undermine peacebuilding goals. Notably, operations to curb urban violence and counter violent extremism have fuelled cycles of grievance and recruitment by illegal armed groups and extremist organisations.

A heavy focus on the prevention of election-related conflict and elite political competition has drawn peacebuilding resources away from other,

often deeper causes of conflict within society. The peacebuilding architecture requires renewed capacities to mediate resource-based conflicts and address online hate speech and incitement more systematically. There is a need for the mechanisms of peace and security in Kenya to shift, at their cores, away from short-term, reactive conceptions of “negative peace” – that is, the absence of violence – towards longer-term, proactive conceptions of “positive peace”. Such an approach requires that social, economic, and political justice be available to all Kenyans so that they can access their human rights, exercise their roles and responsibilities as citizens and achieve their potential as individuals.

A National Agenda For Peace In Kenya

Kenyans call on His Excellency the President to adopt a new National Agenda for Peace, in the form of a Presidential Declaration laying out a political roadmap for reorienting Kenyan systems, institutions and policies around a renewed commitment to deeper, sustained peace. It is proposed that this Agenda would centre around four pillars, under each of which are recommended a variety of political and technical actions.

1. The aspirations of government and society at the core of the National Agenda for Peace.
2. A vision for the evolution of Kenya's system of political representation towards one that accommodates a greater array of interests in each government at the national and county level.
3. Steps that the country will take to become more resilient to longstanding and emerging conflict drivers at all levels of the country.
4. A plan for the reorganisation and strengthening of the country's peacebuilding institutions to deliver on the aspirations laid out in the new National Agenda for Peace.

Pillar 1: Defining a National Agenda for Peace.

Key elements:

- Reengaging and reuniting Kenyans, especially youth, around a patriotic vision of peace as both a goal and a process in which every member of society has rights, roles and responsibilities.
- Turning away from short-term, transactional politics towards a national political culture and system in which all Kenyans participate.
- Re-energising local and national systems of dialogue and dispute resolution.

Summary recommendations:

- The government should review the **national curriculum** with a view to decolonising subjects like history and geography and to ensure an appropriate focus on Kenya's national values, development, figures and culture. Ensure that peace-oriented civics and peace education are taught at appropriate levels.
- National peacebuilding institutions should undertake an ambitious, sustained, nation-wide **communications initiative** to educate Kenyans, especially youth, about their rights, roles and responsibilities in promoting peaceful co-existence in society and sharing tools and approaches for peacefully resolving differences, engaging in constructive political debate and holding leaders to account.
- The government should, as a matter of priority, extend **high-speed internet access** to reach a minimum of 95% of Kenyans to guarantee digital inclusion, which in turn can contribute to political awareness and transparency, political participation, promote financial inclusion and create employment and access to information and skills for the future.

Pillar 2: Political inclusion.

Key elements:

- Recalibrating Kenya's systems of political competition to the unique needs of a highly diverse, multi-ethnic state.
- Building stability and continuity into the political system across changes in government by reducing the prominence of the "winner-take-all" mentality in Kenyan politics.
- Opening space in the peacebuilding architecture to focus on non-electoral, often deeper, drivers of conflict while tackling emerging challenges.

Summary recommendations:

- Kenya's **system of government** should be amended to accommodate a wider range of political interests in each government at the national and county levels. Whatever the system adopted, it must provide for the participation of as many communities as possible within an inclusive system of executive power. This system must extend to the county level, where multiple communities must see their interests represented in successive county governments.
- Amend the Election Campaign Financing Act of 2013 to improve the regulation and transparency of **campaign financing**.
- Redesign the **candidate vetting** process overseen by the IEBC to involve multi-agency membership and systematise sources of information.
- Prior to elections, the IEBC and peacebuilding officials should engage all candidates in a **multi-party dialogue** to establish shared commitments on the peaceful conduct of elections. After elections, peacebuilding actors should lead a process of national and personal reconciliation between winning and losing parties.
- Existing political commitments to bring **equity to political representation** in Kenya should be backed by more aggressive affirmative action, such as the enforcement of gender parity rules in candidate selection and appointment practices.

Pillar 3. Deepening conflict prevention and resolution.

Key elements:

- Looking beyond short-term risks of violence to address structural causes of grievance and tension.
- Bringing new political will to longstanding causes of conflict, notably on the issues of land ownership and regional equality and redistribution.
- Adopting new approaches to emerging stressors caused by climate change, new technologies and the country's economic transformation.

Summary recommendations:

- Establish a formal task force to implement national **land title management** reforms, including a public, transparent and secure land registry, restitution measures and eviction protections.
- Promote conflict-responsive initiatives in areas at high risk for **climate-related conflict** and include peacebuilding actors as advisers in climate change adaptation and mitigation planning.
- Enhance **digital literacy** of local peacebuilding mechanisms and increase their youth-led capacities to monitor and respond to conflict risks on social media.
- The relocation of **indigenous communities** should only be conducted with free, prior informed consent as prescribed under the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIPS).
- Establish **civil-military cooperation** capacities in the NCTC and all security agencies, to be deployed in advance of any securitised response to conflict risk, particularly counter-terrorism operations.
- Scale up **digital peacebuilding** initiatives, using a centralised digital peacebuilding data repository and embedding high-tech capacities to monitor and counter online hate speech and incitement within the peacebuilding architecture.
- As part of efforts to ensure inclusion in the governing process, official and unofficial data must be **disaggregated** according to key Leave No One Behind (LNOB) categories to help demonstrate how inter-sectional issues serve to exclude people from access to public participation.
- Expand the resources dedicated to monitoring online **hate speech** and build in-house expertise on the regulation of social media, artificial intelligence, human rights in the digital sphere, adopting a more robust engagement with social media companies, building on lessons from recent elections.
- While encouraging technological innovation, require companies to manage and mitigate the socio-economic and environmental consequences of their introduction of **new industrial technologies**.

Pillar 4: A new institutional architecture for peacebuilding.

Key elements:

- Adopting a more strategic approach to peacebuilding through rationalisation of the country's national peacebuilding institutions.
- Strengthening and systematising mediation support.
- Ensuring sustainable, nationally-led peacebuilding financing.

Summary recommendations:

- Repurpose the National Cohesion and Integration Commission, to become the National Peacebuilding Commission, to serve at the apex of a well-resourced and autonomous peacebuilding architecture and mandated with overall coordination of peacebuilding actors in Kenya, including national early warning capacities. The Commission will anchor a national peacebuilding fund.
- Establish a new, strengthened national **mediation support capacity** within the National Peacebuilding Commission to build the capacity of national and local mediators, provide analytical and operational support and liaise with regional and international mediation activities.
- Establish a **National Peacebuilding Fund** to receive, manage and disburse peacebuilding funding efficiently and transparently to fund programming at the national, regional and county levels. This includes a Multi-Partner Trust Fund to manage blended finance investments in peacebuilding, including from the private sector.
- **NGOs and CSOs** registered as working on peacebuilding should fall under the coordination of national peacebuilding institutional and financing arrangements and be encouraged to work in line with national priorities; while their rights and roles in acting freely within the boundaries of the law should be respected.



IV. PROPOSAL FOR A NATIONAL AGENDA FOR PEACE

Kenyans call on His Excellency the President to adopt a new National Agenda for Peace, including the following commitments:

Kenya today stands at an important juncture in its journey of peace and development. Despite the differences among us, we have come together time and again to reaffirm our commitment to peace and our desire for cohesion across Kenyan society. As our country and the world change, however, so too do the risks for peace. Challenges in our political system, evolutions in the economy and new technologies require us to be vigilant against new threats to peaceful coexistence and mindful of deep-rooted tensions in society that could be exacerbated by these trends. We must ensure that the mechanisms for preventing conflict and promoting reconciliation in society are well positioned and have the capacity to play these critical roles within our changing national and local contexts.

For this reason, we will embark upon a new National Agenda for Peace. Through this Agenda, we will commit the political will and the resources to making difficult changes that are necessary to ensure that Kenya remains as resilient and

progressive as it has been in past years. We will review our peacebuilding systems in Kenya to ensure that we can move beyond emergency response and crisis management towards deeper national and local conversations that address the root causes of our differences. Together, we will build a stronger society that meets challenges head-on with a shared commitment to ensuring that every Kenyan has equal opportunity to achieve their ambitions, access their human rights and play a meaningful role in setting the future direction of our country.

Our aspirations

We will reengage and reunite Kenyans, especially youth, around the vision of peace as both a goal and a process in which every member of society has rights, roles and responsibilities. We will turn away from short-term, transactional politics towards a national political culture and system in which all Kenyans participate in national debates about the future of our country and hold their leaders to account. We will re-energise and reinforce local and national systems of dialogue and dispute resolution so that all members of the community can play a role in addressing drivers of conflict

among themselves or between communities and the state in the spirit of patriotism and national unity.

Our commitment to political inclusion

As a continuation of the national efforts to strengthen an effective, inclusive and stable representative democracy in Kenya that began with the process to design the 2010 Constitution, we will undertake reforms to our system of political competition. These reforms will centre around the principle that each national and county government must be inclusive of a wider variety of communities, perspectives and interests, regardless of which candidate wins an election. We will redouble our efforts to involve youth, women and groups at risk of being left behind more meaningfully in political decision-making by addressing the drivers of exclusion from Kenya's political structures. Through these measures, we will reduce the zero-sum nature of Kenyan politics, strengthen the quality of policy debate in the country and improve all Kenyans' access to meaningful political participation.

Our plan to deepen conflict prevention and resolution

We will reorient peacebuilding in Kenya towards the root causes and emerging drivers of conflict. We will bring new political will to the solutions required to solve longstanding sources of grievance across the country, including the full implementation of a humane and well-planned system of land ownership; a reassessment of mechanisms for regional redistribution and equitable development; and a modernisation of our national and regional

peacebuilding approaches in the borderlands. We will implement new, proactive measures to address emerging conflict risks arising as a result of climate change and in the digital space.

Our vision for a renewed national peacebuilding architecture

We will scale up our national commitment to and ownership of peacebuilding through renewed support to a strengthened, consolidated peacebuilding architecture that is empowered to deliver on the commitments in the new National Agenda for Peace. Strengthened, more strategic and better coordinated peacebuilding functions will be brought together under a repurposed NCIC, to become the National Peacebuilding Commission, which will enjoy political and operational independence and will be mandated to articulate and coordinate the implementation of national priorities for peacebuilding. The National Peacebuilding Commission will oversee activities at the sub-national level led by the National Steering Committee on Peacebuilding and Conflict Management, which will be empowered to coordinate with county governments and implement local-level peacebuilding initiatives. A National Peacebuilding Fund will be established to channel programmatic financing in support of strategic priorities, including through allocations to county governments and regional offices. The Fund shall be funded primarily through the national exchequer but will also include mechanisms to coordinate contributions from international partners and promote blended finance solutions with the private sector, whose role in peacebuilding will be enhanced significantly.



V. INTRODUCTION

Surveying the last decade-and-a-half of Kenyan history, one might reasonably ask why a review of the peacebuilding architecture in 2023 is necessary. After all, Kenyans have largely coexisted peacefully during this period and the country is hailed as a regional and continental leader of stability, economic growth and sustainable development. After the violence of the 2007–8 electoral crisis, the constitutional revision of 2010 helped to address latent tensions in Kenya's political system. Kenya's conflict early warning and response system, highly regarded within the Intergovernmental Authority on Development's (IGAD) CEWARN system, has proven efficient at elevating risks to national authorities. The country's network of peacebuilders is diverse and experienced, with a strong track record in community- and youth-led dialogue, inter-ethnic conflict resolution and political mediation and crisis response. Indeed, it is the conclusion of this Review that Kenya's peace architecture is a model for the world and something of which all Kenyans can be proud.

And yet, a closer examination of recent events raises important questions and opportunities for how Kenya will manage its risk burden in the

coming years. In each of the three electoral cycles since the promulgation of the 2010 Constitution, the system of electoral competition at multiple levels of governance has consistently pushed the country to the edge, drawing resources away from peacebuilding efforts focussed on resolving other, often deeper causes of conflict. This *status quo* costs Kenya deeply in terms of the flight of foreign investment, as the "win at all costs" politics poison governance well after the conclusion of elections and incentivise short-term, identity-based policy and politics. This approach may be unsustainable to peacefully govern Kenya.

Moreover, Kenya's peacebuilding actors' focus on electoral risks has overshadowed valuable opportunities to shift the country's well-functioning mediation and conflict resolution mechanisms from reactive, short-term initiatives towards deeper activities that target the root causes of conflict. This includes longstanding tensions over land ownership, resource distribution and human rights. As the country's most trusted mediators are engrossed in successive national political crises, deep social, political and economic grievances are being left unattended across the country. As these deeper

fissures – regional and class-based inequalities, historical and contemporary economic injustices, cycles of violence and repression – become exposed to new stressors brought by the effects of climate change, new technologies and regional

insecurity in the coming years, it will be ever more important that peacebuilding be adequately resourced and more effectively sequenced with securitised responses.

What is a “Peacebuilding Architecture”?

The terms “peacebuilding architecture” or “infrastructures for peace” might conjure visions of rigid, official government buildings. In fact, these terms describe something much broader. In 2010, a meeting of African state representatives in Naivasha defined the term as “dynamic networks of interdependent structures, mechanisms, resources, values and skills which, through dialogue and consultation, contribute to conflict prevention and peace-building in a society.”¹ These systems are based on the understanding that conflict is not limited to those few involved in direct confrontation, but is rather linked to deeper competition and clashes of interests among groups and communities throughout an ever-changing society. As such, peacebuilding requires conflict resolution processes that involve formal and informal, national and local, state and non-state peace actors and are capable of addressing both the root causes of conflict and short-term risks.²

There is no single design for a national peacebuilding architecture. Instead, every country in the world has evolved its architecture as a result of its own unique history. In Kenya, peacebuilding mechanisms that are at work today have their origins in decades of offers to resolve disputes over, among other things, land, political representation and economic opportunities. They have been heavily influenced by major events in conflict prevention throughout the country’s history, such as the Al Fatah local peace agreement in Wajir county in 1992 and the 2007-8 electoral crisis and subsequent national truth, justice and reconciliation process, which influenced the forms and functions of peacebuilding structures, policies and resources meant to prevent similar outbreaks of violence in the future.³ A key feature of Kenya’s peacebuilding architecture is its capacity to connect a wide variety of peacebuilding actors, including state and non-state, formal and informal groups, organisations, institutions and individuals working at all levels to help peacefully resolve disputes and build cohesion in society.

Globally, national infrastructures for peace are increasingly being recognised as central building blocks of international peace and security. In his New Agenda for Peace of 2023, the United Nations Secretary-General called for a reorientation of the international system in support of national prevention capacities and infrastructures for peace. “Whole-of-government and whole-of-society approaches,” he writes, “grounded in sustainable development that leaves no one behind, would make national prevention strategies more effective. They should be multidimensional, people-centred and inclusive of all the different components of society.”⁴

The Review of Kenya's Peacebuilding Architecture thus comes at an historic moment, with the country standing at the crossroads of political and economic risk and opportunity. If the country's political leaders are sufficiently courageous to be genuinely self-critical and make difficult political decisions, Kenya possesses the capacities and resources to deepen and sustain peace well beyond politics. To support this process, the Review has examined trends, risks and capacities for

prevention across many sectors of Kenyan society and has identified opportunities to redirect political will, peacebuilding capacities and resources towards deep, sustained peace. Together, the recommendations offered in this report form our proposal for a new **National Agenda for Peace**. If implemented with genuine commitment, we believe that this Agenda will bring about a historical shift in our country that will stand for years.





VI. METHODOLOGY

In February 2023, the Principal Secretary of the State Department for Internal Security and National Administration commissioned an Independent Panel of Advisers (IPA) to lead Kenya's Peacebuilding Architecture Review. Consisting of 13 distinguished individuals from Kenya's peacebuilding community, the IPA was tasked to provide strategic leadership and direction to the Review process. The National Steering Committee on Peacebuilding and Conflict Management (NSC), which falls under the Ministry of Interior and National Administration, oversaw the Review. The UN Peace and Development Team in Kenya supported this process and, jointly with the NSC, served as the Secretariat for the Review. A Technical Working Group (TWG) was created for the Review, comprising more than 35 individuals from the Ministry of Interior and other government agencies, the Conflict Analysis Group, a working group within the National Steering Committee on Peacebuilding and Conflict Management under the UWIANO Platform for Peace and civil society organisations to support the process.⁵

The Review's research and consultation phase consisted of in-depth research at the county level, national stakeholder consultations, thematic expert consultations, two quantitative surveys

and extensive desk research. At the county level, the TWG spearheaded an inclusive consultative process, conducting 100 focus group discussions and 502 key informant interviews across 33 counties in Kenya. The counties were selected in consultation with the Kenya National Bureau of Statistics to ensure a representative sample across geography and demography.

At the national level, the Review hosted 25 stakeholder consultations between July and September 2023, in which representatives from governmental and nongovernmental bodies were invited to share their perspectives on the status of peacebuilding in Kenya. Through these consultations, the IPA met with members of the media, politicians, youth, people with disabilities, religious leaders, think tanks and universities, among others. Concurrently, the Panel hosted ten thematic expert consultations coordinated by UN offices exploring, among other topics, the relationships between peacebuilding and climate change, regional prevention and cross border dynamics, digital peacebuilding, sustainable financing and the roles of women and girls, engaging over 50 national and international technical experts. In partnership with the UN Futures Lab, a series of three "Future Workshops"

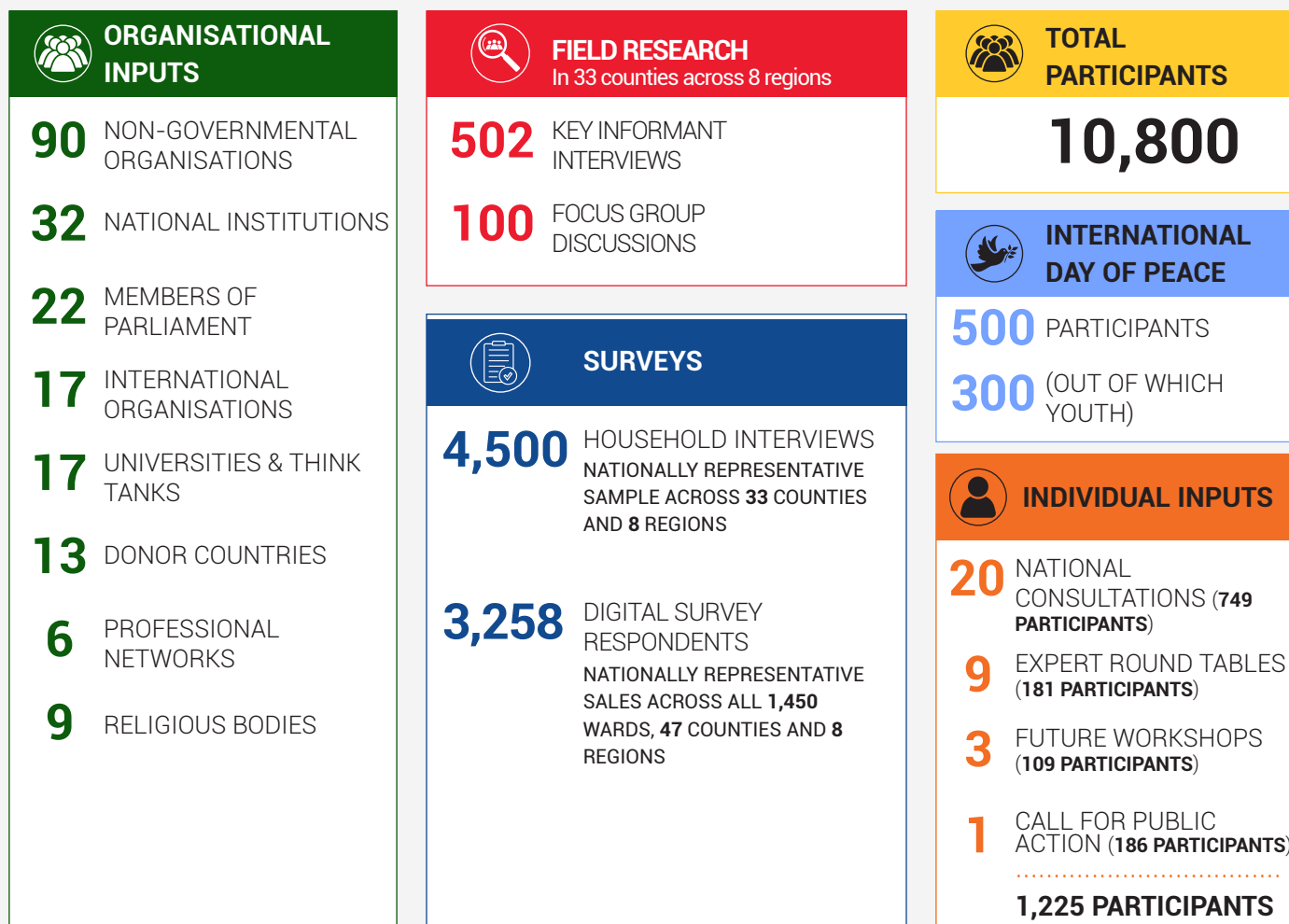
were convened with 75 governmental and civil society stakeholders to creatively explore alternative scenarios for Kenya's future and to identify novel approaches to achieve the Review's objectives. In addition, the Panel received a number of formal inputs from governmental and non-governmental organisations and solicited inputs from the public through an email account.

To complement the Panel's consultations with quantitative data, the Review commissioned two surveys. A Household Survey, designed with the support of the Kenya National Bureau of Statistics and conducted in partnership with the firm InfoTrak, targeted 4,500 households across the same 33 counties as above to gain insights on how individual households perceive peace, insecurity and conflict. Additional public participation was encouraged through the issuance of a public memorandum soliciting public inputs and regular engagement on social media by the NSC. Further, the Review commissioned a Digital Survey, conducted in partnership with Code for

Africa, reaching 3,214 respondents across 47 counties. This survey sought to assess the effectiveness of integrating digital technologies into the existing peacebuilding architecture and to identify opportunities to enhance and improve the architecture to address the capacity of digital peace actors to respond to emerging issues.

The findings and recommendations contained in this report synthesise the experiences, priorities, concerns and aspirations conveyed through these processes. With the research and consultation phase complete, the Secretariat organised a national validation forum in October 2023. Attended by individuals from across the stakeholder groups consulted through the Review process, the Panel shared its initial findings and received feedback to ensure that it had accurately captured stakeholders' views. The Panel then finalised its report and formally submitted it to the Principal Secretary of the State Department for Internal Security and National Administration.

Figure 1. The Breadth and Width of the Consultations





VII. THE EVOLVING PEACE AND CONFLICT RISK LANDSCAPE

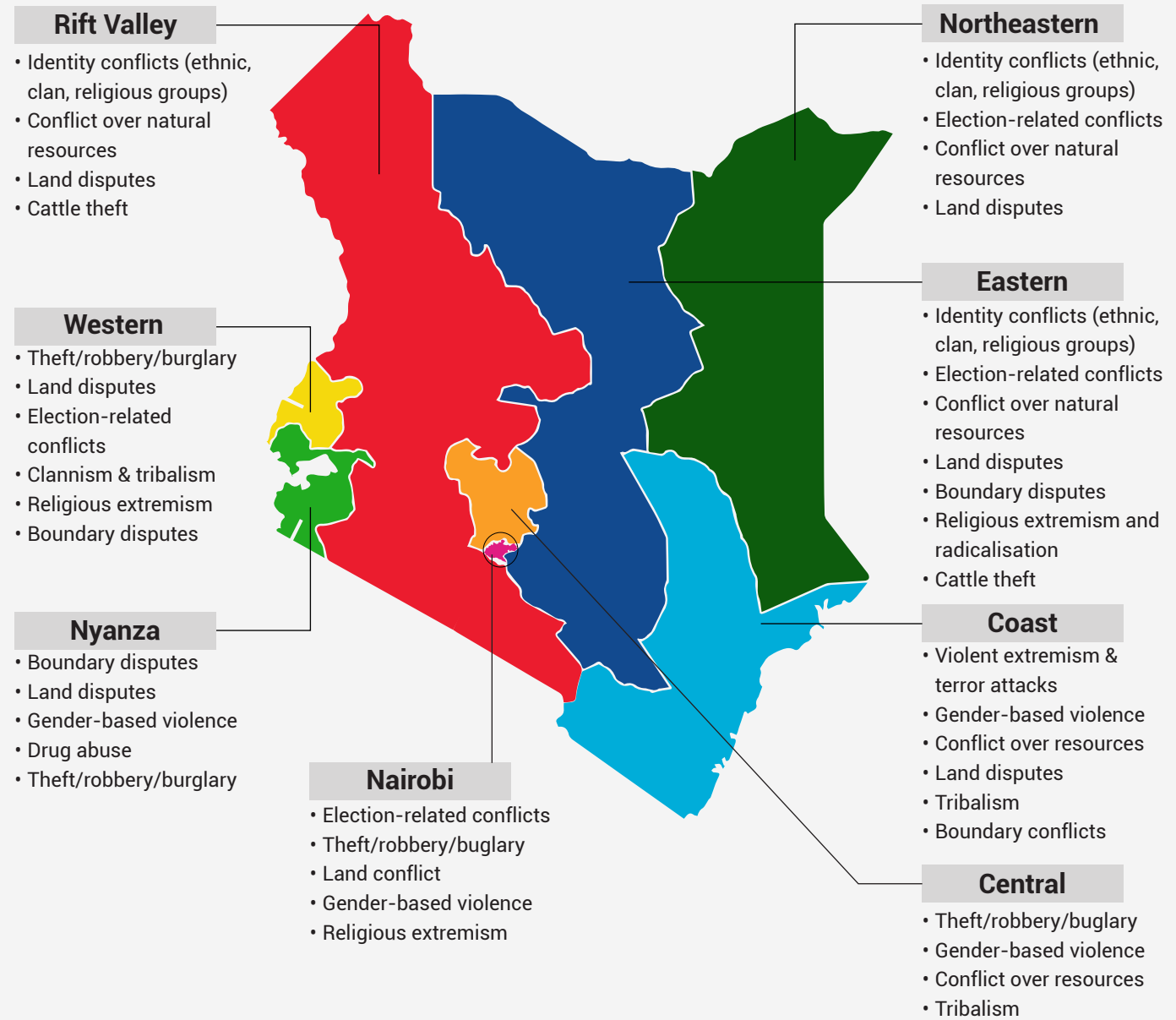
With almost 50 ethnic groups, a regionally diverse geography and an evolving representative democratic system, Kenya is a rich tapestry of culture, nature and livelihoods. Kenya's peace and conflict risk profile is similarly varied and diverse. This section of the report highlights key conflict dynamics that are paramount in Kenya's political, security, technological, environmental, economic and social context for peacebuilding today. In some cases, the drivers of conflict have deep roots in the colonial and even pre-colonial periods that are still felt keenly in the way groups interact and solve differences in contemporary Kenya. In other cases, recent global, economic and technological changes have introduced new factors that are disrupting well-established models of conflict resolution and present new and novel challenges for the peacebuilding architecture. These risk areas convey the importance of assessing drivers of peace and conflict holistically, accounting for the political, economic and social mechanisms

that can serve to either generate and escalate risk or, when properly designed and managed, resolve differences peacefully and build nation-wide social capital.

a. The diverse drivers of conflict in Kenya

The survey of households conducted for the Review asked participants to identify the most common sources of conflict and insecurity in the community. The results offered a striking picture of the diverse ways in which people from different regions of the country experience conflict in their day-to-day lives. Although some perceived causes of conflict, such as theft and robbery, were identified in almost all of the 33 counties surveyed, others, such as violent extremist and gender-based violence, were identified in only a few locations. The following map highlights conflict drivers that are particular to a given region.⁶

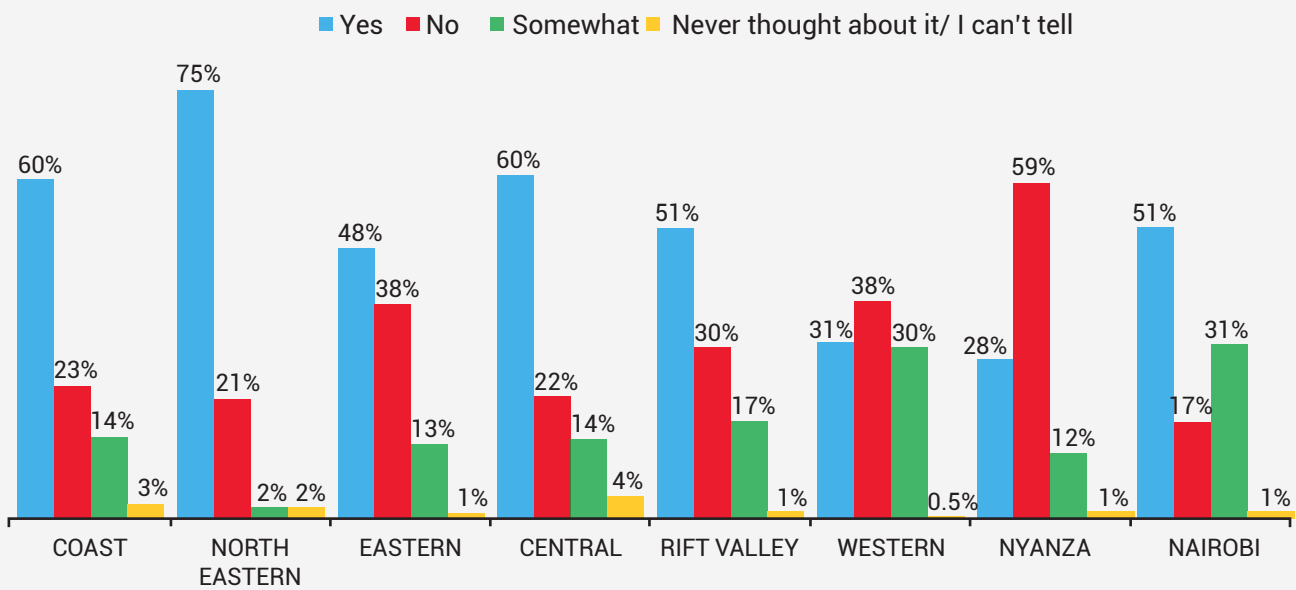
Figure 2. Unique Conflict Typologies across Regions of Kenya



This diversity of risk is reflected in Kenyans' perceptions of peace in their country. When asked whether Kenya is a peaceful country as part of a survey of households conducted for the Review, 49% of respondents responded yes, 33%

responded no and 17% responded that the country is somewhat peaceful. These responses varied significantly across regions of the country and, interestingly, do not always correlate with relative levels of violence across regions.⁷

Figure 3. **Perceptions of whether Kenya is a peaceful country**
 Source: Peacebuilding Architecture Review Household Survey, 2023



b. Elite competition in our political environment

During periods of electioneering, inter- and intra-ethnic conflict permeates the political system from top to bottom. It is a zero-sum, “winner-take-all” system of power organised around political leaders aligned to ethnic groups, clans, regions or other interests. When one of these leaders wins the Presidency, he or she is empowered with extensive control over the levers of a strong executive branch. This arrangement, which is reproduced at the county level, is widely perceived as an opportunity for a President to distribute powerful appointments to members of his or her ethnic group, or a coalition of aligned groups, in order to repay supporters for their loyalty and secure continued support; direct development funding and prioritise policy initiatives in ways that benefit their supporters; and enrich elites among their supporters through the preferential distribution of public contracts, manipulation of administrative processes, such as those for public appointments, land title registration and the selective enforcement of laws to benefit members of their group of supporters. Unsuccessful presidential candidates and their communities, by contrast, receive none of these

benefits. This phenomenon is perpetuated by a common perception that future Presidents will act in a similar way, leading to the notion that it is a given group’s “turn to eat” for a limited period of time.

This system has encouraged a political culture of ruthless competition among national parties and candidates, the consequences of which endure long after the conclusion of an election. The mindset of “win at all costs” has helped to foster a cultural problem in which it has become the norm for losing candidates to contest the outcome of elections, even after avenues for legal disputes have been exhausted. This tendency is exacerbated by wide-spread mistrust in electoral institutions, suggesting the need for further efforts to strengthen and secure the independence of the Independent Electoral and Boundaries Commission (IEBC) and related bodies. After hotly contested elections, there is a need to engage proactively in a moment of national reconciliation and to channel losing candidates towards the best interest of the country. A less absolute approach to assigning executive power is required to ensure that whoever wins the Presidency must make space for opposition perspectives to be heard in the national political discourse.

The phenomenon is exacerbated by weak campaign finance regulations and enforcement, which in turn have served to influence national political actors by corporate and monied interests. As a result, spending on election campaigns in Kenya is among the highest in the world. In addition to the President, 47 Governors, 47 Senators, 290 Members of Parliament (MPs) and 1,450 Members of County Assemblies and 47 Women County MPs are elected in national polls. Devolution has had the apparent benefits of narrowing the gap between the governing and the governed and multiplying the centres of gravity of electoral contest, potentially attenuating individual risks and “distributing” them more evenly across the political space. However, there is fierce competition for these posts, not just between parties but between individuals within a party. The more a candidate spends, the higher the chances of winning a seat. A 2021 study estimated that successful candidates for county Governor positions spend, on average, approximately USD 336,000, according to Transparency International.⁸

The commercialisation of elections has become a key factor in Kenya’s political landscape. The distribution of large amounts of money and pledges to reward loyalty and support with lucrative appointments has been normalised in electoral politics. As a result, many public officials take up their positions already indebted to various interests including elites from their ethnic communities, coalition partners and/or monied interests, including international interests. Political representation can be made more genuine and less transactional by delinking the use of resources to “buy” political power and influence the voting process.⁹

There is thus a need for concerted efforts to regulate formal and informal campaign financing and make it more transparent in order to reduce patronage in Kenya’s political system. The Election Campaign Financing Act of 2013 and the Political Parties Acts of 2011 both represented important attempts to reduce the cost of election campaigns, primarily through regulations overseen by the Independent Electoral and Boundaries Commission and the Office of the Registrar of Political Parties, but many of these have not been

effectively enforced. Campaign spending often takes place outside of official channels, with voter bribery (with both candidates offering bribes and voters demanding them) being a common practice across all counties and expectations continuing beyond the campaign period into a successful candidate period in office.¹⁰

Promoting a higher standard of ethics among Kenya’s political representatives will be helped by more rigorous efforts to ensure that all candidates for political office meet the requirements for eligibility to stand for election. These include the statutory moral and ethical requirements under Chapter Six of the Constitution of Kenya and the Leadership and Integrity Act. At present, the vetting process for candidates, led by the IEBC, lacks the transparency, credibility and access to sufficient information to perform this task adequately. The composition of the IEBC’s vetting component should be diversified to include multiple government offices and linked with financial and judicial systems of government to ensure that the process is independent, depoliticised and thorough.

The current system of representative government is insufficient in a multi-ethnic state as diverse as Kenya. The country requires a system for political competition through which a much larger proportion of the population will see themselves represented in each national government, either as part of the governing coalition or as part of the opposition. A more inclusive political system will reduce the existential nature of each individual election while improving the quality of debate over policy and helping to hold governing leaders to account between elections.

c. The political instrumentalisation of poverty

At a moment of shrinking public resources and precarious financial health of the country, there is a pervasive sense that the size of the national cake is shrinking in a way that is felt viscerally on a day-to-day basis by individuals struggling with a high cost of living. Despite valid frustrations with successive classes of political leaders, many people lack the knowledge of or access

to productive avenues to hold these leaders accountable. More sophisticated approaches, such as community organising through civil society, labour action and political lobbying, have only become more difficult in recent years with the shrinking of civic space. Frustration with their daily plight thus exposes Kenyans to exploitation by politicians and monied interests, who leverage these concerns to press their own agendas, which are related more to power struggles and access to resources than equitable social policy.

This phenomenon is perpetuated by pervasive, transactional ethnic loyalty that makes it possible for political leaders to harness the social power of communities without becoming genuinely accountable to them. While it is accurately assumed that voting along ethnic lines will bring resources to one's community if its candidate is successful, at the level of individuals struggling with day-to-day survival, the immediate compensation that is received for voting or participating in a demonstration is often the primary modality for this exchange of loyalty, which requires very little in return from political leaders. A survey of online peacebuilding trends conducted for the Review found that this phenomenon has spread to the digital space, where some politicians use local youth with large online followings to amplify disinformation, spread messages of incitement and undertake coordinated action at times of elections. Kenyan citizens should understand that whatever their circumstances, they are entitled to public services and political representation without engaging in a transactional exchange with their leaders.¹¹

The instrumentalisation of poverty for political ends is fuelled by a lack of opportunities, especially the high unemployment rate among Kenya's youth and the lack of options in communities that have faced historical marginalisation and inequities. The creation of employment and the provision of dignified livelihoods for all Kenyans, especially those most at risk of being left behind, is a precondition for more constructive political participation and civic engagement.

d. Exclusion

Exclusion and the unequal distribution of resources are increasingly at the core of risks of threat to peace in Kenya. As a threat to security, vulnerable people who face exclusion become vulnerable to manipulation and co-optation by dangerous groups, including violent extremists, organised criminal groups, populist politicians and religious extremists. As a factor of peacebuilding, the exclusion and marginalisation of key facets of society reduce the potential of Kenyan society and deprive it of the diverse perspectives necessary for sound decision-making.

In 2022, the Government of Kenya and the United Nations jointly launched a peace and conflict analysis through the eyes of those at risk of being left behind. The evidence-based investigation examined deprivation across five factors identified in the global "Leave No One Behind" (LNOB) framework that is part of the Agenda 2030 for Sustainable Development, namely, discrimination, vulnerability to shocks, governance, socioeconomic status and



geography. These five factors help to highlight how some groups within society are exposed to structural and multi-dimensional exclusion and vulnerability, and how these trends expose these groups to greater targeting by, or participation in, violent conflict trends.

The analysis identified the counties of Mandera, Wajir, Turkana, Garissa, West Pokot, Marsabit, Tana River, Narok, Kwale and Busia as being at the greatest risk of being left behind. At the same time, high levels of inequality in society can obscure the presence of groups at risk of being left behind in seemingly more affluent counties, such as Nairobi.¹²

The groups that are most left behind in Kenya are not usually the primary actors in violent conflict or political contestations, however they tend to be more acutely exposed to conflict. For example, as the study found, unemployed youth are at higher risk of human trafficking and recruitment by violent extremist groups. Poor youth in urban informal settlements are similarly at risk of political violence and human rights violations. These groups tend to be excluded from political settlements that shape these broader dynamics and govern the distribution of power and resources, further exposing them to structural violence.¹³

The historic and ongoing regional inequalities in levels of meaningful political representation, sustainable development and economic empowerment have exacerbated centre-periphery tensions and undermined a common spirit of nationhood and shared interest, despite the promise of devolution.¹⁴ Counties that historically feel they have faced marginalisation, notably those in North and Northeastern Kenya, continue to be the furthest left behind. Certain public policy frameworks, such as the Sessional Paper No.10 of 1965, embedded regional imbalances of resource distribution and investment deep within the logic of Kenya's post-independence development framework.

While devolution and the Equalization Fund enshrined in the 2010 Constitution represent deliberate efforts to address these causes of inequality, historically marginalised counties still

lag significantly behind the national average in development and service delivery. These efforts have in some cases helped reach those furthest left behind, but interventions in this space remain sub-optimal because of inefficiencies related to exclusion, corruption, inter-group animosity and more. In some cases, devolution has intensified the marginalisation of small groups. The Equalization Fund has been managed in a way that has undermined its redistributive objectives, while national industrial policies remain poorly designed to leverage the economic potential of these regions, such as the livestock industry in the north.

Political, economic, social and cultural exclusion based on age and gender, among other factors, has created inequalities and injustices at a moment of both deep challenge and potential opportunity for the country's young women and men. Amid high rates of unemployment, many youths are at risk of political disaffection, exploitation by politicians and recruitment by organised criminal and violent extremist groups. For instance, in Garissa and Tana River counties, survey respondents cited youth radicalisation and recruitment into violent extremist organisations as emerging conflict dynamics, mostly driven by high youth unemployment and low prospects for viable livelihoods in the arid region.¹⁵ This concern was heard across the country, where a lack of employment opportunities was considered a serious driver of youth gang violence, participation in cattle raiding and instrumentalisation of political elites, depending on the region.¹⁶

Despite progress in the formal inclusion of women, youth and other historically marginalised groups, such as people with disabilities, in decision-making structures, there is a need for continued efforts to involve these groups meaningfully in national affairs, including peacebuilding.¹⁷ Within political institutions, the promise enshrined in Article 81 of the Constitution 2010 – that the electoral system would ensure that not more than two-thirds of the members of elective public bodies are of the same gender – remains unachieved. Moreover, there is little indication of how the rule might become reality, despite the expiry of a five-year grace period imposed by the Supreme Court in 2015

and a High Court ruling that Parliament's failure to legislate on the rule constituted a failure in the institutional constitutional duties that violated the rights of women under the Constitution.¹⁸ After the 2022 elections, 21% of Kenya's Parliamentarians are female, a deficiency His Excellency President Ruto promised to help fix in his 2022 inaugural address.¹⁹

The dominance of informal, male and elite-dominated decision-making structures benefits from opacity in Kenya's information environment. The true processes of governance are difficult for those excluded from these power structures to identify and explain and mis- and disinformation about government activities and decisions is common. This, combined with increasing toxicity on social media platforms, especially TikTok, creates conditions conducive to violence.²⁰

Formal political representation is only half the problem; there is a growing disconnect between the participation and voices of elite women at the national level and in formal institutions on the one hand, and local women and their roles in informal mechanisms, on the other. For example, in Tana River, women from the Watta community have reported that they feel excluded from governance processes due to the perception that they have nothing to offer the majority of communities.²¹

e. The links between corruption and conflict

Corruption, which, by a 2022 estimate, costs Kenyans Ksh 608 billion per year, threatens durable peace.²² It exacerbates the impact of many critical factors that contribute to Kenya's vulnerability to conflict and insecurity, such as poverty, weak governance over natural resources and horizontal and vertical inequality. As it diverts public resources away from the common group to benefit special interest groups, corruption brings about popular discontent, especially insofar as it keeps individuals and communities in poverty. The resulting grievances are all the more likely to bring conflict as they coincide with disparities in the distribution of political and economic power along ethnic lines. Land-related grievances, one of Kenya's major conflict risk, are particularly

related to corruption as patronage networks along ethnic divides have been shown to have played an important role in land distribution, resulting in unfair distribution of resources.²³

The commercialisation of political competition has incentivised the continuation of a culture of corruption that has prevailed in Kenya for years.²⁴ Devolution, intended to promote fairer distribution of resources throughout the country, has also greatly increased opportunities for corrupt practices, helping move corruption from the national government to the counties through a transfer of transactional relationships.²⁵ Petty and grand corruption, embezzlement of public funds and political patronage are all well-entrenched. High pay for legislators and the power and influence associated with holding a political office have driven up the cost of politics, such that corrupt campaign financing is incentivised.²⁶

Corruption also has adverse effects on security as it weakens the state's capacity to protect its citizens, depriving the institutions responsible for ensuring security of the resources they need. The Ethics and Anti-Corruption Commission (EACC) claims that the country is losing one third of its state budget to corruption every year. Former anti-corruption adviser John Githongo has argued that systematic graft played an important role in undermining Kenya's ability to react to insecurity, and in facilitating Al-Shabaab attacks in 2014.²⁷

f. The colonial legacies of land ownership and the evolving role of land

Historical land injustices dating to the colonial period and unfair land redistribution in the post-independence period are at the root of many barriers to sustainable conflict resolution and inter-communal reconciliation in Kenya. More recently, the grabbing of public, private and communal land and resulting evictions are exacerbating poverty and landlessness. In the Coast region, the "squatter problem," wherein residents do not formally own the land they live on, even if they and their communities have been on the land for decades, fans longstanding grievances. The situation has inspired

secessionist movements such as the Mombasa Republic Council (MRC), which mobilises under the slogan *Pwani si Kenya* ("The Coast is not Kenya").

In parts of the country, conflicts around land ownership are exacerbated by a contradiction between the communal or traditional ownership of land, which has historical roots and affords informal, yet durable, entitlement to land for members of the community, and formal property-oriented land ownership conferred by the issuance of a title deed by government authorities. The occupants of communally owned land, who tend to be less economically and politically powerful, are vulnerable to predation by those with access to the formal land titling system. This system is regularly manipulated by political and economic elites, including individuals and corporations from outside Kenya, to gain formal ownership over informally owned land, making squatters out of the residents.

Similarly, a significant proportion of Kenya's landmass is owned by private land conservancies registered as Trusts, yet the land in many cases has been occupied and managed by local communities for many years. These communities are perpetually at risk of expulsion should members of the government assent to issue titles for parcels of this land to economic or political elites. Speculative land purchasers with inside knowledge of, or influence over, public infrastructure projects often purchase land with the intent of then selling or leasing it to the government, thus doubly preying on local communities that are both dispossessed of the land and deprived of compensation. Further

complicating the situation is the tendency for far-off elites to become absentee landlords over the lands they formally own, enabling local communities to live and work as "squatters" on the land until they are ejected when it becomes economically valuable, or simply leaving the plot fallow and depriving communities of productive agricultural land.

The government has made several legal and institutional efforts to address the land problems in the country. It has commissioned investigations into specific land issues, such as through the 1999 Commission of Inquiry into the Land Law System of Kenya (the Njonjo Commission), the Commission of Inquiry into the Illegal/Irregular Allocation of Public Land (the Ndung'u Commission), and the Prime Minister's Task Force on the Conservation of the Mau Forests Complex. There was a specific focus on land in Agenda IV of the 2008 Kenya National Accord and Reconciliation Agreement and during the process of reviewing the Constitution of Kenya, which culminated in the formation of the National Land Commission. Recommendations from the investigations have remained largely unimplemented due to a lack of political will. The Ministry of Lands, Public Works, Housing, and Urban Development, which leads on national lands policy and management, has made progress in streamlining land adjudication and settlement matters, administration of public land as designated by the Constitution, operationalisation of Land Information Systems and maintenance of a Public Land Bank.

CASE STUDY:

Lamu: An archetype of conflict risks and peacebuilding challenges in Kenya



Lamu County, one of the best-preserved remaining settlements of the Swahili tradition in East Africa, is experiencing multifaceted ethnic and religious tensions over land, jobs, representation, exploitation and international trends of violence. Today, internal and external stresses on the county and the use of “hard” security approaches by the state have exposed its population to perennial instability, underdevelopment and increased security threats despite the area’s significant economic prospects. The situation in Lamu encapsulates many of the conclusions of this Review about the evolving conflict trends in Kenya, the challenges faced by governance and securitised responses to date and opportunities for alternative, citizen-centric peacebuilding approaches that could be instructive across Kenya.

At the root of conflict in Lamu are unresolved grievances stemming from a long history of economic, social and political exclusion, particularly surrounding land ownership and access to the benefits of natural and economic resources.²⁸ Historical grievance narratives include the dispossession of local communally-held lands under the Jomo Kenyatta administration and their granting to Kikuyu Christian settlers in the 1970s, who have since occupied key administrative positions that help them secure their land titles and exploit the economic opportunities in the area while excluding native ethnic communities.²⁹ Many members of the native communities, such as the Bajuni, Orma, Boni and Swahili, today live on land with unclear ownership status or belonging to absentee landlords, rendering them perpetually insecure.³⁰

In recent years, these longstanding grievances have come to the fore of the political debate in Lamu amid the socio-economic upheavals caused by the ongoing construction of a USD 5 Billion 32-berth port as part of the Lamu Port, South Sudan, Ethiopia Transport Corridor (LAPPSET) infrastructure mega-project.³¹ The project has created significant economic opportunities, attracted investment and created employment in the county. However, these opportunities have renewed practices of external exploitation and land-grabbing, with absentee landlords returning to develop or sell land occupied by local residents

and “newcomers” acquiring or occupying tracts of land in Mpeketoni and other parts of Lamu. The LAPPSET project has largely failed to plan for or compensate communities for harm caused to local livelihoods due to construction, such as the clearing of mangrove forests that provided breeding grounds for local fisheries.³²

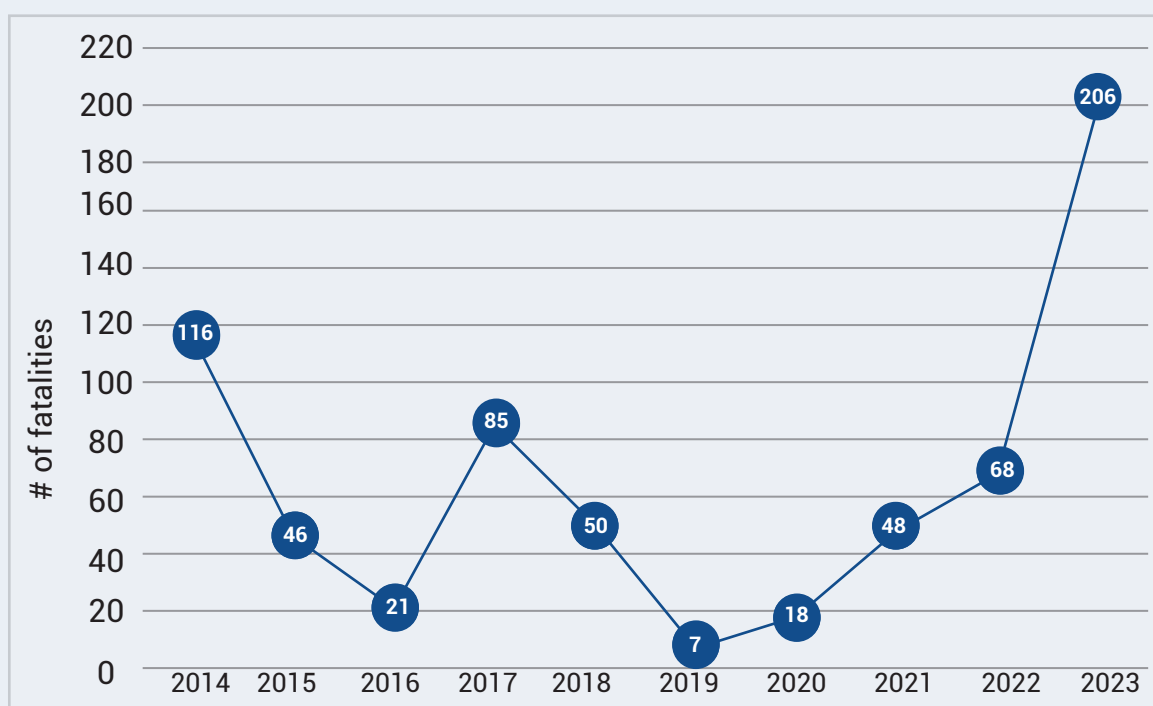
In this context, it is unsurprising that Lamu is perceived as a ripe target for recruitment by Al-Shabaab and other violent extremist groups, who capitalise on high levels of poverty and unemployment and use identity politics to construct compelling narratives of victimhood and marginalisation imposed by the Kenyan state. As one local leader interviewed during the Peacebuilding Architecture Review put it, “the disenfranchisement of the local communities of their land for the Lamu Port project has been used as a rallying call to recruit young people into terrorist groups in order to fight for their land.”³³ These narratives are readily reproduced online and play a significant role in shaping public perceptions in remote areas of Lamu County as cellular penetration increases.

These trends have had palpable effects on security in Lamu. In December 2022, for example, suspected Al-Shabaab militants torched a dozen houses near the Boni forest and shot two people dead on Christmas day. Muslim civilians in the areas have reported that they also feel less secure as a result of these trends, as they are caught between local and international security forces, which view them as Al-Shabaab sympathizers and Al-Shabaab itself, which uses the Boni forest as a strategic hideout and preys on the communities.³⁴ Since the deployment of Kenyan security forces to Somalia to fight Al-Shabaab, the group’s presence in Kenyan border areas has intensified, including in Lamu, where the flow of weapons and illicit goods across the border has become a significant factor in the local political economy. Some residents have reported being labelled as Al-Shabaab supporters by administrative and security officials after they protested the seizure of their lands.

Figure 4. Fatalities due to political violence in Lamu county, 2014-2023

Source: ACLED data³⁵

Data as of 16th November 2023



Lamu presents an example of the deeply challenging questions that must be resolved by Kenyan peacebuilding efforts if the causes of violence are to be sustainably addressed. Among them is the challenge of establishing a comprehensive and transparent system of land ownership that reconciles individual land titles with customary and communal claims. Even if such a system were to exist, however, a strategy will be required to resolve competing claims, including the potential role for local communities in adjudicating claims. As it is more than likely that securitised responses in Lamu will continue

into the future, this Review presents an opportune moment to consider how relationships between local communities and state security forces – and the county-level officials that influence them – can be reconceived. Finally, Lamu represents a priority target for mediation and reconciliation efforts aimed at preventing surges of violence and deescalating tensions to make way for longer-term resolution of differences, avoiding the entrenchment of injustices perpetrated through the abuse of state power.³⁶

While some political slogans demand that all land captured in this way or occupied by “outsiders” must be returned to its original owners, the reality is less simple. In some cases, individuals or communities that have gained ownership over land in this manner have become part of the community over many years. In other cases, land, rightly or wrongly, has become central to local and national economies, as is the case for the tea farms discussed below. A mediated, humane and well-planned system of land ownership rationalisation, dispute resolution and intercommunal reconciliation will be required to address land as a root cause of conflict in Kenya.

Similar dilemmas arise for contested land that is occupied by industries that are important to Kenya's economic development (see, for example, the case study on the Kericho farms dispute below). As the economy evolves, the government should more critically examine the renewal of long-term leases in a way that does not discourage investment but compels inclusive dialogue with local populations to negotiate investment in the local communities and profit sharing.

g. The intensifying impacts of climate change

Kenya and the region have experienced unprecedented extreme weather conditions over the past five years, including the longest drought on record. As the Review was carried out, the country was facing a drier-than-average

dry season, exacerbated by the onset of El Niño conditions. In Turkana, for example, humanitarian reports in 2022 found that both drought and flood conditions have dramatically reduced the availability of grazing land, resulting in the concentration of livestock herds into small patches of land, where herders from different communities have increasingly come into conflict with one another.³⁷ Water scarcity has a direct impact on the safety of women, who must travel longer distances for water, fuel and food, exposing them to risks of crime and violence.

Local adaptation and resilience strategies are deeply political processes that can reinforce or mitigate conflict dynamics. Where communities are failing to adapt peacefully, this often points to underlying phenomena of vulnerability and structural exclusion. When they do work, it is often through highly localised arrangements such as reciprocal resource-sharing agreements whereby, for example, farmers allow herders to graze crop residues on their land during drought or pool labour to access more distant and/or insecure grazing locations. National peacebuilding policy could seek ways to backstop local processes and arrangements already happening – such as by providing mediation support should tensions arise, or to be a guarantor of sorts should arrangements deteriorate – and in so doing act as more of a facilitator of nimble local responses rather than directing or coordinating.

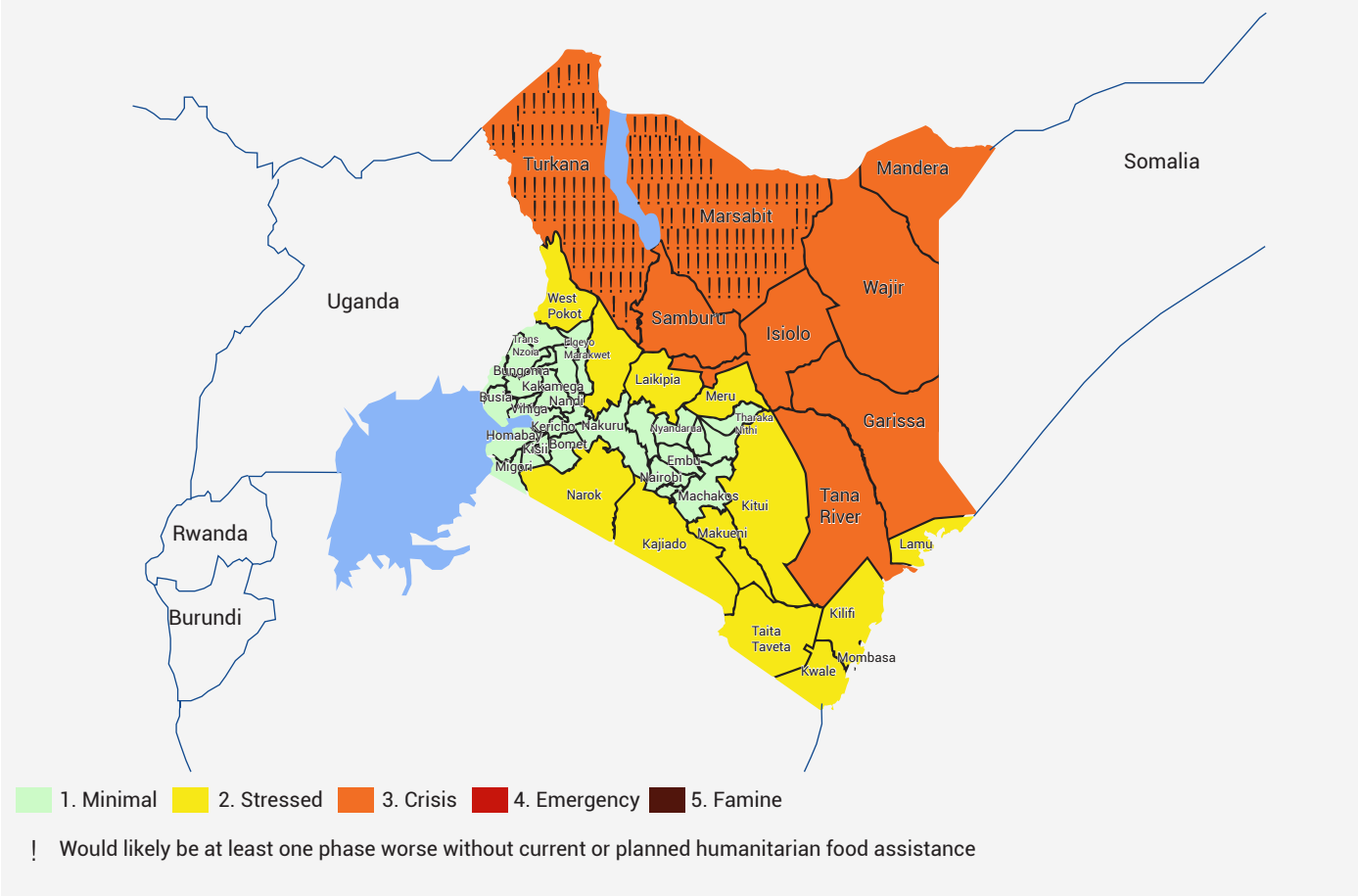


Conflict sensitivity for climate adaptation programming is crucial to avoid exacerbating violence in the pursuit of climate solutions. For example, initiatives to install rainwater harvesting systems to improve access to water – and thus increase adaptive capacity – might create new local tensions around who controls the borehole.³⁸ As climate change affects people differently, new positive and negative intersections between groups and peace and conflict drivers may emerge and must be captured by conflict-sensitive analysis.

Within Kenya's political and development discourse, it is largely uncontroversial that the coming years will bring increasingly severe, climate-related impacts on the natural environment, including as related to extreme rainfall and drought, natural disasters and rising sea levels. Equally accepted is the assumption that these trends will create and exacerbate conflicts, particularly over natural resources and access to land and due to climate-induced migration.

In Northern Kenya, for example, the historic failure of five rainy seasons has gradually impoverished pastoralist communities. Kenyan herders lost at least 2.5 million heads of cattle and a commensurate number of camels, sheep and goats between 2020 and 2022 alone, decimating incomes, intensifying the pressure on pastoralists to replenish their herds and acutely affecting 3.1 million people with food insecurity and malnutrition as of September 2022.³⁹ Combined with a sharp increase in livestock in Kenya, the droughts have led to a scramble for grazing land and water resources. Consequently, cattle theft in the North Rift has become one of the only options for survival for herder communities, while elsewhere fights over access to grazing land and water sources have become commonplace. Both the number and lethality of such incidents have risen significantly during this period.

Figure 5. Kenya projected food security outcomes, September 2024
Source: Famine Early Warning Systems Network, 2022



Kenya has taken a number of recent actions to mitigate the impacts of climate change on the economy and livelihoods across the country. The National Climate Change Action Plan (NCCAP) 2018–2022 provided a strong vision for climate-resilient development and it is hoped that its forthcoming successor, the 2023–7 Action Plan will sustain and strengthen this framework, including through initiatives such as the campaign to plant 15 billion trees by 2032.⁴⁰ The 2023 amendment of Kenya's Climate Change Act establishes a robust framework to allow the country to leverage diverse financing instruments and engage in international carbon trading as part of its climate-responsive development process. And Kenya's hosting of the first Africa Climate Summit in 2023 is a testament to its international leadership role on the issue.

Despite the growing regulatory framework, however, Kenya's climate-resilient development policies and plans are largely conflict blind. National-level climate legislation, policies and plans largely fail to seize opportunities to scale up targeted conflict-responsive initiatives in areas at high risk for climate-related conflict. For example, a number of locally rooted initiatives in the country's arid and semi-arid counties have recorded success in mitigating climate-intensified conflict between agricultural and pastoral communities by establishing migration corridors to give herders access to safe pasture without traversing farming areas. Moreover, in Isiolo and Marsabit counties, for example, some communities are effectively mitigating drought through indigenous knowledge and traditional resource governance measures, such as the Deda system of water and grazing management. There is, therefore, an urgent need to reframe climate change strategies as vehicles for preventing conflict and delivering peacebuilding outcomes.

h. Emerging technologies and digital threats to peacebuilding

Approximately 23% of Kenyans use the internet and there were more than 10.55 million social media users in Kenya in January 2023.⁴¹ Youth make up more than half of registered voters and are the main users of social media.⁴² New media

has allowed politicians to widen their audience and communicate directly to followers and potential voters, bypassing traditional media filters.⁴³ As social media expands, so do opportunities for spreading misinformation, disinformation, hate speech, radicalisation, extremist recruitment and polarisation. In a survey of over 3,000 people conducted by Code for Africa for the Review, 85% reported an awareness of online speech that contributes to conflict trends, including polarisation, the spread of fake news, the dissemination of violent extremist messages, online incitement such as hate speech and online harassment, such as cyberbullying. The Nairobi region had the highest percentage of respondents who were familiar with online conflict trends.⁴⁴

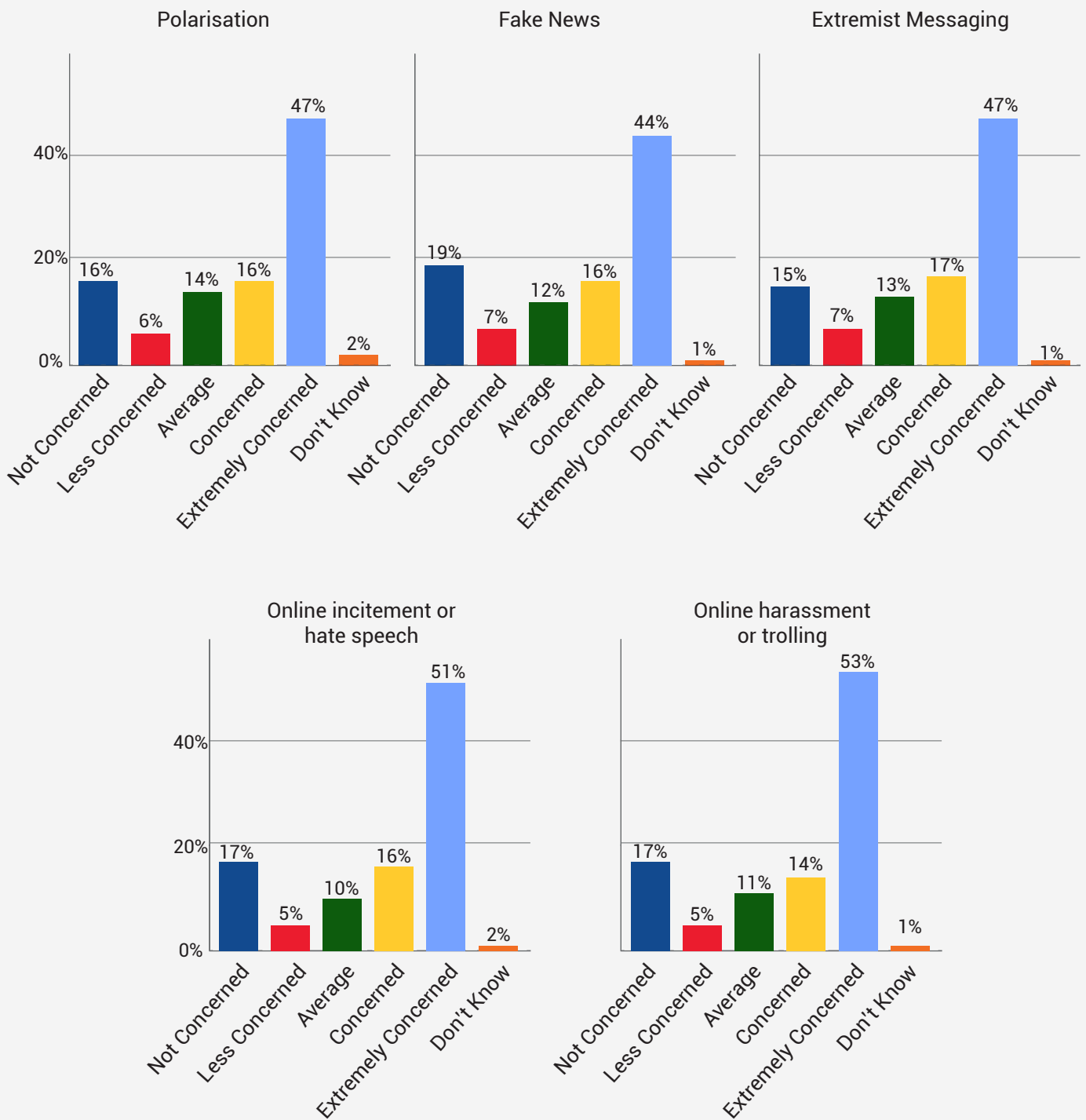
“ We have seen photoshopped images of politicians wielding machetes and it's scary to think that these images can just be created on a computer within a very short time. Our parents in rural areas are not aware that this is possible and therefore can end up falling victims to such manipulations. We should find legal mechanisms to regulate the use of AI.”

-Youth participant in digital peacebuilding focus group, Mombasa county, October 2023

Kenyans appear to be very concerned about the potential effects of online conflict drivers. Across five categories of online conflict trends surveyed by the Review, the majority of respondents expressed extreme concern with harassment. Fake news had the lowest level of extreme concern and 26% of respondents were not concerned. It's worth noting that in all five online conflict trend categories, at least one in seven respondents expressed no concern for each of these conflict trends. Approximately one in four respondents reported being directly impacted by online conflict trends.⁴⁵

Figure 6. Degree of concern about online trends

Source: Code for Africa 2023



Dating to the 2007 elections, social media has played a significant role in spreading ethnically hateful messages and inciting people to violence.⁴⁶ In the lead-up to and aftermath of the 2022 general elections, however, political rhetoric was generally less divisive and ethnically laced at the national level compared to previous electoral cycles. An International Crisis Group analysis found relatively little appetite for intercommunal violence as compared to previous elections,⁴⁷ possibly due in part to the rollout of an innovative and high-tech social media monitoring tool by the NCIC and criminal intelligence service prior to the elections.⁴⁸ Still, numerous incidents were observed in which political candidates and their strategists used technology to polarise members of the electorate, sometimes resulting in violence. Tactics employed by these actors include hiring “keyboard warriors” or “digital mercenaries” and influencers to manipulate social media conversations; using bots to amplify specific narratives; and using hidden or coded hateful terms to evade social media platforms’ automated hate speech safeguards. Female candidates and officials also disproportionately faced gender-based attacks.⁴⁹ In focus groups and interviews at the county level as part of the Review in May 2023, incitement to violence was regularly cited as a crucial risk of violence, with Marsabit and Lamu counties appearing particularly susceptible to hate speech.

While Kenya has relatively robust laws and regulations on hate speech and incitement, the current legal framework offers only limited tools for tackling the spread of these messages on social media platforms. The enforcement regime for addressing hate speech and misinformation, led by the NCIC, tends to focus on the individuals responsible for creating harmful content rather than on the technology’s role in disseminating it.⁵⁰ At its current capacity, the Commission is able to act upon only a small portion of hateful content disseminated through social media. Regulating hateful or inciteful rhetoric, which may qualify as hate speech under the National Cohesion and

Integration Act of 2008, has remained primarily under the purview of social media platforms, which have continued to regulate such content opaquely and primarily based on instructions provided by foreign regulators. Furthermore, social media platforms do not monitor posts in vernacular languages, making the task of managing the risks of violence all the more complicated. In 2021, the government launched the National Computer and Cybercrime Coordination Committee (‘NC4’), an entity provided for under the Computer Misuse and Cybercrimes Act of 2018, raising the possibility of a greater number of prosecutions for hate speech in the future. However, as generative artificial intelligence rapidly makes the production of deceptive content easier and more convincing, the Kenyan government’s in-house capacity to manage individual instances of illegal online behaviour, broader regulatory issues for social media companies and legal and ethical considerations for the protection of privacy and speech rights will likely need to grow significantly.

In a separate trend, new industrial technologies, while important to economic growth, can also create new drivers of conflict if not properly managed. Agriculture has been one of the main drivers of development in Kenya and remains the backbone of the country’s economy, contributing approximately a third of GDP and accounting for 40% of employment. In recent years, however, climate change, increased costs of production and shifts in market preferences have squeezed the profitability of agricultural enterprises, especially those serving export markets. New technologies offer agribusinesses new opportunities to increase productivity and lower costs, often at the expense of hired labour. These trends have exacerbated longstanding structural vulnerabilities in Kenya’s rural economy and newly enflamed historic grievances. As industrial technological innovation advances at unprecedented speed, national strategies for understanding, mitigating and responding to conflict in these situations are now required.

CASE STUDY:

Tea pickers' conflicts and the impacts of new technologies on the Kenyan political economy



The recent violence at the Ekaterra tea company in Kericho county is illustrative of these phenomena, which have affected the tea industry across the Rift Valley. Long-held local grievances hold that communities were violently expelled from large tracts of land in what is now Kericho and neighbouring counties during the colonial period to make way for foreign-owned tea farms, which have since become part of large multinational companies like Unilever, selling tea under the brands of Lipton and PG Tips. Nevertheless, the farms have become huge employers in Kericho, employing thousands of people as tea pickers. Most of these labourers are young people, many of them women, who lack opportunities and skills outside the tea industry.⁵¹ A 2023 investigation by the BBC identified apparently widespread and longstanding practices of sexual exploitation of job seekers by plantation recruiters, highlighting the scarcity of alternatives, vulnerability of labourers and impunity for the multinationals and their agents.⁵²

In recent years, changes in the market and the availability of new forms of mechanised tools have motivated Ekaterra and other tea companies to introduce automated tea-picking machines. These machines are significantly more efficient than tea pickers at 100 times the rate of an individual

labourer and reduce the cost of bulk exports by as much as 75%. A former CEO of the Kenya Tea Growers' Association estimated that, across Kericho county, automation has replaced 30,000 tea pickers' jobs over the last decade.⁵³ In Kericho, the loss of jobs has led to repeated instances of violence, in which desperate labourers have burnt tea picking machines and clashed with police, leading to deaths and injuries.⁵⁴ Local politicians have seized on these developments to raise long-held grievances with the national government and landowners.

With the speed of automation only likely to grow, the deprivation, exclusion and violence among the most vulnerable in Kenya's economy are likely to increase as a driver of conflict in the coming years. A local task force established after earlier violence in Kericho recommended that the government regulate the introduction of automation in the industry to maintain a 60:40 ratio between the use of machines and hand-picking.⁵⁵ Such measures, however, are unlikely to quell these risks beyond the immediate future. Instead, solutions should more meaningfully include rural populations and historically underrepresented regions in the country's economic development, including skills development, training and retooling.

As Kenya's industrial economy mechanises and automates, Kenya's leadership has a responsibility to ensure that the many rural Kenyans who depend on these industries are not left behind, and corporate plans and strategies are conflict sensitive. This must include measures to ensure that national and multinational corporations operating in Kenya are obliged to implement basic corporate social responsibility measures as part of the introduction of new technologies, particularly for labour and environmentally-intensive industries. These measures include investing in training on new technologies within communities rather than relying on imported skilled labour and directly supporting the diversification of local economies in areas where they employ labourers. Alongside these measures, the Kenyan government must provide plans for labour transformation as part of its efforts to encourage more advanced industry, including digital education and competency-based training in rural areas.

Moreover, carbon trading offers new opportunities for rural areas of Kenya to contribute to national prosperity and development. As this new source of income becomes available, it will be important to ensure that the wealth is used to mitigate the injustices of the past, rather than repeating patterns of exclusion and exploitation. A reformed national peacebuilding architecture can play a role in advising on investment strategies to address historical reconciliation, redistributive justice and restorative justice. As part of these strategies, where colonial-era multinationals are involved, the government should pursue, where appropriate, litigation in the United Kingdom where unresolved claims of land dispossession may offer an opportunity to recover lost income and/or compensation where the disposition of this land was not correctly resolved at the time of independence.

i. Conflict in the borderlands

Cross-border violence in Kenya's northern regions, historically characterised by underdevelopment and marginalisation, has evolved over the years, presenting a complex set of challenges alongside the borders with Uganda,

South Sudan, Ethiopia, Tanzania and Somalia. Despite efforts to promote the redistribution of wealth across counties and policies to include north and northeastern counties and communities in national development initiatives, the legacy of the region's historic exclusion from development and decision-making continues to impact conflict dynamics. Pastoralists frequently move freely across national and international boundaries, bringing them into conflict with other communities and state forces. The growing role of the northern regions as key trade and transport corridors, facilitating regional commerce, has added economic and geopolitical dimensions to these conflicts and brought with it illicit cross-border trade, including drugs and small arms. The proliferation of illicit small arms and small weapons in Kenya, especially from Somalia, has further increased the stakes of conflict at the borderlands.

Conflict at the borders with Ethiopia, South Sudan and Uganda has been exacerbated by the recent patterns of drought and famine, which have led to the movement of armed pastoralists and livestock across the borders. While the situation on the border with Tanzania is largely calm, cattle theft presents an ongoing threat. Across arid and semi-arid regions, worsening scarcity of water and pasture has led to food insecurity and increased competition for resources. The counties bordering Somalia have been the target of Al-Shabaab violence since 2011, when Kenya entered southern Somalia to combat the militant group. Since the beginning of Somali counter-insurgency measures against Al-Shabaab in August 2022, Kenya and Somalia have strengthened cooperation on security and counter-terrorism, while also agreeing to reopen border crossings which had been closed since 2011.⁵⁶ However, since August 2022, influxes of Al-Shabaab militants across the Kenyan border have been reported.⁵⁷

Trends in violent extremism and resource scarcity have put to the test community structures for addressing conflict in northern Kenya. Somali kinship linkages across the state borders of Kenya, Somalia and Ethiopia mean that local conflicts cannot be resolved in isolation but rather must be supported by cross-border peacebuilding

initiatives. Recent cross-border peacebuilding projects, including those supported by the UNDP Africa Borderlands Centre in Turkana, have led to several successful peace initiatives, at both the local and the intergovernmental levels. The coordinating of regional cooperation on disarmament requires strengthening to ensure coherence between the Kenyan and Somali responses to Al-Shabaab.⁵⁸ Although Kenya and

Uganda signed a Memorandum of Understanding (MoU) to hamper pastoralist conflict between the Turkana and Karamojong, limited implementation of the MoU has been cited as a reason for the return of the conflict.⁵⁹ Resource-sharing agreements and joint ownership of conflict resolution processes at the local, national and regional level are necessary to the reduction of cross-border conflicts.



CASE STUDY:

The changing dynamics of cattle theft



Once a customary cultural practice, cattle theft in Kenya has become a deadly criminal enterprise with significant implications for security, livelihoods and inter-communal relations, particularly in the country's North Rift region. Climate stressors, poverty, rising demand for meat in urban centres, the proliferation of small arms and light weapons and increased political competition at the local level due to devolution all contribute to the increasing lethality of cattle rustling in certain areas. Securitised responses are failing to address this complex challenge while traditional conflict resolution mechanisms are losing influence.

From 1 May 2022 to 30 June 2023 there were at least 139 deaths in Kenya as a result of cattle raids, accounting for almost 30% of violent activity during the first quarter of 2023. Most occurred in the arid and semi-arid northern counties of Samburu, Turkana, Marsabit and Isiolo.⁶⁰ Cattle theft has been a culturally accepted feature of eastern Africa's pastoral economies for centuries as a means of survival, accumulating wealth and replenishing herds lost to drought or other disasters. It was traditionally governed by regulations established by elders to protect lives and ensure a degree of orderliness in the raids and played a critical role in pastoral culture as a rite of passage for young men and a way to acquire payments of bride wealth.

In recent decades, however, cattle theft has become more organised, more violent and less contained within the internal dynamics of borderland herder communities. The introduction of firearms into the communities has led to larger-scale, more deadly cattle raids.⁶¹ Several economic, political and climatic factors have contributed to this escalation of raids, which are increasingly organised by "cattle warlords" and international criminal networks who transport cattle out of the region to meet the rising demand for meat in urban centres, making the practice less redistributive and more predatory.⁶² As the region has been drawn into the national political system, including as a result of devolution, cattle raids have also become a way of cloaking politically motivated violence to increase the influence of one tribe over another.⁶³ It has been alleged that militias receive money or firearms from wealthy politicians or businessmen seeking to gain influence or invest in illicit enterprises.⁶⁴

The Kenyan state's efforts to address insecurity caused by cattle theft have had only limited success. Successive disarmament campaigns have been heavily criticised as heavy-handed and blind to the distinctions between the use of small arms for cattle raiding, violent extremism and community self-protection, including members of the National Police Reserve and community members that defend against attacks by Al-Shabaab. Deployments of security forces have only temporarily stemmed violence and have worsened the long-strained relationship between security forces and North Rift communities.⁶⁵ In some cases, it has been alleged that securitised responses have been designed to displace locals to make way for development projects.⁶⁶ Despite recent regional efforts to standardise legislation, conduct joint operations and share information across national security services, cross-border criminal networks and herders continue to operate across international boundaries with ease. The International Crisis Group has noted that the government's response to date has focused primarily on the prosecution of perpetrators and recommended compensating the victims of cattle theft instead or in addition to helping to ease tensions and avoid escalatory cycles.⁶⁷

More peaceful and traditional conflict resolution mechanisms, such as arbitration by respected elders, have historically played a vital role in managing conflicts and facilitating reconciliation. However, the commercialisation and militarisation of cattle rustling have eroded the effectiveness of these mechanisms. Many elders and leaders who previously held sway over their communities now have limited influence over the youth involved in cattle raiding. This shift has further complicated efforts to mediate disputes and promote peace. Despite some recent successful initiatives – in June 2023, Morans in Samburu East have agreed to end livestock raids during a process overseen by NCIC – it is clear that addressing the complex challenge of cattle theft in Kenya will require a multi-faceted approach that goes beyond reactive security measures. Building trust between communities and the state, revitalising traditional conflict resolution mechanisms and promoting alternative livelihoods are crucial components of a comprehensive strategy to mitigate the impact of cattle rustling and promote peace in affected regions.

As the Review's analysis of risk makes clear, neither good governance nor economic development alone are sufficient to ensure that Kenya remains resilient to risk and avoids violent conflict amid the uncertainties of the future. Effective, just systems of representation are necessary to ensure that prosperity is distributed equitably, especially amid unpredictable changes in the country's economic profile, shifts in the global economy, ecological change and emerging technologies. Conversely, effective public services and genuine political representation will only

prevent conflict and promote national cohesion if they include processes to redistribute wealth and deliver economic, social and environmental justice to all Kenyans, especially the most vulnerable.

Any assessment of Kenya's peacebuilding architecture must thus evaluate the system's capacity to deliver both genuine political empowerment and economic inclusion during periods of change and uncertainty in order to stave off conflict and promote national cohesion. The following chapter is devoted to this purpose.





VIII. ASSESSING KENYA'S PEACEBUILDING ARCHITECTURE

Peacebuilding in Kenya is undertaken through a complex and robust constellation of formal and informal activities undertaken by state and non-state actors and institutions, which together constitute the country's peacebuilding architecture. Historically inspired by Kenya's efforts to mediate conflicts in the Horn of Africa and traditional dispute resolution mechanisms among pastoralist communities, peacebuilding has become institutionalised through state policy and structures for conflict prevention at the national and local levels. The architecture has produced a robust cadre of peacebuilding professionals and gained – sometimes by design and sometimes in effect – multiple layers of formal and informal networks and partnerships for conflict early warning, prevention and response to internal

and cross-border conflicts. The architecture is built on a system of safety nets and escalation mechanisms; when one layer fails, another steps in to steer the country forward.

The Peacebuilding Architecture Review was mandated to assess the successes and challenges of this architecture as currently constituted at the national and subnational level and to explore ways to enhance its responsiveness and performance. To accomplish this assessment, a detailed mapping of the peacebuilding architecture as it exists today was undertaken and is reflected in visual form below, and in more analytical detail in Annex I.

Figure 7. National Level Peacebuilding ecosystem



On the basis of that mapping, this section analyses the successes, challenges, strengths, weaknesses and opportunities of the country's institutional arrangements for peacebuilding and cohesion, including the impact of devolution on models of peacebuilding and the main successes and challenges to sustaining peace. It analyses key substantive aspects of the architecture, such as its mediation functions and describes how it links to other national systems, such as the country's security apparatus and regional early warning and response mechanisms. The mapping draws on a desk review of studies and programmatic documents, consultations held during the Review process and written submissions to the IPA. This assessment forms the basis for the report's recommendations, in the following chapter, on how to strengthen the effectiveness and efficiency of the architecture.

a. Strengths and opportunities in the current architectural set-up

A close analysis of the peacebuilding architecture and findings from public opinion surveys and consultations identified a number of unique and effective characteristics of the architecture which contribute to its success as well as opportunities to leverage the assets of various institutions in service of a more effective architecture. These include, among others:

Integration of state and non-state/formal and informal peacebuilding actors: The mechanisms for the coordination of peacebuilding actors managed through the NSC offer a unique platform for brainstorming, information sharing and consensus-building across a wide variety of professional and institutional profiles of state and non-state actors. The inclusive, multi-stakeholder structures, including the UWIANO platform for Peace at the national level, provide for shared conflict analysis and jointly conceived response initiatives to tackle conflict risks, including a multi-sectoral approach to election risk preparedness and mitigation. They assign coordinated roles and responsibilities in a manner that leverages the comparative advantages of all types of mandated institutions to promote peaceful coexistence. The multiple layers and actors involved in these processes build redundancy into Kenya's

peacebuilding architecture, establishing failsafes and resistance to political capture.

County and local peace committees: Dating back to the formation of peace committees by local women peacebuilders in Wajir, peace committees now exist in almost all counties in Kenya and have been institutionalised as important structures within the peacebuilding architecture. Peace committees are forums that bring together different parts of communities, including local government and political representatives, civil society, business and religious leaders and representatives of traditional groups. They provide a space to discuss emerging conflicts or tensions and identify short- and long-term plans to address them. The committees are essential in community-level peace and conflict issues through facilitating dialogue among conflicting parties, mediating and validating and overseeing the implementation of negotiated settlements.

County and local peace committees contribute to the early warning and early response mechanisms through the timely sharing of information that facilitates quick responses to prevent escalation of conflicts at the local levels. Participants in peace committees are almost always volunteers, which is meant to promote local communities' ownership of and involvement in peace initiatives. However, the formalisation of the committees within county and sub-county governance systems has raised financial expectations among some members. In addition, the existence of similar peace and security arrangements such as Nyumba Kumi, Community Policing, county engagement forums, and elders appointed by county government actors has led to forum shopping and fragmented systems for early warning.

Early warning and early response: Kenya's conflict early warning mechanisms are virtually ubiquitous and are crucial in identifying and addressing issues before they escalate into fully blown conflicts. The peacebuilding architecture's multi-level administrative structure has institutionalised early warning at several levels, which has allowed for the bottom-up resolution of conflicts involving community members, while escalating the information to relevant government agencies

and also monitoring response where necessary. Tied to IGAD's and EAC's regional ECOWARN system, Kenya's local early warning networks have succeeded in raising risks to the awareness of local and national authorities, who in turn have generally been able to marshal political and programmatic resources at the county and national levels to forestall the escalation of potential violence.

Although the national early warning system is under-resourced and lags behind technological developments, it provides a framework and reference point for emerging early warning hubs. With stronger institutionalisation of early response systems through legislation, and with secure and sustainable funding from the national exchequer, there is an opportunity for early warning systems to be leveraged more strategically in support of decisive, consistent and well-sequenced peacebuilding responses. Through better coordination and synergies with well-resourced parts of the architecture, such as the NCTC, there is an opportunity to advocate more effectively for secure funding from government and external sources.

Operationalisation of the Women, Peace and Security (WPS) agenda: The Kenya National Action Plan (NAP) on UN Security Council resolution 1325 on WPS was first formulated in 2016. The second iteration of the NAP, which covers the period of 2020-2024, outlines the government's commitment and priorities to enhance the meaningful role of women in conflict prevention and peacebuilding, incorporating elements on the prevention of violent extremism. The State Department for Gender (SDG) and the NSC co-chair a National Taskforce on Women, Peace and Security, which steers the implementation of the National Action Plan. The Ministry of Public Service and Gender has designated a National Coordinator to promote and coordinate WPS activities country-wide. The NAP has been localised in 13 counties, which have developed County Action Plans on UNSCR 1325, with three more to be launched in December 2023.⁶⁸

Thanks in part to these efforts, the participation of women in key political and peacebuilding roles

and mechanisms has increased in recent years. Although the two-thirds gender rule has not been implemented, the number of women candidates and elected leaders increased in most types of contests during the 2022 elections, including an increase in the number of women elected as governors, from three in 2017 to seven in 2022.⁶⁹ Despite this increase in formal representation, nepotism and cronyism undercut the quality and impact of women's participation in institutions and processes. Women are also heavily involved in national and county level multi-sectoral committees including those working on elections. The Women's Mediation Network, the First Ladies Forum and a robust network of female journalists, social media influencers and grassroots mediators championed peaceful campaigns and elections. Women's participation in county peace structures such as Peace Committees has increased from 14% in 2014 to 34% in 2018. The Women Peace Committee Network, formed in 2021 to enhance women's roles in conflict prevention and mediation, is operational in 33 counties. The Kenya Defence Forces (KDF) have increased the participation of women in peace and security operations; for example, 19% of Kenyan troops supporting the African Union Transition Mission in Somalia are women. The National Police Service has strengthened its gender capacity and developed an operating manual on sexual and gender-based violence.

Key conflict early warning and response mechanisms have also become more sensitive to gendered dimensions of conflict risk through partnerships with the IEBC, political parties, civil society and programmes to protect women from violence and enhance gender sensitivity in early warning and response. For example, the Security Management Plan for the 2022 General Elections includes a strategy to prevent violence against women and apprehend perpetrators of gender-based violence during the electoral period. The National Action Plan for Countering Hate Speech led by the NCIC also includes provisions to respond to risks directed at women during the electoral process. Despite this progress, inadequate financing constrains the implementation of the NAP and WPS activities. While awareness of the agenda has increased, further efforts are needed

to engage county governments in the promotion of WPS objectives through their structures.

The role of religious communities and leaders:

At the national and local levels, networks of religious groups and leaders have repeatedly played important roles in mediating conflicts and promoting reconciliation. In counties that are relatively peaceful or experiencing very low levels of conflict, interviews and focus group discussions conducted for the Review revealed that religious figures consistently play an important role in mediating among conflicting parties and encouraging dialogue. Religious leaders and groups were found to generally have good working relations with local national government administrative officers, especially chiefs, their assistants and village elders. In the absence of a formal mediation structure, religious leaders have emerged as the main institution for mediating political conflicts and guiding the national conversation on peaceful coexistence.

Community policing: Initiatives to involve local residents in the process of crime detection and prevention and maintaining the rule of law and peaceful coexistence in communities have been found to be crucial in feeding the early warning and early response mechanisms across the country. These initiatives, which include the creation of Nyumba Kumi units and Community Policing Committees, were reported to be effective in most of the 33 counties visited as part of the Review. Generally, they were reported to work closely and effectively with national government administrative officers and National Police Service representatives. While also based on volunteerism, like peace committees, the increased integration of these mechanisms into formal security structures has increased demands for compensation.

Devolution: The enactment of the National Coordination Act in 2013 gave rise to the creation of an administrative and institutional framework for the coordination of national government functions at the national and county levels. Across the country, interviews and focus groups identified these new systems and structures as highly important in promoting peace and stability at all levels of governance. The structures were

said to have created more effective and genuine monitoring and referral systems for highlighting and responding to risks of conflicts within the communities.

National cohesion and integration: Since the enactment of the National Cohesion and Integration Act and the creation of the NCIC, efforts to outlaw discrimination on ethnic grounds have found new opportunities to promote tolerance and equal access to resources and identify and address factors inhibiting the attainment of harmonious relations between ethnic groups/communities, among others. Despite the challenges the NCIC faces in preventing hate speech, there is greater awareness of its dangers and intolerance for incitement to violence. There is an opportunity for the NCIC's strong media relations capacities to be further leveraged to address emerging peacebuilding challenges, including in the digital sphere. Similarly, related institutions with strong public profiles, such as the IEBC, can be better involved in integrating peacebuilding messaging in, for example, voter education and civil engagement initiatives.

Alternative Dispute Resolution (ADR): In recent years, the increasing recognition and use of ADR mechanisms have been found to be effective in rapidly addressing conflicts at the community level. Chiefs and assistant chiefs, religious leaders, CSOs and CBOs have all been responsible for promoting the update of ADR mechanisms. During interviews conducted for the Review in counties that have experienced relative peace, ADR mechanisms were singled out as a crucial factor in that success. Traditional conflict resolution mechanisms and relying on respected community members especially were reported as highly preferable to formal and/or judicial conflict resolution mechanisms as they were closer to the communities, easily accessible and more in touch with local realities. ADR mechanisms have also been used to resolve differences across community groups, with several accords adopted in Bungoma, Marsabit, Migori, Wajir, Nakuru and Nairobi, among others. Similarly, the judiciary has adopted ADR mechanisms to expedite resolution of land conflicts and civil disputes.

Multi-sectoral approaches in counties: The Review's research found that multi-sectoral platforms, such as the County Peace Forums (CPFs) that bring together both peace and security actors are most effective in resolving conflicts, especially during election periods. Such approaches were found in Nakuru, Mombasa, Kisumu, Migori, Tana River, Nairobi, Machakos and Kajiado counties, among others. The Forums were found to be most effective when institutionalised within county governance structures in order to reduce their reliance on the goodwill of individuals and avoid ambiguous relationships with other coordination forums. At the national level, the above-mentioned practice of integrating a range of state and non-state peacebuilding actors into coordination forums allows the architecture to direct tailored, multi-sectoral responses towards locales throughout the country when required. There are opportunities, however, to further leverage national institutions with sub-national presences, for instance the regional offices of the Kenya National Commission on Human Rights (KNCHR), to increase regional outreach and local partnerships across a variety of sectors and to ensure that information collected locally reaches national institutions for the purposes of political advocacy and programme design.

b. Challenges and threats in the current institutional set-up

The depth and breadth of Kenya's peacebuilding institutions at both the national and sub-national levels make Kenya's peacebuilding architecture an enviable model worldwide. Nevertheless, these institutions have, in recent years, performed below their potential due to a number of operational and political challenges. These institutional limitations seem to be reflected in Kenyans' awareness and perceptions of the architecture. Of the Kenyans surveyed for this Review, three quarters reported that they were not aware of any peacebuilding initiatives in their area. 80% were not aware of the presence of a coordination forum or platform for governmental and non-government peacebuilding actors in their area. Of actors that might play a peacebuilding role, survey respondents most often cited the police as playing such a role, although Councils of Elders and Nyumba Kumi were also

cited as significant actors.⁷⁰ These perceptions may be attributed to lack of awareness of the nature of partnerships and relationships through which the NSC and NCIC, whose only physical presences are at the national level, operate.

Human rights violations by security forces: While the NSC is domiciled within the Ministry of Interior and enjoys executive authority to coordinate administrative and securitised interventions, internal government protocol prevents it from taking action to address harms by state actors. For instance, it has not actively responded to alleged human rights violations committed during recent disarmament operations or deployments of security forces to tackle militias, secessionist groups or terrorist cells. This challenge not only alienates affected communities but could reinforce the perception that peacebuilding institutions condone impunity for rights violations, including those that occur during political demonstrations. While the NSC is seized of this criticism, the reporting arrangements and escalation process with the military and specialised security units, such as the General Service Unit (GSU), are not streamlined. These challenges call for greater roles for human rights bodies and oversight mechanisms in security and peacebuilding processes.

Lack of independence: The NCIC has faced accusations of a lack of political independence due to the way in which it has dealt with incitement cases and individual offenders. Claims that the Commission has applied a double standard that favours those who appointed its personnel has eroded public trust in the Commission and fuelled allegations of political capture. Although the Commission has raised concerns about the weak definition of hate speech in the NCI Act and unsuccessfully sought prosecutorial powers to strengthen its enforcement role, many see it as a "toothless commission."⁷¹ Proposals have been made to strengthen the NCIC through review of the NCI Act and reform of procedures for appointment of Commissioners, without which there is a continued risk of political interference in the Commission.

Limited resources: The peacebuilding sector faces

severe resource constraints due to limited financial and human resource investment. Consequently, capacities within the sector remain insufficient to address peace and conflict risks consistently and in a timely manner. The challenge presents itself, for example, in gaps within the NSC's national early warning system despite efforts by NCIC to fill these gaps, which instead have resulted in a fragmented and ineffective set of overlapping early warning activities. As noted below, adequate resources are crucial for the NSC and NCIC to carry out their mandates effectively, including the coordination and implementation of programmes, outreach activities and research and monitoring efforts.

With little financial support for peacebuilding coming from the national government, peacebuilding in Kenya has been heavily supported by the international community. Donor support tends to be heavily siloed and based on a variety of analytical lenses and priorities that result in short-term and disjointed programming. International actors tend to be strongly informed by principled positions on cultural issues which, when rigidly adhered to in programme design, can lead to interventions that are artificial and do not resonate with the populations they are meant to assist. As the international donor community diversifies and competing geopolitical interests inform development assistance, the political and economic biases that underlie funding decisions are likely to only become less coherent across the peacebuilding space. For county peacebuilding structures to function effectively, they require harmonisation and adequate resources. However, county governments only receive devolved budgets for development interventions and lack a legal framework for peacebuilding programming and financing. As a result, peacebuilding continues to suffer serious under-financing at the county level.

Monetisation of peacebuilding: There is growing concern that the normalisation of payment of daily allowance, fees and reimbursements within the largely donor-funded peacebuilding sector has gradually eroded the voluntary character of peacebuilding as a common good and created an economy around peace interventions.

This mode of support has contributed to the commercialisation of the peacebuilding space, with project funds usually channelled through formal, structured NGOs and CSOs with high administrative costs and often a substantive distance from local communities. Multiple assessments have identified the emergence of harmful power dynamics, illicit behaviour and a network of gate keepers who determine who participates in peacebuilding activities at the community level.⁷² Perceptions of peacebuilding as an income generating activity have skewed the focus of peace actors towards the interests of individual donors, often at the expense of genuine priorities for peace.

Inadequate legal frameworks: Both the NCI Act and the National Peacebuilding policy have gaps that hinder the effective implementation of peace interventions. The NCI Act contained a number of grey areas in the parameters for hate speech management, prompting the NCIC to advocate for a revision of the Act. Without reforms, there is an ongoing risk that the functions performed by the NCIC could be weakened or dissolved if political will were to shift away from the institution. The National Peacebuilding Policy is implemented in an *ad hoc* manner as the National Peace Council Bill, which would have institutionalised key aspects of the policy in law, remains stalled. This weak institutionalisation of key peacebuilding functions and mechanisms renders the NSC dependent on the goodwill of the government of the day, and reduces its operational independence. At the subnational level, counties have adopted peace policies and laws with different contents and at different rates, contributing to a fragmentation in peacebuilding approaches. Some counties that have passed laws or established directorates are not adequately resourced. There is need for review of peacebuilding policies and strategies and enhance inter-governmental relations on the matter.

Weak coordination across peacebuilding institutions: Coordination for peacebuilding is weakened by competition for resources, visibility and influence. Tensions within the architecture due to accusations of mandate creep and the use of coordination platforms to advance political

agendas have exacerbated fragmentation and loss of a shared vision on the focus of peace. While information sharing and day-to-day coordination at the technical level continues, much stronger coordination at the leadership level is critical for institutional coherence and a unified approach to peacebuilding across government.

Lack of a functioning, formalised mediation support capacity: When presented with risks of conflict at the national level, the peacebuilding architecture has struggled heavily to engage systematically and proactively with high-level elites due to the lack of a formal, institutionalised mediation capacity. Among its institutions, the NSC, as a part of the government, is poorly positioned to play a mediation role. Likewise, the NCIC, while more independent, lacks a mediation function and finds itself poorly situated to play the role of an impartial third party. Instead, these types of conflict have generally been mediated by eminent persons who enjoy sufficient profile and credibility to play this role. While these individuals are almost always deeply linked to the peacebuilding architecture in one way or another, including the UWIANO Platform for Peace, this type of engagement tends to be *ad hoc* and reactive. It raises the risk that, if at some point, a conflict at the highest levels breaks out, there may be no suitable mediator to manage it.

Over-focus on election-related conflict: The prevalence of conflict risk around election cycles has given the peacebuilding architecture a heavy bias towards electoral conflict, often at the expense of continuity between elections and to the exclusion of deeper peacebuilding priorities. For formal institutions, the conflict prevention analytical framework centres heavily on electoral politics. For example, the NSC, NCIC, UWIANO and the IEBC Election Risk Management Tool have trained and deployed early warning monitors to gather information and share conflict risk alerts before elections. This early warning information forms part of an increasingly robust election security and risk coordination system that includes the Election Security Arrangement Programme through which the IEBC coordinates with the NCIC, National Police Service, and Office of Public Prosecution, among others.

Most of these early warning functions cease to operate after elections, leaving a weaker early warning system during non-electoral periods. At the time of the Review, for example, the NCIC had last issued an early warning alert during the 2022 electoral process, while the peace messaging hub at UWIANO also ceased to operate after the elections. A more resourced and effective early warning system would ensure the continuity of this capacity between election cycles and expand training to cover non-election-related risks. This lack of continuity has hobbled the architecture's capacity to adapt to emerging peace and security threats, such as the multidimensional risks posed by climate change and violence in the digital space.

Weak links and coordination with human rights actors: Although violations of human rights are among the main causes of conflict in Kenya, there is little coordination between human rights and peacebuilding actors. Efforts to bring them together, for example through the UWIANO platform, have been largely unsuccessful due to divergent views about the prioritisation and sequencing of peace versus justice. The divergence is also the result of the ways in which the two sectors developed, with the human rights sector deriving from the early 1990s democratisation process and the peacebuilding sector originating from efforts within government to stabilise the Horn of Africa and other conflict situations across Africa. Consequently, the peacebuilding sector has traditionally been labelled as "pro-government" and the human rights community as sympathetic to the opposition, a dichotomy that only grew sharper during the 2007 post-election political crisis, when human rights groups cohered under the Kenyans for Peace with Truth and Justice (KPTJ) while peace actors formed the Concerned Citizens for Peace (CCP). Both groups tend to criticise each other's approach to peace and conflict issues and relationship with the government, despite tacit acknowledgement of the value of working together. Several efforts to coordinate have been successful, such as during the Leave No One Behind Analysis in 2021 and in 2022 during the establishment of the Women Mediation Network. Areas of common interest and complementarity can be further explored and

collaboration strengthened.

National-county tensions and coordination challenges within counties: With counties positioning for a greater role in peacebuilding and security, it is unsurprising that the power dynamics between the county and national governments have been characterised by competition and reluctant cooperation.⁷³ Only where governors and county commissioners enjoy cordial personal and working relations with each other is coordination in peacebuilding stronger and the role of the county government more active. When county governments and the national government are dominated by different political parties, the mechanisms for managing differences in society and for responding to peace and security threats often run at cross purposes. The creation of Regional Economic Blocs (REBs) has added a layer of actors to the peacebuilding space and exacerbated competition.

c. Balancing and sequencing peacebuilding and securitised responses

The NSC's Standard Operating Procedures for Peace Structures in Kenya outline the involvement of peace and security actors in conflict management, including the terms of reference for peace committees and other peace structures at different levels, the types of conflicts that they may attempt to manage and the coordination arrangements at each level. The document describes an escalation mechanism, whereby information about risks is channelled to authorities for action at the appropriate level. In practice, there has been a tendency to adopt securitised approaches to violence, crime and public protests. The collaboration between peace and security structures may be constrained in circumstances where security agencies are implicated in human rights violations, including sexual violence and other forms of violence against women, as has been reported during disarmament or other securitised responses. The secondary impacts of these operations often include incidents of brutality, civilian casualties and security practices offensive to cultural norms.

Although public opinion surveys show that peace and securitised interventions by state institutions are largely effective in neutralising immediate threats, trust between local populations and security agencies such as the police is consistently low. Local peacebuilders from across the country share the perception that security committees operate in secrecy and are usually unwilling to share information with locals. Voluntary, transparent information sharing is therefore rare, leaving security actors to rely on covert or coercive sources of information gathering. During securitised interventions, security agencies tend to exhibit a tendency to paint entire communities with one brush and assume active links between armed actors from a given community and the civilian population. Trust-building initiatives could help security counterparts build their credibility and act more responsibly with civilian populations.

At the subnational level, the sequencing of securitised responses before peacebuilding interventions often means that targeted securitised responses are undertaken against small groups or individuals that have been identified by the intelligence apparatus. Peacebuilding actors at all levels are largely left out of the planning and execution cycles of these activities, as they are taken on the basis of classified intelligence, even though the risks identified through this process might often be strong candidates for non-violent, preventive action rather than reactive enforcement operations.

It is important to acknowledge that Kenyans' preferences towards armed, securitised responses to risks of conflict differ heavily across regions. In the Coast and North Rift regions, 64% and 45%, respectively, of individuals surveyed for the Review identified police as the main security actors in their communities. 68% of Nairobi residents reported similar views, compared with Eastern and Nyanza regions, in which only some 20% of respondents identified the police as the principal security providers. In these areas, national government administrative officers and community organisations were perceived as playing this role more often.⁷⁴ When it comes to how respondents felt about these security

forces, however, responses differed significantly. When asked whether priority should be given to securitised responses or civilian peacebuilding initiatives as part of the survey of household conducted for this Review, 65% of respondents preferred peacebuilding initiatives, with this preference reaching 95% in the borderland county of Marsabit. In Nairobi, approximately two-thirds of respondents expressed a preference for securitised responses, whereas in Vihiga 87%

preferred securitised responses despite having limited exposure to them.⁷⁵ These differences are likely indicative of the different types of securitised responses experienced by these communities, with Northeastern and Coastal counties having experienced more violent counter-terrorism operations that have been accused of prejudice against Muslim communities.

Figure 8. Survey response: Should priority be given to peacebuilding initiatives or securitised responses?

Source: Peacebuilding Architecture Review Household Survey, 2023

| | Civilian Peacebuilding | Securitised Responses | I don't know |
|--------------|------------------------|-----------------------|--------------|
| Coast | 48% | 45% | 8% |
| Northeastern | 63% | 32% | 5% |
| Eastern | 44% | 48% | 8% |
| Central | 50% | 42% | 8% |
| Rift Valley | 42% | 48% | 10% |
| Western | 36% | 62% | 2% |
| Nyanza | 49% | 39% | 12% |
| Nairobi | 35% | 63% | 2% |

At the subcounty level, tensions between peace and security structures are exacerbated by competition between nationally appointed and resourced structures for crime prevention and locally appointed and resourced peacebuilding capacities such as elders. While the criteria for selecting members for these structures tends to identify the same individuals, the introduction of allowances and reimbursements has monetised and politicised peacebuilding, created networks of gate keepers and eroded volunteerism. Where county authorities have weak interpersonal

relations with national government officials, they are rarely able to contribute to common security objectives and are often accused of infringing on the national government's constitutional role.

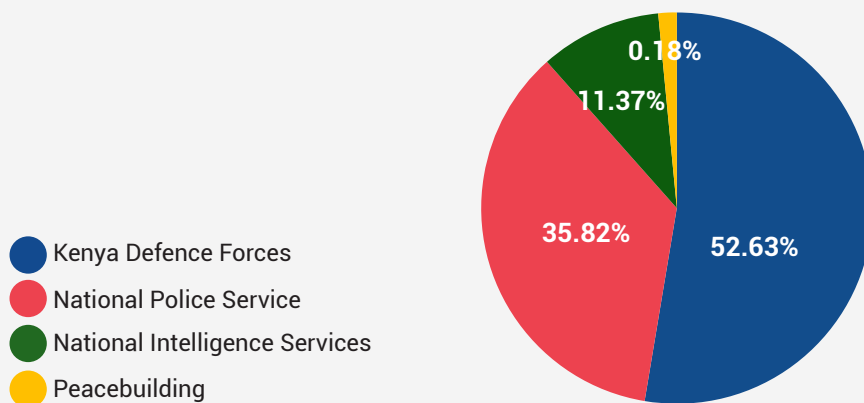
d. The state of financing for peacebuilding

Peacebuilding has not been a budgetary priority of the national government and, in planning terms, has been largely treated as a subset of funding for the security sector. Outside the security sector,

funding for peacebuilding from the national exchequer is allocated primarily for the operating costs of national peacebuilding institutions. The government's 2023–2024 Programme Budget allocates Ksh 144.9 billion to the Department of Defence, including to implement its mission to “restore peace in any part of Kenya affected by the unrest of instability as assigned.” By contrast, the Government programme for Peacebuilding, National Cohesion and Values, which encompasses but is not limited to the operating budgets of the National Steering Committee for Peacebuilding and the NCIC, is allotted Ksh 500.9 million and is delivered through the daily, capital-based operations of these entities rather than programmatic activities or operations in the field. Elsewhere across government, only minimal, scattered funding is dedicated to

activities with clear peacebuilding objectives, such as capacity building for several dozen teachers on a UNESCO peace curriculum and training 16 youth organisations in peacebuilding and conflict management.⁷⁶ In select counties, significant funding has been provided for peacebuilding and security-related activities, though primarily in a projectised format. For example, in Mandera County, the national budget has funded Preventing and Countering Violent Extremism (PCVE) activities. This contrasts with the county budget, which has not funded such activities. A recent study by the Frontier Counties Development Council (FCDC)'s peacebuilding and conflict management forum found that national funding is skewed toward security activities and varies widely across countries.⁷⁷

Figure 9. **Actual budget allocation 2023/2024**
 Source: National Government of Kenya Programme-Based Budget 2023



In the absence of central funding, governmental and non-governmental peacebuilding organisations and initiatives throughout Kenya rely on international donor funding, *ad hoc* operational support from other governmental and non-governmental entities and volunteerism. While it is difficult to establish a comprehensive picture of funding earmarked for peacebuilding and/or PCVE-related activities across national institutions such as the NDMA, KNFP and NCTC, the Panel's consultations suggest that there is considerable duplication across the roles and donor-supported programming of national peacebuilding institutions. The result is

inconsistent, short-term and often insufficient funding for peacebuilding across the country.

e. Regional peace and security

Kenya's national peacebuilding architecture serves as part of the country's link to IGAD's Conflict Early Warning and Response System (CEWARN), which is mandated to gather and share information about potentially violent conflicts in the IGAD region and to design and support regional conflict prevention and peacebuilding initiatives, including mediation activities. The CEWARN system gathers information about potential violent conflicts

through networks of early warning monitors and local peace committees. The information they generate is forwarded to National Conflict Early Warning and Response Units (CEWERUs). The system, which was established prior to devolution, does not currently provide for a role for county government. In addition to IGAD, the peacebuilding architecture interacts with the African Union Peacebuilding Commission (PSC) and the East African Standby Force to address peace and security issues in the Eastern, Horn of Africa and Great Lakes regions, among others.

While early warning information is generated primarily from within the peacebuilding architecture in Kenya, most actions taken in response to these alerts are taken by the country's security apparatus. Despite the NSC's location within the Ministry of Interior, the heavy weighting towards security actors and the strong integration between national-level institutions such as the National Counter Terrorism Centre and local networks and security forces have meant that early warning alerts are often interpreted and actioned as hard security threats. By contrast, the lack of a centralised fund for peacebuilding activities and a lack of active links at the country and ward levels puts the peacebuilding architecture at a significant disadvantage as an early warning actor.

When risks arise at the national level, CEWARN has a unique role to play as part of Kenya's multi-layered conflict prevention safety net. IGAD maintains a roster of mediators, special envoys and senior officials that can be deployed with the political backing of the Organisation's member states. While these activities are sometimes delayed by the process of mustering operational and financial support, CEWARN is in the process of professionalising its mediation support capacity, presenting a strong potential counterpart for strengthened mediation support capacities within the future structure for Kenya's national peacebuilding institution.

f. The contribution of the international community

Over the years, the international donor community has become the primary funding agent for peacebuilding programming across Kenya. While national institutions receive their core operating budgets from the national exchequer, many of the activities implemented by these institutions on the ground is donor-funded. Moreover, international donor partners directly fund many international and national NGOs, which in turn fund CSOs across the country.

While currently vital to the functioning of the peacebuilding architecture, the over-reliance on donor funding has become an impediment to the strategic coherence and sustainability of its activities. Driven by multiple donor policy priorities, NGO and CSO implementing partners deploy to geographic locations and work on programming objectives with limited strategic direction or oversight from the central government. Silos within donor country international development and security assistance portfolios – notably between peacebuilding and counter-terrorism/ countering violent extremism funding – have been reproduced within Kenya's peace and security architectures, posing major challenges for the design and implementation of a coherent, holistic and nationally-owned strategy for peace and security that cuts across the two sectors and that is well tailored to Kenyan needs and contexts.

g. The functions of the peacebuilding architecture in key thematic areas

The strengths, weaknesses, opportunities and threats that characterise the peacebuilding architecture manifest differently in different functional areas in which peacebuilding actors work, as each area involves different interlocutors, political dynamics and required capacities to achieve peacebuilding outcomes. The following assessment of the peacebuilding architecture's functions in four key thematic areas highlights unique challenges and priorities for strengthening the architecture in the face of evolving conflict

risks and the evolution of Kenya's peace and security ecosystem.

i. Violent extremism and peacebuilding

Since the events of 7 August 1998 and 11 September 2001 and the subsequent "war on terror," international counter-terrorism forces have heavily influenced the activities of national security forces in areas of the country affected by violent extremism. Significant financial assistance has enabled the erection of a capable and efficient counter-terrorism apparatus that includes local civil society networks, intelligence and analysis functions and specialised armed units. The approach of this apparatus is heavily focused on kinetic enforcement. County-level action plans for PCVE foresee a pillar of action dedicated to "peacebuilding," however few resources have been dedicated to this pillar and its connection to actors that fall within the peacebuilding architecture as defined in this report is unclear.

In some cases, PCVE programmes have co-opted civil society at the local level. Peacebuilding CSOs consulted for this Review reported concerns that any information shared through these networks is used for the purpose of identifying targets and that association with CVE networks undermines local communities' trust in peacebuilding CSOs. This has shrunk the space for genuine civil society engagement at the local level.

The challenges in decisively quelling the phenomenon of violent extremism and troubling fissures between security forces and some local communities point to a failure of the approaches being used for the purposes of preventing and countering violent extremism. The NCTC - which divides its work between purely securitised counter-terrorism operations and theoretically "softer" preventing/countering violent extremism programming - oversees and coordinates a sometimes-fragmented set of security actors and PCVE partners that received relatively large amounts of donor funding and security cooperation, most of it from Western governments. This support appears to have inculcated within the security forces a conception of terrorism, with

its roots and its solutions closely linked to these governments' policy agendas and operational approaches closely linked to the "war on terror" which began with the attacks of 11 September 2001.

There is little to suggest that these approaches have proven well-attuned to the social structures and unique needs and grievances of Kenyan communities affected by the phenomenon, including historical regional inequalities and a persistent lack of economic and employment opportunities for youth. Against this backdrop, egregious acts of religious extremism have caused enormous harm but have received much less attention and have until recently not been treated through the frames of violent extremism because they do not fit well into these externally influenced understandings of extremism. These events include the violent deaths which reportedly occurred at the hands of an extreme evangelical Christian leader of the Good New International Ministries Church in the "Shakahola Forest" in Kilifi County. At 382,⁷⁸ the death toll of this event constitutes an atrocity on par with the most serious acts of what is traditionally labelled as terrorism.⁷⁹ Kenya requires a new approach to violent extremism that is better grounded in the real needs and concerns of communities and provides more organic systems for members of the population to hold one another to account.

ii. The role of national mediation

High-level, Kenyan-led mediation during national political crises has a strong track record of success. In recent years, multi-sectoral coordination among mediation teams has rapidly brought together actors from a variety of sectors to intervene simultaneously from different angles. They have succeeded in backing political parties away from using ethnic slogans as negotiating tactics and focus instead on substance-based negotiation. The media have played a constructive role in fact-checking and representing diverse voices during these periods as well.

Mediation's positioning in the sequencing of Kenya's peace and security apparatus means that national mediation activities are often high-stakes and last-ditch. During the last several election cycles, mediators have been called upon to support dialogue in several hotspot counties before the elections and after opposition actors threatened or began to mobilise demonstrations that could escalate.

There is a need to systematise and professionalise national-level mediation capacities and secure resources to provide technical support to mediation teams and activities at the national and county level while preserving their independence.

As previous consultations on this subject have highlighted, there is a need to institutionalise a mediation secretariat, a role currently played through an *ad hoc* arrangement at the Inter-Religious Council of Kenya (IRCK). This secretariat could provide analytical, technical and operational support, including documentation and reporting. As the value of Alternative Dispute Resolution mechanisms is increasingly recognised at the national and county levels, there will be an equally important need to support the strengthening of local mediation capacities at these levels.



The enduring lessons from the 2007-8 Concerned Citizens for Peace mediation process

While the international community's role in these conflict prevention efforts is well known, the contribution of national mediators and peacebuilding actors is less well understood. Documenting these contributions is necessary to understand the strengths of Kenya's national mediation capacities.

For IPA Chair, Lt. Gen. (Ret.) Daniel Opande, the pain, destruction and displacement caused by the post-election violence that erupted across Kenya in December 2007 evoked memories from his service at the helm of UN peacekeeping forces in countries at war. In an interview conducted for the Review, the General recalled that "the violence made me remember what I had experienced in Namibia, Mozambique, Liberia, Sierra Leone." Knowing that the situation could escalate in such a way armed the General with the determination that "we had to sit down together and find a way in which we could intervene in our own way. Not in a major way but in our own way, in a simple way and try to bring peace."

Joining efforts with several other well-known peace practitioners in Kenya, including the late Ambassador Bethuel Kiplagat, General Lazaro Sumbeiywo and the late Ms. Dekah Ibrahim, the General and his partners resolved to reach out to the highest leadership of the country with a clear and simple message: prioritise the immediate return to peace, after which the differences that emerged from the 2007 elections could be resolved. To accomplish this mediation initiative, the group formed a small, informal organisation called Concerned Citizens for Peace in January 2008.

Leveraging their notoriety in Kenyan society, Concerned Citizens for Peace convened a wide variety of CSOs, media organisations and opinion leaders. As the violence continued and the international community became involved with the deployment of the late Kofi Annan, the group continued to play its leadership role, coordinating with Annan.⁸⁰ Ultimately, the group successfully brought to bear a critical mass of legitimacy and ownership from across society, compelling incumbent and opposition leaders to the negotiating table, leading to the signing of the National Accord and Reconciliation Act power-sharing agreement in late February 2008.

The contribution of Concerned Citizens for Peace serves as a compelling reminder of the significant strengths of Kenya's peacebuilding architecture, including the breadth and quality of its national mediators. It is exemplary of Kenya's capacity to incorporate formal and informal, state and non-state peacebuilding functions, which one study has termed a "network approach to peacebuilding."⁸¹ This approach has since been expanded upon and institutionalised in today's Peacebuilding Architecture, through, for example, the UWIANO platform, which coordinates peacebuilders from across society and government to produce analysis and strategies that are greater than the sum of their parts.

iii. Digital peacebuilding

Digital peacebuilding represents a critical area for growth in the peacebuilding architecture and a potent avenue to foster greater inclusion and participation of youth in peacebuilding processes and mechanisms. While the Media Council of Kenya, NCIC and several other peacebuilding actors deployed digital resources in the lead-up to the 2022 elections, there appears to be limited awareness of peacebuilding within Kenya's online ecosystem. In a survey of conflict peacebuilding trends conducted for the Review, 91% of respondents could not identify any specific digital peacebuilding initiatives. These findings suggest that the online space represents a critical area of unmet need for Kenya's peacebuilding architecture.⁸²

The potential for effective, locally-tailored online peacebuilding interventions to have a significant impact is reinforced by evidence gathered during focus group discussions and interviews in counties identified as conflict hotspots by the NCIC and many others in the leadup to the 2022 elections. These discussions found small-scale examples of successful approaches to youth-led digital peacebuilding that could be scaled up significantly. For example, several local leaders reported that they had relied on "micro-influencers" – individuals with small but specific followings on social media, such as a local figure followed by most of a community – to quickly spread messages aimed at deescalating situations and promoting harmony within the community. A similar initiative, the Maskani social media platform, blended online youth micro-influencers and offline music, art and cultural initiatives in western Kenya to promote non-violence in the lead-up to the 2022 elections in Kenya. Other small, community-led initiatives like the Manyatta Youth Entertainment CBO in Mombasa provide online and offline platforms in which youth can express priorities, grievances and concerns in a space that facilitates dialogue and non-violent problem solving.

Given the general exclusion of youth from peacebuilding processes, there is a major

opportunity to increase youth participation through digital peacebuilding, including to increase the capacity of more traditional peacebuilding mechanisms to play a greater role in combatting online conflict drivers and providing early warning of online incitement. Focus group respondents in Mombasa county, for example, reflected that the most useful peacebuilding in offline environments, such as peace committees, Councils of Elders and Nyumba Kumi are not integrated into processes to tackle digital threats, nor do they generally possess the capacities to do so. There are notable exceptions to this trend, however, for example in Garissa, where local peace committees have worked with local imams to use social media to spread peaceful religious interpretations and directly counter false and extremist narratives spread by Al-Shabaab.

Building the capacities of these actors to play more significant roles in the digital space would require expanding their participation to young people and investing in new types of capacity building measures over time. As in other areas of peacebuilding, however, the Review found a cyclical tendency for online peacebuilding initiatives to wax and wane around election cycles, activating only in the leadup to perceived risks of crisis. These types of initiatives, focus group respondents in Migori suggested, tend to be delivered by large civil society organisations that conduct one-time initiatives rather than build organic capacity within communities to identify and respond to online hate speech themselves.⁸³

In addition to the expansion of local early warning systems to incorporate online risks, there is a need to expand robust early warning and risk assessment systems at the enterprise scale to detect and respond to hate speech and related phenomena in the online information ecosystem. Currently, there is limited use of advanced media monitoring and social media listening tools to map and understand how threat actors or bad actors are using the information ecosystem to polarise citizens or trigger violence. As the social media environment grows more and more complex and diverse, the importance of such tools is likely to increase.

iv. Local and traditional peacebuilding, security and dispute resolution

The legitimacy of alternative and traditional forms of dispute resolution is anchored in the Constitution of Kenya, which instructs the justice system to take account of such approaches so long as they do not contravene the country's Bill of Rights or any other law.⁸⁴ These mechanisms make up part of what might be called the "moral economy" in Kenya: a network of informal support and dispute resolution mechanisms based on relationships within communities. Many Kenyans rely primarily on the moral economy when external forces such as climate-induced shocks disrupt livelihoods or bring them into conflict with others. These mechanisms are critical for community resilience, but they are difficult for the government's social protection system to support or complement because they are opaque and difficult to document. These systems are often characterised as "traditional" and in opposition to more "modern" social protection schemes. In fact, the two are complementary and should both be encouraged while subjected to universal standards of the rule of law and human rights.⁸⁵

To date, formal peacebuilding systems have been ineffective in recognising, supporting and complementing these types of coping mechanisms. Government and development actors tend to engage with local communities in highly projectised ways that often miss or neglect complex localised systems. Programmes, donor funding and peacebuilding terminology tend to be siloed and overlook intersectionality, for example between the needs of people with disabilities and the needs of effective governance systems. Local consultations often amount to box-ticking exercises that do not meaningfully seek to learn from local elders, leaders, youth, etc. Gaining this type of understanding requires sustained presence and engagement over time.

Yet, informal and traditional mechanisms of conflict prevention and community resilience have gained greater recognition as an effective, or at least expedient, way to decisively settle some local social and political disputes, especially when

the rigidity or inefficiency of formal court systems prove unable to resolve matters in a timely manner. For example, the conflict resolution system known as "Maslah" – which places emphasis on clan-to-clan compensation for crimes and grievances – has been credited with helping to reduce political and inter-clan rivalries and clashes among the Somali community in Garissa, Wajir and Mandera counties, while at the same time held responsible for re-edifying patriarchal power structures and perpetuating many forms of violence against women and girls.

Building on the current efforts by the Kenyan judiciary to mainstream alternative dispute resolution mechanisms, government peacebuilding actors should strengthen traditional and informal systems of prevention and resilience building. Other informal structures such as Nyumba Kumi, Councils of Elders, the Moran structure and other traditional arrangements also form the first line of prevention and response in the face of conflict risk, as the formal systems require coordination, logistical support and legal/policy authority to act and often prove cumbersome, unresponsive and ultimately unsatisfactory, especially outside of urban centres. The formal structures should consider how these approaches can work in complementarity with the formal systems to help more expeditiously dispense of conflict issues, resolve historical questions and historical injustices and reduce administrative backlogs while protecting hard-won gains for women's equality, the rule of law and human rights.⁸⁶

The findings of the Review raise the question of the appropriate positioning of informal security mechanisms, such as the Nyumba Kumi initiative, within a reformed peacebuilding architecture. Theoretically, such local security mechanisms can provide an avenue for the incorporation of youth into mechanisms for peace in the country, mitigating the risk that they could become involved in criminal activity or at risk of recruitment by armed groups. At the same time, the risk that such mechanisms become co-opted and politicised by local officials or stakeholders is ever-present, and, in some cases, local cells

have been accused of stoking intra-community tensions. Moreover, in the absence of clear roles, oversight and transparency in the operations of such mechanisms, there is the potential for such mechanisms to infringe on the rights of community members, including privacy, freedom of speech, religion and association.⁸⁷

Yet, in practice, local, informal security functions often play a critical role in facing Kenya's most serious security threats. Kenya Police Reservists (KPR), for example, have been cited as vital to efforts to quell cattle theft in the North Rift, where their proximity to such events, local language skills and familiarity with the geography give them distinct advantages over national security services. In this context, recent years have seen calls for the national government to strengthen the KPR, Nyumba Kumi and similar functions – which have traditionally been manned by volunteers – by compensating them financially, arming them and providing them with training. At the same time, there is a risk that the commercialisation of such functions may undermine their effectiveness and credibility.⁸⁸

Across various national consultations, the IPA noted the common perception that youth are largely excluded from peacebuilding mechanisms. During a focus group on digital peacebuilding conducted by Code for Africa on behalf of the Review, participants shared the perception that, in the Northeastern region of Kenya, peacebuilding is traditionally reserved for the elderly and youth are not allowed to participate. This exclusion, they suggested, is because traditional peacebuilding approaches primarily focus on culture-based mediation efforts, which require historical knowledge of facts and events to advocate for peace between conflicting tribes or communities. One consequence of this practice, as one youth participant put it, is that “The young blood are not being trained by the elderly in these peacebuilding activities so that they can use digital tools to amplify these mediation efforts to reach more people. The elders say no and do not encourage downstream transmission of knowledge to empower young peace actors to get involved.”⁸⁹

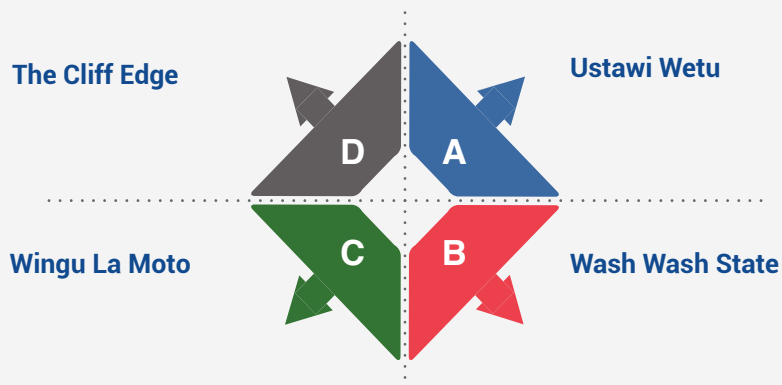


IX. IMAGINING ALTERNATIVE FUTURES OF PEACE AND CONFLICT IN KENYA

On the basis of its analysis of historic and emerging risks and opportunities for peacebuilding in Kenya, the Review was mandated to explore the spectrum of possible futures for the country and their consequences for peace and security. The Review was asked to propose strategies to transition the country from the *status quo* towards a shared, desired future, retaining aspects of Kenyan society and governance that are contributing effectively towards peacebuilding, leaving behind those that are not and generating new positive traits and tools for the peacebuilding architecture along the way.

To arrive at these strategies, the Panel convened an extensive and inclusive series of workshops bringing together stakeholders from across Kenyan society to collaborate in a “futures thinking” process. With support from the UN Futures Lab, the workshops engaged participants in exploratory exercises to identify possible, plausible future scenarios based on Kenya's peace and conflict environment today. They identified key uncertainties that could negatively impact existing plans and explored how the country's leaders and peacebuilding stakeholders might react in different scenarios.

Figure 10. Scenarios matrix of alternative Kenyan futures



The goal of the process was to identify success criteria and suggest new ways of working to help Kenya reach the optimal future scenario described by the process and to help stakeholders prepare for and cope with uncertainty.

The futures thinking process generated a series of possible futures through a matrix analysing two key factors for peace and stability in Kenya:

the economy and the political system. Based on uncertainties present in these two systems, the process described four stylised scenarios at the extremities of each axis. These scenarios include an optimal scenario, in which Kenya copes well with uncertainties in both the economic and political spheres, and the least optimal scenario, in which Kenya fails to prove resilient in both realms.



OPTIMAL SCENARIO:

“Ustawi Wetu, Shared Prosperity.”

In this scenario, both the economic and political situations are thriving and ample resources are distributed equitably. Ethnic conflict has been reduced to a minimum, especially in the realm of representative politics. Resource-based conflict continues to arise as industrialisation grows and the effects of climate change continue to be felt, but these disputes are resolved peacefully under the rule of law and through administrative systems that promote the equitable distribution of wealth. Investment in public goods such as education, health and youth job creation have generated a demographic dividend, unleashing a period of rapid economic and social development across the country. A well-informed electorate insists upon personal integrity and accountability in its elected officials, demanding efficient service delivery and environmental protection at the national and devolved levels.



SUB-OPTIMAL SCENARIO:

“The Wash Wash State”

In this scenario, there is a thriving, diverse and robust economy but a failure by the state to manage prosperity in a way that promotes inclusion and harmony. Instead, systems of governance have been co-opted by patriarchal ruling elites to centralise wealth and decision-making power. In the absence of effective governance and distributive mechanisms for most Kenyans, deep-seated inter-communal conflicts, for example, land ownership, are increasingly violent. Heavy-handed operations by security forces to control the population feed a cycle of alienation and violent extremism.



SUB-OPTIMAL SCENARIO:

“The Cliff Edge”

In this scenario, governance in Kenya is genuinely democratic and inclusive, rule of law prevails, youth employment is high, and there is equality among the genders. However, collective prosperity is shrinking rapidly due to high inflation, collapsed foreign investment, and a lack of food reserves and essential commodities. Despite government efforts to distribute resources equitably, insufficient resources in the education, health and social protection systems have led to severe inequalities. A “survival of the fittest” mentality has pervaded across the country, manifesting in violent inter-ethnic competition, hate speech across social media, and class-based violence. The judicial system is pushed to its edge, as extrajudicial violence and illicit economies flourish.



WORST-CASE SCENARIO:

“Wingu La Moto, the Cloud of Fire”

In this scenario, high inflation, food shortages and an absence of state services have resulted in the breakdown of family structures, rapidly rising inequality and destitution. The promise of devolution has evaporated, as the national government has centralised power under a dictatorial leader and a small number of oligarchs, who use the security services to control Kenya’s shrinking resource-based industries. Illicit economies become the mode of survival for more Kenyans, further reducing the availability of public services and systems. Violence has become the primary means of control for the state, but it has lost the monopoly on the legitimate use of force to armed ethnic militias who, benefitting from the free flow of small arms across the border, have established fiefdoms around the country.



X. A NATIONAL AGENDA FOR PEACE IN KENYA

On the basis of the foregoing analysis, Kenyans call on His Excellency the President to adopt a new National Agenda for Peace. The National Agenda for Peace would lay out a political roadmap for implementing the strategic and technical recommendations set forth in this report. It must be owned by the Kenyan people and government at the highest levels and should therefore be formally articulated in the form of a Presidential Declaration laying out four pillars:

1. The aspirations of government and society at the core of the National Agenda for Peace.
2. A vision for the evolution of Kenya's system of political representation towards one that accommodates a greater array of interests in each government at the national and county level.
3. Steps that the country will take to become more resilient to longstanding and emerging conflict drivers at all levels of the country.
4. A plan for the reorganisation and strengthening of the country's peacebuilding institutions to deliver on the aspirations laid out in the new National Agenda for Peace.

Proposed commitment for the National Agenda for Peace

Kenya today stands at an important juncture in its journey of peace and development. Despite the differences among us, we have come together time and again to reaffirm our commitment to peace and our desire for cohesion across Kenyan society. As our country and the world change, however, so too do the risks for peace. Challenges in our political system, evolutions in the economy and new technologies require us to be vigilant against new threats to peaceful coexistence and mindful of deep-rooted tensions in society that could be exacerbated by these trends. We must ensure that the mechanisms for preventing conflict and promoting reconciliation in society are well positioned and have the capacity to play these critical roles within our changing national and local contexts.

For this reason, we will embark upon a new National Agenda for Peace. Through this Agenda, we will commit the political will and the resources to making difficult changes that are necessary to ensure that Kenya remains as resilient and progressive as it has been in past years. We will review our peacebuilding systems in Kenya to ensure that we can move beyond emergency response and crisis management towards deeper national and local conversations that address the root causes of our differences. Together, we will build a stronger society that meets challenges head-on with a shared commitment to ensuring that every Kenyan has equal opportunity to achieve their ambitions, access their human rights and play a meaningful role in setting the future direction of our country.

The focus on Kenya's peacebuilding actors on the cycles of electoral risks belies valuable opportunities to shift the country's well-functioning mediation and conflict resolution mechanisms from reactive, short-term initiatives towards deeper activities that target the root causes of conflict. As these deeper fissures become exposed to new stressors brought by the effects of climate change, new technologies and global and regional insecurity, it will be ever-more important that peacebuilding be adequately resourced and more effectively sequenced with securitised responses.

The Review of Kenya's Peacebuilding Architecture thus comes at a historic moment, with the country standing at crossroads of political, ecological and economic risk and opportunity. If its political leaders are sufficiently courageous to be genuinely self-critical and make difficult political decisions, Kenya possesses the capacities and resources to deepen and sustain peace well into the future. To that end, the analysis and recommendations offered in this report form a proposal for a new **National Agenda for Peace**. If implemented with genuine commitment, we believe that this Agenda will bring about a historical shift in Kenya that

will stand for years as a turning point in the consolidation of Kenya's democracy.

Pillar 1. A statement of aspirations for a new National Agenda for Peace

A new National Agenda for Peace must, at its core, shift peace and security frameworks in Kenya away from short-term, reactive conceptions of "negative peace" – that is, the absence of violence – towards longer-term, proactive conceptions of "positive peace". Such an approach requires that social, economic and political justice be available to all Kenyans so that they can access their human rights, exercise their roles and responsibilities as citizens and achieve their potential as individuals.

Proposed commitment for the National Agenda for Peace

We will reengage and reunite Kenyans, especially youth, around the vision of peace as both a goal and a process in which every member of society has rights, roles and responsibilities. We will turn away from short-term, transactional politics towards a national political culture and system in which all Kenyans participate in national debates about the future of our country and hold their leaders to account. We will re-energise and reinforce local and national systems of dialogue and dispute resolution so that all members of the community can play a role in addressing drivers of conflict among themselves or between communities and the state in the spirit of patriotism and national unity.

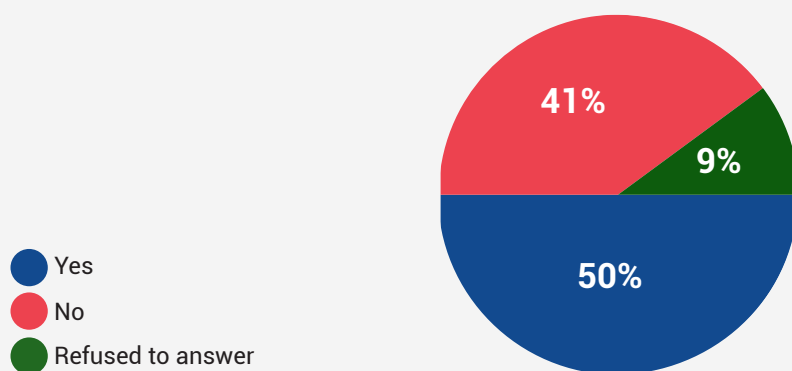
The preconditions for achieving positive peace in Kenya require difficult political, economic and social changes that will threaten vested political and economic interests; expose historical grievances between communities; and create new winners and losers in the short term. It will require the political class to constrain itself so that all citizens can enjoy political justice through genuine representation.

For the citizen, a new framing of peace should see a rejection of the shallow, short-term and transactional weaponisation of poverty that has been deeply conditioned over time and the uptake of deeper and issue-oriented political participation, even if still structured around ethnic loyalties in the medium term. Educational geography and history curricula must be decolonised to reorient learning around national values, achievements and aspirations while instilling critical thinking and creativity skills necessary for innovation, political participation and social dynamism.⁹⁰ As one participant in the Panel's national consultations stated, "Citizens need to understand their rights and responsibilities and that of their leaders as stipulated by the Constitution."⁹¹

Achieving this goal will require the peacebuilding architecture to overcome a troubling, nation-wide lack of participation in and/or exclusion of many local community members from mechanisms for conflict resolution and, more broadly, a sense of social cohesion and patriotism. Household surveys conducted for the Review revealed that, when people across the country were asked whether they think that they have a role to play in bringing peace within their community, only half replied in the affirmative. The results were higher for men, who replied "yes" 52% of the time, compared with 48% of women and among those aged 65 and older, who replied "yes" 53% of the time. This sense of participation was even lower in the North Rift, where fully two-thirds of respondents felt that they did not have a role to play.⁹²

Figure 11. **Survey answer. Do you think you have a role to play in bringing peace/peaceful coexistence in your area?**

Source: Peacebuilding Architecture Review Household Survey, 2023



Recommendations:

- The government should review the national curriculum with a view to decolonising subjects like history and geography and to ensure an appropriate and prioritised focus on Kenya's national values, development, figures and culture. Standardise the teaching of the peacebuilding curriculum piloted in 2009 in schools across the country.

- National peacebuilding institutions should undertake an ambitious, sustained, nation-wide communications initiative to educate Kenyans, especially youth, about their rights, roles and responsibilities in promoting peaceful co-existence in society and sharing tools and approaches for peacefully resolving differences, engaging constructively in political debate and holding leaders to account.

- The government should, as a matter of priority, extend high-speed internet access to reach a minimum of 95% of Kenyans to ensure digital inclusion, which in turn can contribute to political awareness, transparency and participation; promote financial inclusion; and create employment and access to information and skills for the future.

Pillar 2. A new vision for political representation

The Review has identified the need for a recalibration of Kenya's systems of political competition to the unique needs of a highly-diverse, multi-ethnic state. A more inclusive political system should aim to build stability and continuity into the political system across changes in government, while bringing youth and other critical groups into the fold. Reducing the prominence of zero-sum mentality in Kenyan politics, accompanied by important improvements in the regulation of campaigns, will help to recentre political competition around real policy issues, thereby making political representation more genuine and opening substantive avenues for citizens to hold their leaders to account. Building stability into the political system will, in turn, open space in the peacebuilding architecture to focus on other, often deeper, drivers of conflict while tackling emerging challenges.

History has taught us that fragmented societies can remain most stable when, in the words of political scientist Arend Lijphart, they "make deliberate efforts to counteract the immobilisation and unstabilising effects of cultural fragmentation," through a "joint effort by the elites to stabilise the system."⁹³ Over the years, countries with highly diverse populations have attempted various means of institutionalising joint efforts. Whatever the model, Lijphart argues, it must satisfy four criteria.

Namely, the political system must:

1. Accommodate the divergent interests of multiple communities within a single political structure.
2. Identify and foster common interests and efforts across these communities.
3. Induce elites from different communities to remain committed to their shared project, including by systematically protecting the interests of minority or less powerful elements of society.
4. Ensure a common understanding of the perils of deviating from these commitments, and the benefits of remaining within the political project.⁹⁴

Since the return to multi-party rule in Kenya, all major political reform processes have grappled with the best way to achieve these criteria in Kenya's political context. In examining different options in 2005, the Constitution of Kenya Review Commission was concerned with how different systems of government would affect the political calculus of individual ethnic groups and consequently might encourage or hamper national cohesion. The Commission's analysis recommended against both a pure presidential system, as Kenya has now, and a pure Parliamentary system.⁹⁵ Subsequent reform initiatives have variously recommended, among other measures, a shift towards a system of proportional representation, a reorganisation of executive leadership positions and strategies for national reconciliation and healing. While these initiatives have produced considerable meaningful progress, proposals for a decisive solution to the question of systems for elite power competition have repeatedly failed. A recurrent criticism of these initiatives is that they have focused exclusively on national-level elite politics, failing to address the zero-sum phenomenon at the county level.⁹⁶ At the time of writing of the Panel's report, important political factions were involved in ongoing negotiations to reach a new political accommodation, potentially including the re-establishment of the Office of the Official Opposition.

Proposed commitment for the National Agenda for Peace

As a continuation of the national efforts to strengthen an effective, inclusive and stable representative democracy in Kenya that began with the process to design the Constitution 2010, we will undertake reforms to our system of political competition. These reforms will centre around the principle that each national and county government must be inclusive of a wider variety of communities, perspectives and interests, regardless of which candidate wins an election. We will redouble our efforts to involve youth, women, and groups at risk of being left behind more meaningfully in political decision-making by addressing the drivers of exclusion from Kenya's political structures. Through these measures, we will reduce the zero-sum nature of Kenyan politics, strengthen the quality of policy debate in the country, and improve all Kenyans' access to meaningful political participation.

To fulfil this commitment, the Panel recommends the following measures:

Recommendations:

- Kenya's system of government should be amended to accommodate a wider range of political interests in each government at the national and county levels. Whatever the system adopted, it must provide for the participation of as many communities as possible within an inclusive system of executive power. This system must extend to the county level, where multiple communities must see their interests represented in successive county governments.
- Parliament should amend the Election Campaign Financing Act of 2013 to:
 1. *Require the IEBC to develop a transparent framework for setting campaign contribution and spending limits for all candidates for public office;*
 2. *Require all candidates for political office at the county level and above to establish a fiduciary campaign entity with sole responsibility for receiving campaign contributions and spending campaign finances; and*
 3. *Require all political candidates to file public financial disclosures of all receipts – including the identities of donors – and outlays by their campaign with the IEBC within three months of an election. The IEBC should engage an independent auditing firm with international credibility to audit these records.*
- The government should redesign the candidate vetting process overseen by the IEBC to define in detail the requirements for candidate eligibility and the sources of information to authoritatively certify that a candidate meets each of these requirements. The vetting process itself should formally involve representatives of each agency responsible for providing such information, including peacebuilding officials, judicial authorities and financial enforcement bodies.
- Prior to elections, the IEBC and peacebuilding officials should engage all candidates in a multi-party dialogue to establish shared commitments on the peaceful conduct of elections. Candidates should be encouraged to publicly commit to using formal channels to dispute an aspect of the election or its results and to respect the outcomes of their adjudications.
- After elections, peacebuilding actors should lead a process of national and personal reconciliation between winning and losing parties and candidates and should invite shared commitments to work together, whether in government or opposition, towards a shared goal of advancing peace, development and prosperity for Kenya.

- Existing political commitments to bring equity to political representation in Kenya should be backed by more aggressive affirmative action by the government and political parties. This should include enforcing gender parity rules in candidate selection and appointment practices (for example, requiring that a governor and vice-governor be of the opposite gender); implementing regional quotas in the national public service; enforcing the two-thirds gender rule on representation within political party candidate slates; enforcing a 30% procurement allocation for public spending designated for special groups; enforcing a 40% quota for women, youth and people with disabilities in local peace committees; strengthening the national fund for persons with disabilities; and enforcing a 5% quota for the employment of people with disabilities in the public service.

peacebuilding architecture needs to dedicate greater focus and resources to these issues, backed by adequate political commitment.

Proposed commitment for the National Agenda for Peace:

We will reorient peacebuilding in Kenya towards the root causes and emerging drivers of conflict. We will bring new political will to the solutions required to solve longstanding sources of grievances across the country, including the full implementation of a humane and well-planned system of land ownership; a reassessment of mechanisms for regional redistribution and equitable development; and a modernisation of our national and regional peacebuilding approaches in the borderlands. We will implement new, proactive measures to address emerging conflict risks arising as a result of climate change and in the digital space.

Pillar 3. A commitment to addressing longstanding and emerging conflict drivers

The Review's survey of longstanding and emerging conflict risk across Kenya has demonstrated the need to approach peacebuilding both holistically and with greater granularity, tailoring peacebuilding responses to local needs and contexts. The peacebuilding architecture must look beyond short-term risks of violence to address structural causes of grievance and tension among communities and between communities and government. In many cases, these issues have been the subject of previous reviews, recommendations and reform initiatives, notably on the issues of land ownership and regional equality and redistribution. While in many cases progress has been made, these initiatives have lacked the political will to fully implement their most difficult aspects. Emerging stressors caused by climate change, new technologies and the country's economic transformation present new types of conflict risk while testing the country's resilience to these longstanding risks. To guarantee Kenya's long-term stability, Kenya's

To fulfil this commitment, the Panel recommends the following measures, which are intended to help the country mitigate the conflict risks caused by the emerging and longstanding challenges analysed in the preceding sections of the report:

Recommendations:

- A mediated, humane and well-planned system of land ownership rationalisation, dispute resolution and intercommunal reconciliation will be required to address land as a root cause of conflict in Kenya. The government should establish a formal task force to audit national land title management systems and implement reforms. The mandate of the task force should include:
 - The production of a public report on the status of formal and informal land disputes in the country, including an assessment of the speed, efficiency and jurisprudential consistency in the resolution of disputes before the judiciary. The report should*

include recommendations for accelerating the resolution of cases, potentially including alternative dispute resolution mechanisms.

2. *The full implementation of the National Land Information Management System.*
3. *The implementation of a strategy to immediately return the land to its original owner where it is found to have been illegally or improperly expropriated from residents or communal conservancies.*
4. *The implementation of protections against unlawful evictions, including the Eviction and Resettlement Guidelines Bill, 2012 and the Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities Act and the Community Land Act.*

- Where there is the possibility of relocation of indigenous communities from their ancestral lands, such a course of action should be preceded by inclusive consultations, whereupon free, prior and informed consent should be procured as prescribed under the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIPS).
- As a matter of national policy, official and unofficial data must be disaggregated according to key Leave No One Behind (LNOB) categories to help demonstrate how inter-sectional issues serve to exclude people from access to economic prosperity and public participation. The government should regularly publish analysis on the nexus between exclusion and insecurity to help inform inclusive, peace-enhancing development investment.
- The peacebuilding architecture should guide and promote the implementation of proven conflict-responsive initiatives in areas at high risk for climate-related conflict. Representatives of peacebuilding institutions and organisations should be included as stakeholders and technical advisers on future national and regional planning activities around climate change to ensure that the climate-security nexus is well operationalised. Contributions of

the peacebuilding architecture to climate-related issues should include:

1. *The development of guidance on the implementation of conflict-responsive initiatives as part of climate mitigation and adaptation strategies, targeting national and regional climate change action plans and programming.*
2. *Directly funding conflict-responses climate mitigation and adaptation initiatives through a central fund managed by the peacebuilding architecture (see the following section for more details on the proposed fund.)*

- As part of their role in the National Conflict Early Warning and Early Response System, local peacebuilding mechanisms, such as Nyumba Kumi and Councils of Elders, should be provided with capacity building support by county governments and national state and non-state peacebuilding actors to enhance digital literacy and their ability to monitor and respond to conflict risks on social media. These initiatives should aim to increase the participation of youth in these mechanisms.
- Kenyan peacebuilding actors of all types should significantly scale up digital peacebuilding initiatives. Kenyan peacebuilding actors should establish a centralised digital peacebuilding data repository, where information gathered through social media monitoring could be collated and shared and where online peacebuilding initiatives can be coordinated.
- Securitised responses to conflict risk, in particular counter-terrorism operations, should systematically include civil-military cooperation initiatives with the responsibility of informing, coordinating with and addressing concerns of the civilian population in areas affected by the operations. The NCTC and all security actors operating on the ground should establish civil-military cooperation cells that deploy in advance of any securitised response.

- The Kenyan government should expand the resources dedicated to monitoring and countering online hate speech and incitement, currently housed in the NCIC and its in-house expertise on the regulation of social media, artificial intelligence and human rights in the digital sphere. Sustainable, high-tech capacities to monitor and counter online hate speech and incitement should be embedded within the peacebuilding architecture. The government should adopt a more robust engagement with social media companies, building on lessons from recent elections, to ensure that content moderation is adequately resourced, appropriate to the cultural and political context and covering all languages spoken in Kenya.
- While encouraging technological innovation in Kenya, regulators should prescribe processes for the introduction of new economic technologies that could impact labour markets, including a social impact analysis. Companies that have invested in and benefitted from existing labour structures should be required to manage and mitigate the socio-economic consequences of their introduction of new technologies.

Pillar 4. A plan to reform national peacebuilding institutions

The challenges of fragmentation and unity of effort among Kenya's national peacebuilding institutions suggest that a more strategic and coordinated approach to peacebuilding should be encouraged through a rationalisation of the country's national peacebuilding institutions.

Proposed commitment for the National Agenda for Peace:

We will scale up our national commitment to and ownership of peacebuilding through renewed support to a strengthened, consolidated peacebuilding architecture that is empowered to deliver on the commitments in the new National Agenda for Peace. Peacebuilding functions will be conducted under more strategic guidance and coordination through the repurposing of the NCIC to become a National Peacebuilding Commission, which will enjoy political and operational independence and will be mandated to articulate and coordinate the implementation of national priorities for peacebuilding. The National Steering Committee on Peacebuilding and Conflict Management will have primary responsibility at the sub-national level, with peacebuilding in the field empowered to coordinate with county government and implement local-level peacebuilding initiatives.

A National Peacebuilding Fund, anchored in the National Peacebuilding Commission will be established to channel programmatic financing in support of strategic priorities, including through allocations to county governments and regional offices. The Fund shall be financed primarily through the national exchequer but will also include mechanisms to coordinate contributions from international partners and promote blended finance solutions with the private sector, whose role in peacebuilding will be enhanced significantly.

To fulfil this commitment, the Panel recommends measures in several institutional and operational areas:

i. Designing a new National Peacebuilding Commission

In considering the appropriate form and functions for reformed institutional arrangements, the

Panel considered several models to reinforce the strengths and overcome the weaknesses of the current institutional architecture. The Panel evaluated them against strategic criteria based on its analysis of the capacities that will be required for peacebuilding to be better coordinated, remain effective and responsive. This analysis identified the most effective aspects of the current institutional set up. The criteria included, among others: insulation from institutional and political capture; better coordination at national level; presence at sub-national level; clarity of mandates to avoid duplication and mandate creep; capacity to create and manage a national peacebuilding fund; provisions for operational independence and authority; prospects for addressing legal and policy gaps; contribution to a system of safety nets and escalation mechanisms; integration of state and non-state actors; and, harmonization of resources and coherence of activities. (See Annex III for a full list of criteria considered.)

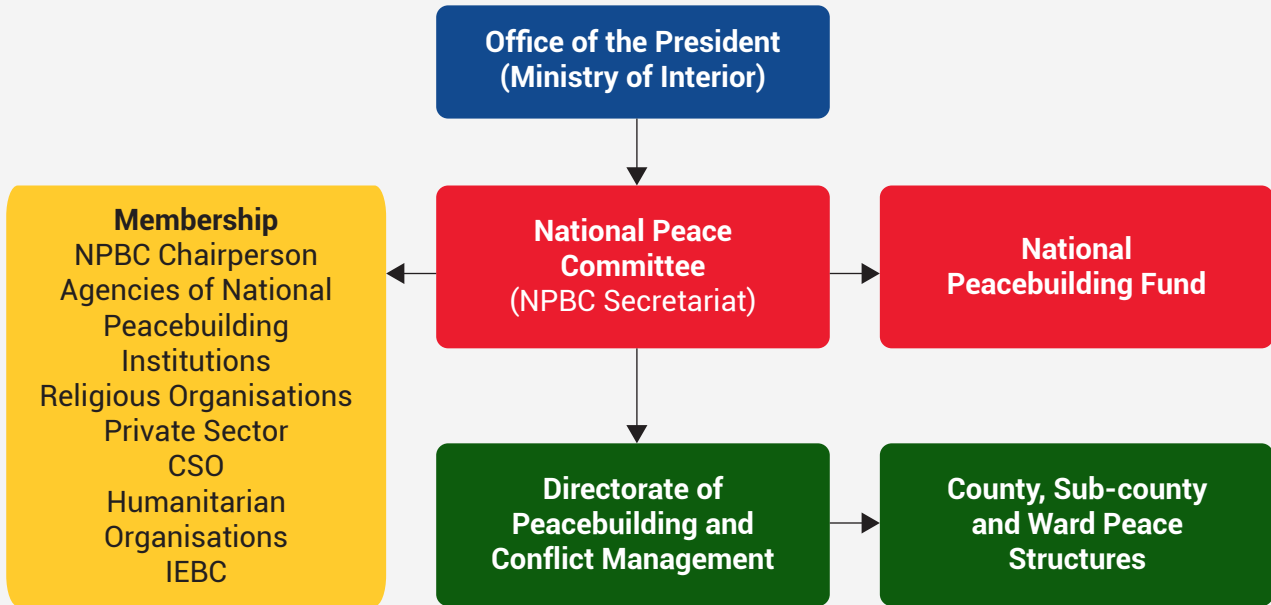
The Panel assessed three options for new institutional arrangements against these criteria. A first would see the institutional set-up remain in its current form overall, but with provisions to reform the mandate and organisation of each institution to reduce overlap and encourage greater coordination. A series of resourcing and capability-building initiatives could seek to improve the responsiveness of the institutions, both in relation to one another and to activities in the field. While the Panel considered that this option would be likely to protect and encourage aspects of the architecture that have been identified as working well, it was concerned that such an approach would not solve the fundamental challenges of fragmentation across the institutions and, consequently, their limited capacity to engage strategically in national policy and operational processes, including in relation to the security sectors.

A second option would consist of the passage of legislation similar to that proposed in the draft National Peace Council Bill of 2016, which was intended to operationalize the National Peace Policy but was not successfully adopted into law. Through this legislation, an apex body, named a

National Peace Council, would be established with responsibility for coordinating peacebuilding activities across all institutions and stakeholders. With a membership drawn from across relevant government offices, the Council would manage a national peacebuilding fund, set strategic, government-wide peacebuilding strategy and create subnational peace structures and coordination mechanisms to facilitate cooperation between national and county governments and among state and non-state actors. This course of action was considered likely to improve coordination and reduce duplication and overlap in the work of national peacebuilding institutions. As it would be domiciled within government, the National Peace Council would do little to address concerns about political capture, and in fact could reduce the distribution of risk within the architecture.

A third option, which the Panel viewed most favourably, would see existing institutions repurposed and reconfigured to bring greater strategic impact, operational coherence and strengthened national and local conflict prevention and resolution capacities. In this scenario, the NCIC would be repurposed to become a **National Peacebuilding Commission**, requiring the repeal of the NCI Act. This Commission would serve at the apex of a well-resourced and autonomous peacebuilding architecture, coordinating all actors in the field and anchoring a national peacebuilding fund. The mandate, structure and leadership of the National Peacebuilding Commission and key constituent parts would be as follows.

Figure 12. Repurposed NCIC



ii. Coordination

To fulfill its coordination function it is recommended that a multi-sectoral, multi-stakeholder mechanism known as the National Peace Committee (NPC) be established as a forum for coordination, convening and consultations for all peacebuilding actors in Kenya. This mechanism will be convened by the National Peacebuilding Commission, which serve as the secretariat of the Committee. Members of the NPC will include, among others, all heads of agencies of national peacebuilding institutions (NSC, NCIC, KNFP, etc), relevant institutions with national and local reach, such as IEBC, KNHCR and the Red Cross, representatives of the private sector, religious leaders, Council of Governors (CoG), CSOs and the UN in Kenya.

iii. Clarity of mandate

It is recommended that the National Peacebuilding Commission have a national mandate covering functions including overall coordination of the sector, mediation and preventive diplomacy, digital peacebuilding and management of the national peacebuilding fund as well as a strengthened mandate on investigations and monitoring of hate speech.

The National Steering Committee on Peacebuilding and Conflict Management (NSC) would have primary responsibility at sub-national level. It is recommended that the NSC be mandated to undertake early warning and early response, linkage to regional early warning mechanisms, mediation at sub-national level, peacebuilding, conflict management, cohesion and integration, digital peacebuilding, women peace and security and youth, peace and security. It is recommended that NSC expands, strengthens, and coordinates local, formal and informal peacebuilding and security structures such as Nyumba Kumi, county peace secretariats and the sub-national level peace mechanisms. Notwithstanding its direct links to the Ministry of Interior, the NPC will provide coherent guidance on peacebuilding priorities as well as additional resources and funding to the NSC.

iv. Structure and leadership

The independence of the National Peacebuilding Commission shall be determined by those who are appointed to lead it. It should be led by representatives of various bodies such as the Judiciary, Parliament, Public service, religious leaders, private sector, civil society organizations and the public. It is recommended that the

chairperson of this commission be appointed by the H.E. the President.

Recommendation:

- The Kenyan government should repurpose the NCIC, through repeal of the NCI Act, to become the National Peacebuilding Commission (NPBC). This Commission would serve at the apex of a well-resourced and autonomous peacebuilding architecture, mandated with overall coordination of peacebuilding actors in Kenya. It would enjoy operational independence and be strategically supported by the government. The Commission would anchor a national peacebuilding fund that has capacity to leverage blended finance instruments, such as multi-partner trust funds. Building on lessons learnt from similar contexts, this multiparter trust fund could be co-chaired by the NPBC and other development partners.

v. Strengthening national mediation support

As demonstrated in this Review, there is need to encourage the activation of mediation activities earlier during national political disputes. The creation of mediation support capacities within the peacebuilding architecture would help to systematise and professionalise national-level mediation capacities while preserving their independence. For example, allocating standing resources to these capacities would allow mediation teams to be deployed rapidly when a risk arises, supporting them with analytical and operational support. As the value of Alternative Dispute Resolution mechanisms is increasingly recognised at the county and local levels, there will be an equally important need to support the building of local mediation capacities at these levels.

Recommendation:

- In this context, it is recommended that a new, strengthened national mediation support capacity be established within the National Peacebuilding Commission. This capacity's

roles should include 1) identifying and building the capacity of national and local mediators across the country; 2) providing analytical and operational support to assist mediators in carrying out their tasks; 3) contributing to policy and best practices for mediation in Kenya; and 4) liaising with regional and international mediation activities. The capacity should not exercise any operational control or influence over mediators, however, and must be carefully structured as to safeguard mediators' independence and impartiality.

vi. A vision for sustainable financing for peacebuilding

Sustainable, strategic and predictable peacebuilding funding will require programmatic allocations through the national budget that reflect the level of priority allocated to peacebuilding as part of the new National Agenda for Peace. In addition to the operating costs of a national peacebuilding institution, this allocation should provide programmatic funding that could be used to support non-governmental organisations, deliver targeted development activities with peacebuilding outcomes and enable dialogue and mediation activities delivered through national institutions or their partners. Additionally, equivalent allocations should be made to county governments to enable them to execute their devolved role for county-level peacebuilding activities, as recommended in this report.

While currently vital to the functioning of the peacebuilding architecture, the over-reliance on donor funding has become an impediment to the strategic coherence and sustainability of its activities. Driven by multiple donor policy priorities, NGO and CSO implementing partners deploy to geographic locations and work on programming objectives with limited strategic direction or oversight from the central government. Silos within donor county international development and security assistance portfolios – notably between peacebuilding and counter-terrorism/

countering violent extremism funding – have been reproduced within Kenya's peace and security architectures, posing major challenges for the design and implementation of a coherent, holistic and nationally owned strategy for peace and security that cuts across the two sectors and that is well tailored to Kenyan needs and contexts.

Consequently, the National Peacebuilding Fund should be capable of receiving a combination of national budgetary allocations and donor funding from a variety of sources. Each of these funding streams will come with unique management requirements and programming parameters, however they should all be delivered in the furtherance of a common, coherent and strategic vision aligned with the National Agenda for Peace.

The management arrangements for a National Peacebuilding Fund must ensure that the Fund is independent and free from politicisation; capable of high-quality financial management, oversight and reporting; and informed and driven by national peacebuilding priorities, risk analysis and early warning. To achieve this, it is recommended that the Fund be managed by a Steering Committee co-chaired by the CEO of the National Peacebuilding Commission. The secretariat of the Fund should liaise closely with the National Peacebuilding Commission, which will be its primary conduit for conflict analysis, early warning alerts and other information necessary to inform funding decisions according to a set of selection criteria and funding modalities to be determined by the Steering Committee. Funding windows managed by the fund should include annual allocations for National Programming, to be undertaken by the Commission Directly, annual allocations for Regional Offices and annual allocations for County peacebuilding activities.

In the absence of central funding, governmental and non-governmental peacebuilding organisations and initiatives throughout Kenya rely on international donor funding, *ad hoc* operational support from other government and non-governmental entities and volunteerism. The result is inconsistent, short-term and often insufficient funding for peacebuilding across the country.

Recommendations:

- A National Peacebuilding Financing Fund should be created to receive, manage and disburse peacebuilding funding efficiently and transparently to fund programming at the national, regional and county levels. The fund should include both a regular funding stream for longer-term activities and a rapid response window for urgent or unpredicted conflict risks.
- NGOs and CSOs registered as working on peacebuilding should fall under the coordination of national peacebuilding institutional and financing arrangements, including for the purposes of coordination and reporting. While respecting the rights and roles of civil society in acting freely within the boundaries of the law, peacebuilding actors should be encouraged to align to nationally identified peacebuilding priorities and should be required to demonstrate and be held accountable for delivering meaningful results and for responsible stewardship of resources.

vii. The role of the private sector

As the Review's future scenario-building exercise revealed, changes in Kenya's economy and uncertainties related to automation, global market trends and natural resource exploitation offer both opportunities and risks. If well managed, these changes offer an opportunity for Kenya's economy to create greater collective wealth and stability, redistributing economic goods as the economy evolves. If poorly managed, economic shifts create windows of risk for resource capture, exclusion and grievance. As core actors and stakeholders in the management of economic change, members of Kenya's private sector possess great influence over and bear great responsibility for how these processes unfold.

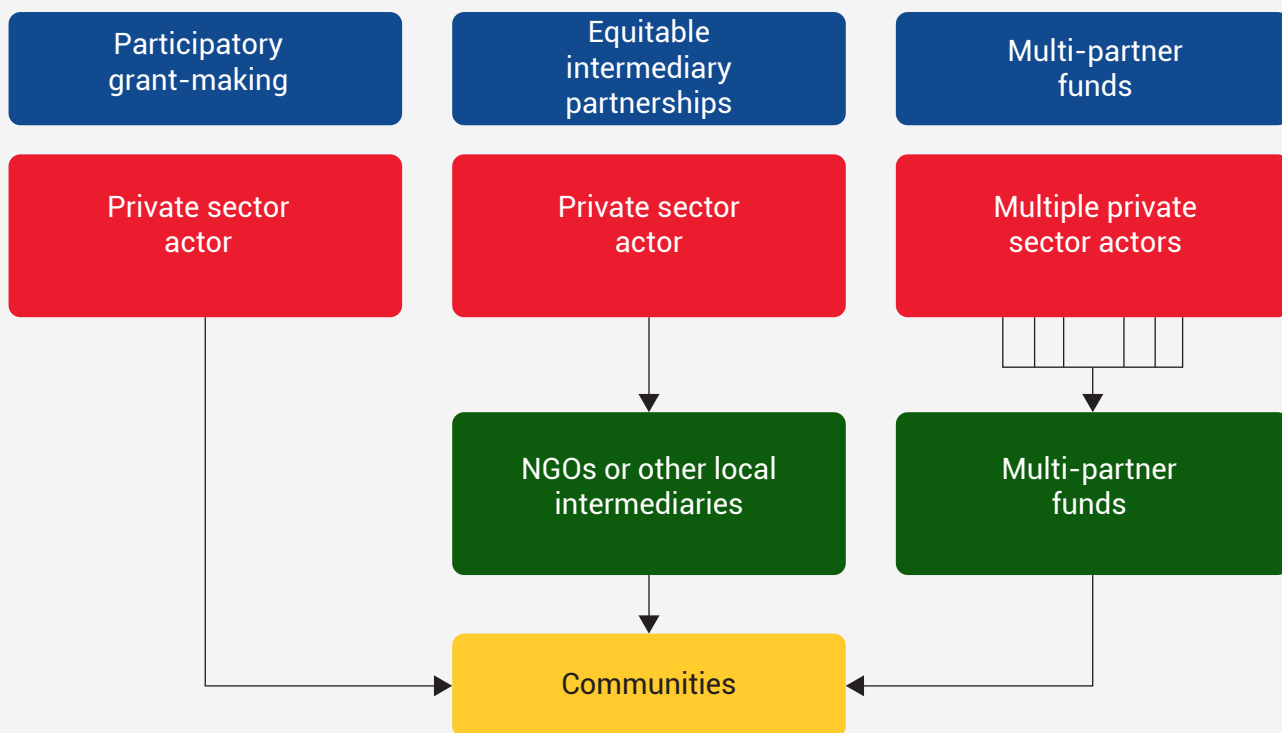
The private sector has a keen interest in ensuring that economic and political change is managed peacefully. Kenya's GDP shrank by 5% in 2022, undoubtedly in part due to the turmoil created by

the political crisis that followed the presidential elections. During the turmoil surrounding the 2007 elections, foreign direct investment to Kenya fell by approximately 58%, virtually erasing significant gains made the year prior. The clear conclusion: violence is bad for business.

Building on the private sector’s laudable efforts in promoting peaceful elections through the *Mkenya Daima* initiative, there is immense opportunity for the private sector to make a more comprehensive, strategic and large-scale contribution to peacebuilding in Kenya by enmeshing itself more profoundly within a reformed national architecture. These opportunities could include a greater role for the private sector in information-sharing, dialogue and strategy development, capacity building and convening non-traditional actors.

There is also a role for the private sector in enabling more independent, empowered national peacebuilding structures to deliver a healthier balance between securitised and peacebuilding responses to conflict risk. This will require new, creative strategies for sustainable peacebuilding financing and new approaches for blending private sector financing into Kenya’s peace economy. The Panel’s consultations with key private sector actors in Kenya reveal a strong willingness to transform the sector’s engagement with peacebuilding into something at a much greater scale. Drawing on international technical expertise and best practices for other countries, such as Colombia, there are several, non-mutually exclusive modalities through which the private sector can contribute to sustainable financing for peacebuilding.

Figure 13. Private Sector Peacebuilding Financial Models



Participatory grant-making models. A private sector actor provides funding directly to communities or groups that are empowered to make their own decisions about priorities for the use of the funds. This model can bring partners and communities closer together and encourage innovation, though it can be difficult to ensure strategic coherence across grants.

Equitable intermediary partnerships. A private sector actor's funding is disbursed at the local level through intermediary actors, such as non-governmental organisations, usually as a bridge to a longer-term financing model. This approach can help build networks among peacebuilding actors at different levels and is particularly effective when the intermediary contributes technical value and legitimacy.

Multi-partner funds. Multiple donors contribute resources to a single fund with an agreed set of priorities and a single set of management and governance arrangements. This model, which includes Multi-Partner Trust Funds (MPTFs) managed by the UN, can be catalytic in funding local peacebuilders by providing predictability and local and national ownership while ensuring technical consistency in decision-making, financial oversight and strategic impact.

The use of a Multi-Partner Trust Fund (MPTF) during Colombia's post-conflict peacebuilding stands as an example of global best practice for its innovative approach and catalytic impact in channelling private sector resources to local peacebuilding actors. The fund was established by the UN in 2018 and was initially financed with a USD 2.2 million grant from the UN Peacebuilding Fund (PBF). The MPTF and the PBF jointly issued a Blended Finance Call for Proposals to attract contributions from seven large corporations. The MPTF's blended finance facility has supported more than 2,300 local agribusinesses and provided over 5,500 conflict-sensitive loans to farmers and micro-entrepreneurs in conflict-affected territories prioritised under Colombia's Peace Agreement.

The blending of international organisation funding, bilateral donors and private sector resources proved an attractive model for private sector contributors in Colombia, as it de-risks private sector initiative by adding a layer of technical input and financial oversight in a field that is outside the expertise of most private sector actors. The structure also provided a forum for inclusive decision-making on politically sensitive issues with civil society, government actors and other stakeholders in the peace process. This model appears equally attractive as a modality for private sector investments in peacebuilding by Kenyan enterprises, particularly true for high-risk peace and stability-related initiatives that are politically sensitive, may involve armed actors and invoke questions of human rights and the rule of law.

While these strategies imply greater investment by the private sector in peacebuilding structures and programmes, these investments are both appropriate and prudent. They are appropriate in that they would more accurately reflect the private sector's role in influencing and benefitting from Kenya's evolving economy through, for example, greater automation, shifts in labour market requirements and new natural resource extraction initiatives. These economic shifts, while contributing importantly to national wealth, also generate new stressors and risks that require new peacebuilding, governance and economic justice activities to resolve. Greater private sector investment in peacebuilding is also a highly favourable hedge against the economic consequences of violent conflict. These costs include lost opportunities for production in, for example, factories, fields and mines as a result of violence and the resulting additional costs of security. As experienced in the wake of the uncertainty that followed the 2022 elections, instability and conflict almost inevitably result in decreases in international trade, investment and mobility of people.⁹⁷

Recommendation:

- As part of the National Peacebuilding Financing Facility that is recommended to be established alongside the proposed National Peacebuilding Commission, a Multi-Partner Trust Fund should be established to manage blended finance investments in peacebuilding. The MPTF should serve the strategic objectives identified by the National Peacebuilding Financing Facility in consultation with the National Peacebuilding Commission, including the financing of peacebuilding programming directed at the county level.

Steering Committee on Peacebuilding and Conflict Management (NSC) should continue to link directly to the National Conflict Early Warning and Response Unit (CEWERU) and East African Community (EAC) Early Warning and Response Mechanisms and be mandated to take peacebuilding actions in response to alerts.

- The national early warning system should be restructured such that information gathered by local peace committees is delivered both to the CEWERU and EAC Early Warning and Response Mechanism at the national level and to county-level offices with devolved responsibility for peacebuilding.

viii. Strengthening integration with regional peace and security instruments

When risks arise at the national level, IGAD-CEWARN has a unique role to play as part of Kenya's multi-layered conflict prevention safety net. IGAD maintains a roster of mediators, special envoys and senior officials that can be deployed with the political backing of the organisation's member states. While these activities are sometimes delayed by the process of mustering operational and financial support, CEWARN is in the process of professionalising its mediation support capacity, presenting a strong potential counterpart for strengthened mediation support capacities within the future structure for Kenya's national peacebuilding institutions.

Recommendations:

- Under to overall coordination of the National Peacebuilding Commission, the National

e. An implementation mechanism for the National Agenda for Peace

The implementation of the National Agenda for Peace should consist of:

The repurposing of the NCIC to form the National Peacebuilding Commission and, through it, the enactment of new technical approaches, strengthening of capacities, re-organization of coordination mechanisms and delivery of advice and support as described throughout this report.

f. Transition

During the intervening period and until the new institutional architecture proposed is effected, the National Steering Committee on Peacebuilding and Conflict Management shall be responsible for the implementation of all the recommendations of the Peacebuilding Architecture Review Process.



XI. CONCLUSION

The Review of Kenya's Peacebuilding Architecture has served as an opportunity to shed light on the rich and deep constellation of institutions, processes and mechanisms for peacefully resolving differences and building social cohesion in our country. It has showcased the many individuals from across the country and from all walks of life who have dedicated their lives to the purpose of peace out of a sense of duty and shared commitment. It is thanks to these people that Kenya remains a beacon of peace in the region and the world. The courageous decision by the Government of Kenya to mandate the Review is a testament to its continued commitment to this purpose. The Panel is grateful to the government for the independence it was accorded to freely examine and assess the country's peacebuilding systems. Through a clear-eyed, self-critical and highly inclusive process, the Review has offered an honest, unvarnished assessment of the state

of conflict risk across the country and provided impartial recommendations on how Kenya can move forward on its path of peace and sustainable development.

The Panel is grateful to the organisations, experts, government authorities and individuals that have shared their perspectives and priorities on the future of peacebuilding in Kenya. Through the analysis and recommendations contained in the report, it is the Panel's hope that their voices will be raised to the highest levels, and that decisive action will be taken across Kenyan society to further strengthen our collective efforts through a new National Agenda for Peace. In so doing, we will have seized the opportunity offered by this historic moment to enter the future better equipped than ever to excel, flourish and prosper as a nation.

ANNEX I. MAPPING KENYA'S PEACEBUILDING ARCHITECTURE

a. Peacebuilding policies and legislative frameworks

Kenya boasts a comprehensive array of policies, laws and mechanisms for addressing different types of conflicts and promoting national cohesion and reconciliation. The following provides an overview of the key elements of this framework.

The Constitution. The Constitution of Kenya (2010), promulgated in the wake of governance reforms outlined in the 2008 peace agreement, provides the legal and institutional foundations to address the root causes of violence and conflict, accommodate diversity and difference and pursue a common vision for a peaceful and stable country.⁹⁸ By regulating the processes to access political power, inclusivity and equitable distribution of resources, the Constitution provides an anchor and compass for conflict prevention, human rights protection and inclusive development. While the Constitution has been implemented with relative ease and positive results, political dialogue processes, such as the 2018 Building Bridges Initiative and the 2023 National Dialogue Committee, have received proposals for amendments aimed at enhancing inclusivity in politics and review arrangement of the executive, the framework of devolution, independent commissions and offices.⁹⁹ The Kenya Law Reform Commission is tasked with preparing new legislation to actualise the Constitution. The Commission is tasked to initiate or receive and consider any proposals for the reform of a law and, in close coordination with the Attorney General's office, prepare necessary documentation for tabling in Parliament. The Commission has an ongoing role of reviewing all laws to ensure they are modern, relevant and harmonised with the Constitution of Kenya.

International and regional treaties and instruments. Kenya is signatory to multiple

international treaties and regional agreements on peace and security, which have been implemented domestically through national policies, state institutions and coordination mechanisms. For example, the government established the Kenya National Focal Point on Small Arms and Light Weapons (KNFP) in 2002 to fulfil Kenya's obligations under the Nairobi Protocol, an agreement between 11 countries in the Great Lakes and Horn of Africa region to prevent, control and reduce the threat of small arms and light weapons. In 2016, it established the National Committee on the Prevention of Genocide, War Crimes, Crimes against Humanity and All Forms of Discrimination following ratification of the ICGLR Pact on Peace, Security and Stability in the Great Lakes region. The National Steering Committee on Peacebuilding and Conflict Management (NSC) was established in 2001 to fulfil the IGAD Protocol that provided for the establishment of the CEWARN system.

National Policy on Peacebuilding. The Sessional Paper No. 5 of 2014 on the National Policy on Peacebuilding and Conflict Management outlines a comprehensive infrastructure for peace, including institutional mechanisms at the national and subnational level. The policy has been implemented in an *ad hoc* manner, in part because aspects of the policy have not been reflected in legislation. For example, a National Peace Council Bill of 2016, which proposed the establishment of an apex body to lead the operationalisation of the country's infrastructure for peace by harmonising and standardising peacebuilding processes at the national, county, community and cross-border levels and coordinating peacebuilding financing, has not been enacted.

The National Cohesion and Integration Act No. 12 of 2008. This Act of Parliament outlaws discrimination on ethnic grounds and provides for the establishment of the National Cohesion

and Integration Commission (NCIC) to promote and advise government on equality of opportunity, good relations, harmony and peaceful co-existence among ethnic and racial communities in Kenya. The Commission has formulated Kenya's *National Action Plan Against Hate Speech*, which provides a whole-of-society approach to tackling hate speech and incitement to violence. The Commission has unsuccessfully sought amendments to the NCI Act to enhance its effectiveness in conducting its mandate, for example by securing prosecutorial powers to enforce hate speech provisions. In 2019, an amendment to the NCI Act put forward by a parliamentary committee paved the way for a change in the process of appointing NCIC commissioners, vesting this power in the President, followed by vetting by Parliament. Other attempts to reform the institution, such as a proposal to increase NCIC's powers in vetting all appointments to public office and filing reports on compliance with Articles 10 (national values) and 232 (principles of public service) of the Constitution, have been unsuccessful.

National Strategy to Counter Violent Extremism.

The CVE Strategy was launched in 2016 to combat radicalisation and recruitment. It outlines broad-based priorities to counter violent extremist ideologies, promote patriotism and support local communities targeted by extremists. The Strategy provides for the development of early warning and response tools for radicalisation, including rehabilitation and reintegration support. Its implementation is led by the inter-agency National Counter Terrorism Centre (NCTC). The Strategy has inspired the formulation of County Action Plans to Prevent and Counter Violent Extremism (CAPs) in all 47 counties, though these have not been uniformly implemented due to lack of resources, the politicisation of counter-terrorism efforts in some counties and the dominant role of state security agencies in managing violent extremism threats.

Kenya National Action Plan on Women Peace and Security (KNAP). The Kenya National Action Plan for the Advancement of UN Security Council Resolution 1325 on Women, Peace and

Security was developed in 2016 to articulate the government approach and course of action to localise action on the Women, Peace and Security Agenda. Now in its second phase, the KNAP has led to the deployment of County Gender Directors and helped increase the number of women in peace structures and processes, though challenges to ensure meaningful participation remain and the agenda faces issues of financial and human resource sustainability.

National Action Plan on Arms Control and Management.

This National Action Plan provides a comprehensive set of measures to tackle the proliferation of illicit small arms and light weapons; provide capacity building support for civil society organisations and law enforcement agencies; and establish arms reduction programmes. While the Kenya National Focal Point on Small Arms and Light Weapons (KNFP) has overseen awareness campaigns and arms "mop-up" exercises, the growth of a gun culture in Northern and Northeastern Kenya and human rights violations during forceful disarmament operations have made disarmament efforts an ongoing and pressing challenge.

UWIANO Strategy.

The UWIANO (cohesion) Strategy, renewed every election cycle, provides an assessment of the level of violence risk in the country at the outset of an electoral process and articulates a risk reduction agenda, including coordination and communication plans and strategic leadership arrangements for peacebuilding activities. While the implementation of the Strategy received widespread public support during the 2010 constitutional referendum and 2013 elections, it remains short-term and reliant on donor funding and has been hampered by lack of internal coherence among peacebuilding actors and lower public support. Recently, key actors associated with the implementation of the UWIANO strategy have formulated additional strategies to promote peace during elections, including the *Mkenya Daima* initiative led by the Kenya Private Sector Alliance and the NCIC's *Roadmap to Violence-Free 2022 Elections*.¹⁰⁰

b. National peacebuilding structures

Over the years and particularly through the 2010 Constitutional review process, key parts of the national peacebuilding architecture have been institutionalised within Kenya's formal governance structures. These formal aspects of the system are anchored in two main government bodies – the National Steering Committee on Peacebuilding and Conflict Management (NSC) in the Ministry of Interior and National Administration and an independent commission, the National Cohesion and Integration Commission (NCIC), in addition to the Conflict Management and Peacebuilding Department in the Executive Office of the President.

i. Formal structures

The structures and roles of key formal institutions that make up Kenya's national peacebuilding architecture are as follows:

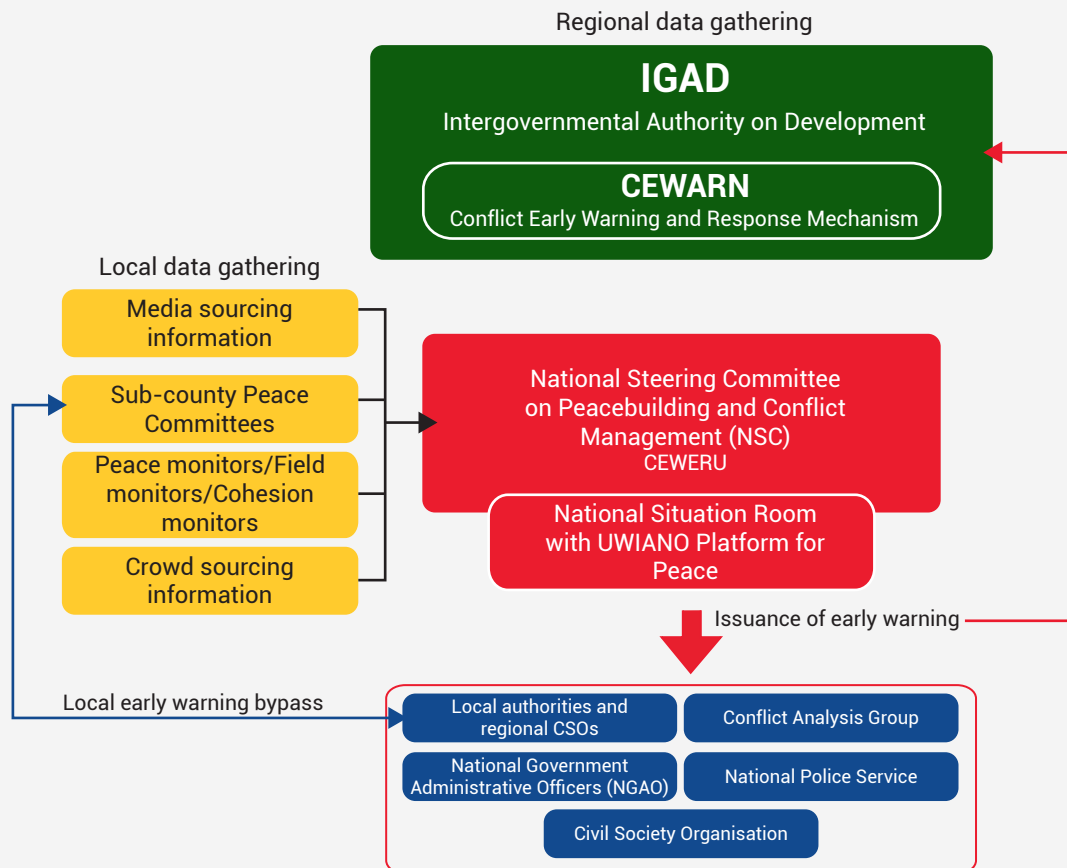
The National Steering Committee on Peacebuilding and Conflict Management (NSC)

The NSC was established in 2002 as a multi-agency organ to coordinate government actors, umbrella civil society organisations, development partners, UN agencies and private sector actors to prevent and manage internal and cross-border conflicts. The NSC acts as Kenya's Conflict Early Warning and Response Unit (CEWERU) with the Intergovernmental Authority on Development (IGAD)'s regional CEWARN early warning system, among other regional mechanisms. The NSC operates through the administrative structure of the State Department for Interior, which cascades from the Cabinet Secretary of the Ministry of Interior to the Sub-Chief and Village Elder at the lowest administrative levels. This structure allows

for conflict risks to be identified and resolved at a variety of levels, including the county and sub-county levels, or, if necessary, elevated to a higher level of the structure. The NSC Secretariat, which is chaired by the Secretary of the Directorate of Peacebuilding and Disaster Response, hosts the National Conflict Early Warning System (NCEWERS) and National Situation Room, which act as the nerve centre for early warning and response. The system gathers early warning information from the public domain through crowd sourcing (through the short code SMS 108), peace structures such as peace committees and civil society partners. Information received is analysed at the Situation Room and disseminated to the appropriate agencies for action (see graphic below). The information is used to forecast and prevent violence at the community and national level.

While the NCEWERS is lauded globally for its robustness and innovation, it has not operated as envisaged due to a number of inter-related challenges. The NSC has severe human resource gaps for data collection, analysis, report writing and managing the NCEWERS and Situation Room. For some time, development partners provided seconded staff and technical assistance to address these gaps, but the practice was stopped in 2018 due to shifting donor priorities. In addition, the subscription to the SMS 108 short code is often in arrears, and thus is not operational, and the NCEWERS has not been sustainably updated to capture risks in online spaces. Due to the challenges with the national early warning system, a plethora of early warning hubs have emerged to fill the gaps, including NCIC's early warning portal to monitor hate speech and gender violence in elections, among others.

Figure 14. Kenya's National Early Warning System



Since the introduction of the devolved system of governance and the restructuring of the Ministry of Interior, the relationship between the NSC and Regional and County Commissioners has become ambiguous. For example, county-level administrative staff and security officers report to a different directorate and participate in coordination structures that do not directly relate to the NSC. In addition, some county governments have created peace directorates and other peacebuilding structures, which might obviate the role of NSC affiliate structures, except that most of these have not been operationalised due to the lack of a legal framework. Due to lack of resources and operational dynamics introduced by devolution, the NSC remains challenged at the national level, managing donor-funded projects and supporting a network of peace committees that are frustrated by a lack of predictable support, sometimes in competition with civil society organisations.

The challenges facing a disempowered NSC

manifest in coordination mechanisms such as the UWIANO Platform for Peace, where partners with more resources and influence have tacitly abandoned the platform to manage their own programmes or taken a more prominent role in its leadership. For instance, UWIANO partners such as the co-chair NCIC have increasingly demanded their own space and visibility in UWIANO-branded initiatives. Similarly, civil society organisations that are not implementing partners in donor-funded projects have increasingly organised themselves in spaces outside the purview of the NSC and UWIANO, such as the Peace Actors Forum (see below) or thematic working groups.

The NSC maintains loose working relationships with regional economic blocs such as the Frontier Counties Development Council (FCDC), which are using the National Peace Policy to develop County Peace Policies and laws to facilitate peacebuilding programming and financing. Some counties such as Nakuru have adopted the 'multi-sectoral

approach' to peacebuilding by building strength-based collaborations of local leaders able and willing to work together across relevant sectors to prevent violence and create safe communities. This model has grown in popularity across counties dealing with complex conflict profiles and multiple actors without a clear legal framework.¹⁰¹

The National Cohesion and Integration Commission (NCIC)

The NCIC is a statutory body established following the 2007 post-election violence under the National Cohesion and Integration Act No.12 of 2008. The Commission is composed of a Chairperson and six Commissioners appointed by the National Assembly and a Secretariat that includes a Commission Secretary, a Chief Executive Officer and civil servants. The primary mandate of the NCIC is to facilitate national cohesion, integration and peaceful co-existence among the diverse ethnic, racial and cultural communities in Kenya. Among many activities undertaken for this purpose, the Commission monitors compliance with constitutional and legal provisions relating to respect for diversity, national cohesion and integration and tracks the level of cohesion in the country. The NCIC has authority to investigate individuals and organisations that engage in hate speech, incitement to violence and acts of discrimination. It also has the authority to mediate disputes and promote dialogue between different communities. The NCIC works through a network of state and non-state actors, including cohesion monitors deployed at the county level. The Commission has also established regional offices to enhance its footprint at the subnational level.

Since its establishment in 2009, the NCIC has made remarkable impact in creating awareness on the dangers of hate speech, especially during elections and in promoting respect for diversity and equality of opportunity through its annual Ethnic and Diversity Audit Reports. Initially referred to as 'the hate speech commission', the NCIC has developed other areas of its operational footprint, notably public campaigns on peaceful elections, early warning and hotspot mapping, promoting a culture of peace through cultural

festivals, measuring the national cohesion index and promoting the peacebuilding curriculum through peace clubs and scouts. The NCIC partners with security agencies to mediate peace between feuding communities and with CSOs and regional blocs to strengthen resilience to violence and radicalisation. The NCIC has a Panel of Mediators and has worked under various projects to promote the role of women in peace initiatives.

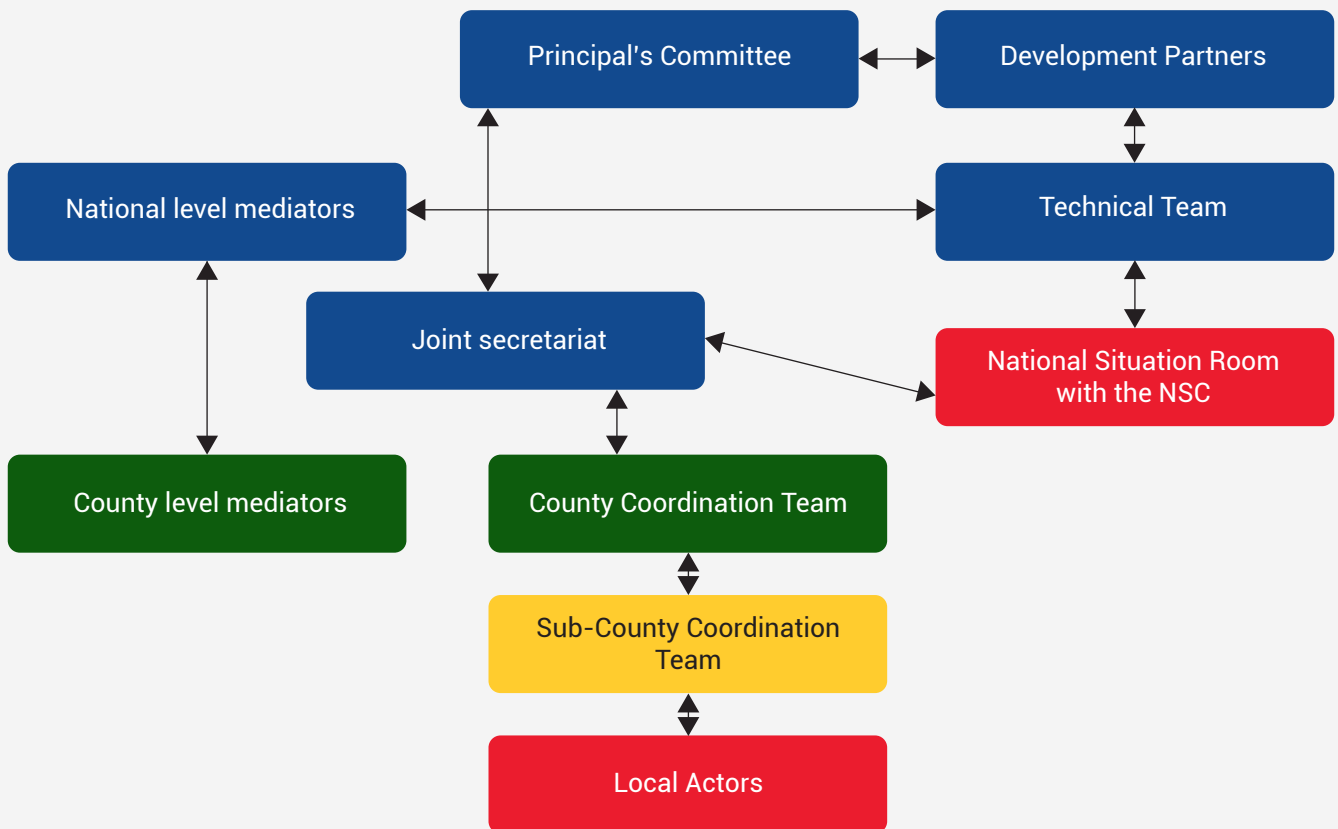
While the NCIC has created awareness on hate speech, impunity for hate speech and incitement remains rampant particularly among powerful political actors. Due to admissibility of evidence, persons taken to court for hate speech have been released, while strategies like the 'list of shame' and hate speech lexicon have been politicised and eroded public trust in the Commission due to perceived bias. The procedures for recruitment of Commissioners have subjected the Commission to perceived state and political capture - and concomitant inability to make difficult decisions. The NCIC faces resistance from other peacebuilding actors due to perceived mandate creep and usurping civil space in the sector.

The Commission has conducted multiple interventions to strengthen peaceful co-existence between communities, e.g., border disputes and facilitated signing of community peace pacts. However, some of the peace pacts have not been implemented due to lack of executive authority to enforce the agreements. The NCIC has taken steps to expand to the subnational level through creating regional offices to ease engagement with county level actors. While welcomed in some quarters, others have suggested that this may replicate the functions of the NSC and other state organs.

The UWIANO Platform for Peace

The NSC and NCIC co-chair the UWIANO Platform for Peace, a national-level conflict prevention structure established to provide a coordination framework for electoral violence reduction initiatives in the run-up to the 2010 constitutional referendum. It has been instrumental in delivering peaceful elections in 2013, 2017 and 2022. Originally comprising the NSC, NCIC, UNDP

Figure 15. UWIANO Platform for Peace Coordination Framework



and the Peace and Development Network Trust (PeaceNet), an umbrella of civil society organisations, UWIANO's membership has since grown to include the Independent Electoral and Boundaries Commission (IEBC), the National Police Service (NPS) and the Office of the Registrar of Political Parties (ORPP), among others.¹⁰²

The Directorate of National Cohesion and Values

The Directorate was operationalised in 2009 in the then-Ministry of Justice and Constitutional Affairs following provisions of the 2008 National Dialogue and Reconciliation Accord and subsequently moved to the Executive Office of the President. Among other functions, the Directorate coordinates the preparation of the Annual President's Report on measures taken and progress achieved in the realisation of national values and principles of governance espoused in Article 10 of the Constitution. The Directorate has developed a clear niche in leading the annual National Values

Report and advocating for adoption of the same in government institutions. The Directorate is largely unknown outside government structures.

National Counter-Terrorism Centre (NCTC)

The NCTC is mandated to coordinate, integrate and enhance counter-terrorism efforts across government agencies. The NCTC has developed a National Strategy to Counter Violent Extremism and has partnered with national and non-state actors and county governments to support the development of County Action Plans (CAPs) which provide a framework to address PCVE challenges specific to each of the 47 counties. While the NCTC is well known, there is little knowledge of its work largely due to the securitised nature of counter-terrorism efforts.

Kenya National Focal Point on Small Arms and Light Weapons (KNFP)

The KNFP coordinates state security organisations and non-governmental structures to reduce the availability of illicit small arms and light weapons (SALW). The KNFP works in close collaboration with the Regional Centre on Small Arms in the Great Lakes Region, the Horn of Africa and Bordering States (RECSA), an inter-governmental organisation based in Nairobi with a mandate of coordinating the implementation of the Nairobi Protocol on the Prevention, Control and Reduction of small arms and light weapons in the Great Lakes Region, the Horn of Africa and Bordering States. There are 15 RECSA Member States in the Great Lakes Region and the Horn of Africa signatory to the Nairobi Declaration and Nairobi Protocol. The KNFP works to combat cross-border flows of SALWs and promotes disarmament programmes. It collaborates with police and community-based police reservists to support the disarmament of local militias and facilitate voluntary disarmament and amnesties.

National Drought Management Authority (NDMA)

The NDMA was established by an Act of Parliament in 2016. It previously operated under the State Corporations Act (Cap 446) of the Laws of Kenya by Legal Notice Number 171 of November 24, 2011. The Act gives the NDMA the mandate to exercise overall coordination over all matters relating to drought risk management and to establish mechanisms, either on its own or with stakeholders, that will end drought emergencies in Kenya.

Networks in the peacebuilding ecosystem

The peacebuilding architecture also works in consort with a broad array of national and regional institutions, such as the National Disaster Operations Centre (NDOC) and a variety of independent commissions and offices established under Chapter 15 of the Constitution of Kenya 2010 that work directly or indirectly on issues related to the underlying causes of conflict, such as the National Gender and Equality

Commission.¹⁰³ Regional economic blocs, such as the Frontier Counties Development Council (FDC) and the North Rift Economic Bloc (NOREB) bring together neighbouring counties facing similar peace and development challenges to harmonise their policies and resource mobilisation towards a shared response. During elections, the judiciary activates the Judiciary Working Committee on Election Preparations to facilitate its role in efficiently and effectively resolving electoral disputes and deliver fair and timely electoral justice. The first committee was set up in May 2022 with a mandate to “design and execute a judiciary programme to build the capacity of judges, magistrates and other judicial officers on electoral matters and suggest ways of working with other stakeholders.”¹⁰⁴

Kenya National Commission on Human Rights (KNCHR)

The Kenya National Commission on Human Rights is an independent National Human Rights institution and the state's lead agency in the promotion and protection of human rights. The main goal of the KNCHR is to investigate and provide redress for human rights violations, research and monitor compliance with human rights norms and standards, conduct human rights education, facilitate campaigns and advocacy on human rights as well as collaborate with other stakeholders in Kenya, including the Judiciary, National Police Service, Independent Policing Oversight Authority (IPOA), National Gender and Equality Commission (NGEC), Commission on Administrative Justice (CAJ), Office of the Director of Public Prosecutions (ODPP), civil society organisations and human rights defenders. The KNCHR was first established in 2003 as part of transitional justice measures implemented by former President Mwai Kibaki, and was entrenched in the Constitution of Kenya 2010. Like other independent commissions, the KNCHR has faced difficulty in asserting its independence, particularly due to budget cuts, political interference, intimidation or reprisals against human rights defenders and backlash against some rights.

National Steering Technical Committee on Women, Peace and Security (WPS)

The State Department for Gender (SDG) and the NSC co-chair a National Steering Committee on Women, Peace and Security, which oversees the implementation of the Kenya National Action Plan on Women, Peace and Security. It seeks to achieve the goals set out in UN Security Council resolution 1325, with a focus on increasing women's and girls' participation in conflict prevention and peace and security mechanisms. The Committee is made up of state and non-state actors, including from civil society, the private sector and the media. Day-to-day implementation of the agenda is managed by the Kenya National Action Plan Secretariat, which serves as a central hub for coordination, monitoring and reporting on activities undertaken to execute the Action Plan.¹⁰⁵

National Steering Committee on Youth, Peace and Security (YPS)

The YPS Committee is chaired by the Secretary, Youth Affairs, in the Ministry of Sports and Youth and Affairs. The Committee brings together state agencies and civil society organisations to sensitise the youth on their role in conflict prevention and peacebuilding at the national and county level and in institutions of learning. The Committee is preparing to formulate a National Action Plan on UN Security Council resolution 2250, on Youth, Peace and Security.

Interface with the security architecture

These institutional components of the peacebuilding architecture work in coordination with the national security architecture, which is mandated to uphold the rule of law, protect persons and property and secure the monopoly on the legitimate use of violence. Where peacebuilding involves measures to promote harmony and conditions under which individuals, communities and nations co-exist harmoniously, resolving their differences through non-violent means, security activities encompass measures to protect state sovereignty and territorial integrity (national security) and promoting people's wellbeing,

livelihoods and basic rights (human security). Although peace and security differ in scope and implementation mechanisms, they are realised in a continuum of objectives aimed at ensuring safety and wellbeing of individuals, communities or nations.

Constitutionally, the national government is solely responsible for security at all levels, often complemented by private security providers. The peacebuilding architecture includes systems for early warning through intelligence gathering, community security mechanisms and informal structures including elders' councils and civil society. In the continuum between peace and security, there is a lack of conceptual clarity on where peacebuilding begins and ends, as peacebuilding entails dealing with problems that arise from insecurity. From this perspective, the security infrastructure plays a key role in responding to threats at different stages of peacebuilding, facilitated by formal and informal structures.

ii. Informal structures

The National Peace and Mediation Team and the Women's Mediation Network

Kenya does not have a stand-alone mediation law or institution. Instead, several non-state initiatives have evolved organically to respond to political, social and economic disputes. Mediation capacity in Kenya has grown since the 2008 international mediation led by the joint UN-African Union Panel of Eminent Persons. During the 2013 and 2017 elections, various formations emerged to mediate the political conflicts arising from disagreements over the reform of the electoral commission and later the contested election results. The Multi-Sectoral Forum dominated by private sector actors formed a Dialogue Contact Group, while another group dominated by religious leaders and civil society formed a Dialogue Reference Group. Behind-the-scenes mediation by these groups culminated in a negotiated exit by commissioners from the electoral management body and the post-election dialogue process known as the Building Bridges Initiative (BBI). Several other mediation

efforts emerged, including the County First Ladies, the Young Women Mediators and grassroots mediation teams supported by civil society organisations in collaboration with the NSC and NCIC.¹⁰⁶ In the lead up to the 2022 elections, the UN supported robust and inclusive consultations with the multiple initiatives, which culminated in the formation of two apex mediation teams, the National Peace and Mediation Team (NPMT) and the Women Mediation Network (WMN), launched in March and July 2022 respectively. In August, the NCIC also unveiled the Kenya Eminent Panel for Peace.

The NPMT and MWN played a critical role in steering peaceful election campaigns and the resolution of political conflicts arising from the 2022 elections. Anchored in a Secretariat domiciled at the Inter-Religious Council of Kenya, the NPMT has continued to provide a mechanism for political engagement and de-escalation of tensions at the national and subnational level. Similarly, the Women Mediation Network has continued to build the capacity of women mediators and to create awareness on gender-responsive mediation. The National Peace and Mediation Team faced political backlash following its management of the situation that arose at the National Tallying Centre during the announcement of the 2022 Presidential election results. The NCIC Panel has not been active – partly because the country had a relatively peaceful transition. Mediation teams lack resources to intervene in subnational conflicts.

Article 159(2)(c) of the Constitution recognises alternative forms of dispute resolution mechanisms including reconciliation, mediation, arbitration and traditional dispute resolution

mechanisms such as the Kamasian Council of Elders among the Kipsigis, Kaya Elders among the Mijikenda and Njuri Ncheke among the Meru.

Civil society organisations

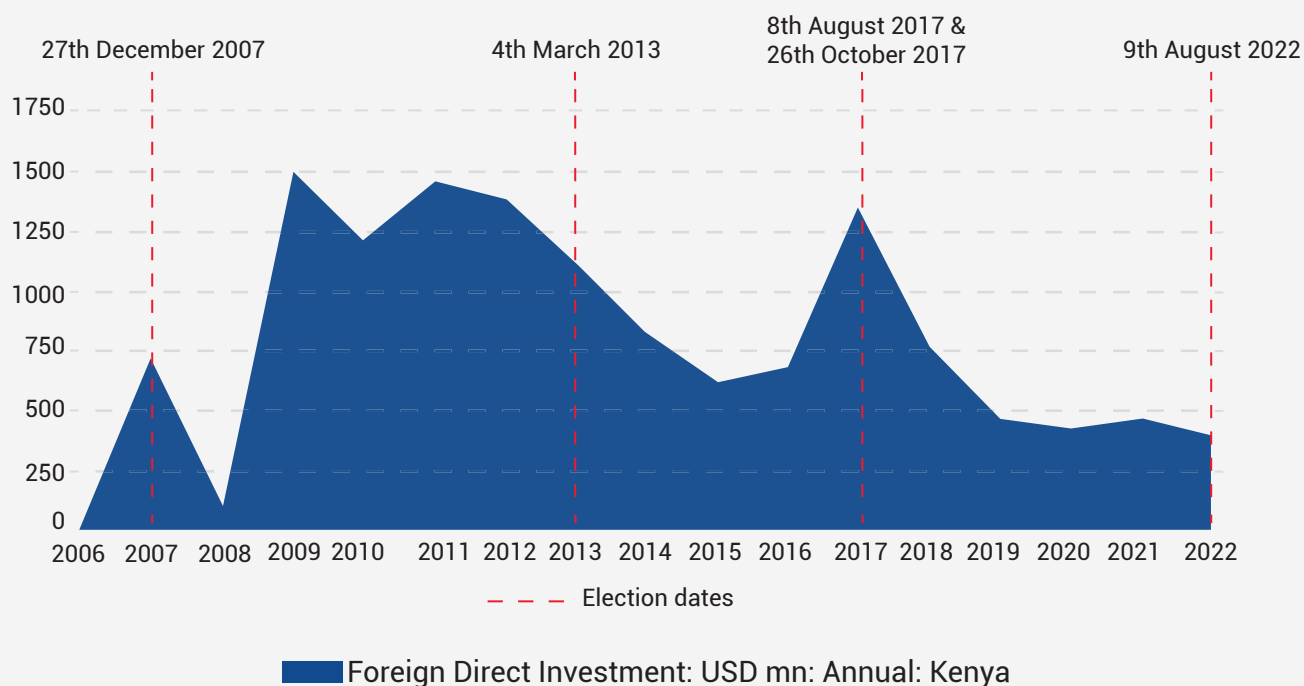
Across the country, more than 3,000 NGOs are registered through the NGOs Act as working on peacebuilding, including international, national and community-based organisations, women groups and youth groups. These organisations engage with national and county governments as part of conflict risk assessments and peacebuilding programmes. Several working groups within the NSC, such as the Conflict Analysis Group (CAG), help coordinate the work of both national and international NGOs working on issues such as peacebuilding, elections and counter-terrorism and, to a lesser extent, human rights and humanitarian issues with government. Meanwhile, the Peace Actors Forum (PAF) brings together individuals from various organisations to facilitate discussion.

The private sector

Kenya's private sector plays an important role in peacebuilding, though it could be significantly enhanced. The private sector also has a keen interest in ensuring that economic and political change is managed peacefully. Kenya's GDP shrank by 5% in 2022, undoubtedly in part due to the turmoil created by the political crisis that followed the presidential elections. During the crisis surrounding the 2007 elections, foreign direct investment to Kenya fell by approximately 58%, virtually erasing significant gains made the year prior.¹⁰⁷ The clear conclusion: violence is bad for business.

Figure 16. Foreign direct investment, USD– Kenya 2006–2022

Source: CEIC, 2023



Since 2012, private sector actors in Kenya have led the *Mkenya Daima* initiative, a non-partisan, multi-stakeholder platform for the business community to engage with other parts of Kenyan society in support of peacebuilding objectives. With political, economic and social pillars, the Initiative’s aims include holding political leaders accountable for their transparency and performance; promoting a people-centred economy; and ensuring peaceful and smooth elections and political transitions. Politically, the Initiative has sought to limit the perceived negative impact that some Kenyan private sector actors have on the health of Kenyan representative politics by funding candidates in exchange for the expectation of administrative favour or preferential access to public procurement. To this end, in 2022, participating business leaders were invited to sign a Pledge of Leadership and Peace in which they promised, among other things, to “support/propose/elect leaders of integrity” and to “not be party to any form of incitement, hate speech, ethnic acts, or any form of violence, verbal, physical or written that will interfere with the peace and stability... before, during and after the election period.”¹⁰⁸ The initiative played a role in directly funding

peacebuilding initiatives implemented by civil society and community-based organisations. This support, which is financed by the Kenya Private Sector Association (KEPSA) Foundation has, to date, been piecemeal. Beyond its laudable engagement with conflict risks in the elite political sphere, there is thus a significant opportunity for the private sector to leverage its resources and influence much more strategically to support the workings of the peacebuilding architecture.

Religious communities and leaders

At the national and local levels, networks of religious groups and leaders have repeatedly played important roles in mediating conflicts and promoting reconciliation, and a survey of households across Kenya conducted for this Review revealed that religious leaders at all levels enjoy strong support as peacebuilders and mediators. In the absence of a well-functioning, institutionalised mediation support capacity in government, the Inter-Religious Council of Kenya (IRCK) has come to informally play this role in an *ad hoc* capacity. At the county level, religious leaders and groups were, in general, found to

work effectively with local national government administrative officers, especially chiefs, their assistants and village elders.

The National Council of Elders

Each of the almost 50 ethnic groups in Kenya has a Council of Elders that forms part of the National Council of Elders (KNCE). The KNCE consists of eighteen members drawn from all regions in the country. Each of the regions nominates two members to represent them in the national elders' council. The nominated members of each region form a team that comes together to elect amongst themselves the occupants of the national executive officers of the elders' council. The positions include chairperson, deputy chairperson, secretary, deputy secretary, treasurer, organising secretary and deputy organising secretary. The KNCE is responsible for the national calendar of activities, which include arbitration in conflicts involving communities and leaders, conduct of cultural activities, convening of dialogue forums and civic education. It also coordinates relationships among the regional councils of community elders. Members of the National Council of Elders are part of local councils of elders, which are part of formal and informal peace and security structures. Elders are members of peace committees, Nyumba Kumi, community policing and other security arrangements such as neighbourhood watches. Some elders wear multiple hats.

Thematic and Multi-Sectoral Coordination Mechanisms

Some actors are organised into thematic or sectoral working groups that encompass both formal and informal actors. Through these arrangements, a wider array of government ministries or state departments are drawn into peace and security-related issues. Among others, these include:

- The Gender Sector Working Group, which convenes state and non-state actors to advance the Women, Peace and Security (WPS) agenda, includes the Judiciary, the Public Service Commission, the Kenya

Association of Manufacturers and trade unions.

- The SDG Forum, which brings together various working groups across the 17 Sustainable Development Goals to track progress on the SDG indicators and produce the Voluntary National Report.
- The Kenya Humanitarian Partnership Team/ Forum (KHPT), through which humanitarian actors are organised to coordinate early warning and response to natural disasters and other urgent needs. Coordinated by the Kenya Red Cross and the UN Office for the Coordination of Humanitarian Affairs (OCHA), the KHPT brings together UN and state and non-state actors, including the ASAL Humanitarian Network, to assess the humanitarian situation in the country, share updates and coordinate response. The NSC and NCIC regularly take part in coordination mechanisms within this sector.
- Informal donor working groups, made up of like-minded bilateral and multi-lateral donors, regularly hold consultations with peacebuilding actors and stakeholders and are part of the design and implementation of responses to peace and conflict issues. These groups number at least eight, including ones dedicated to democracy and governance, gender and women in development and population and health.

c. The county-level peacebuilding and security ecosystem

Prior to devolution, the national government dominated peace and security functions through the Provincial Administration structure. Peace Committees provided a formal mechanism for conflict resolution at this level and formed a central part of the national and local early warning system. To respond to emerging peace and security dynamics at that time, the government introduced Community Policing, National Police Reservists and Nyumba Kumi to combat violence and crime by illegal groups, including gangs, community-based "self-defence units" and

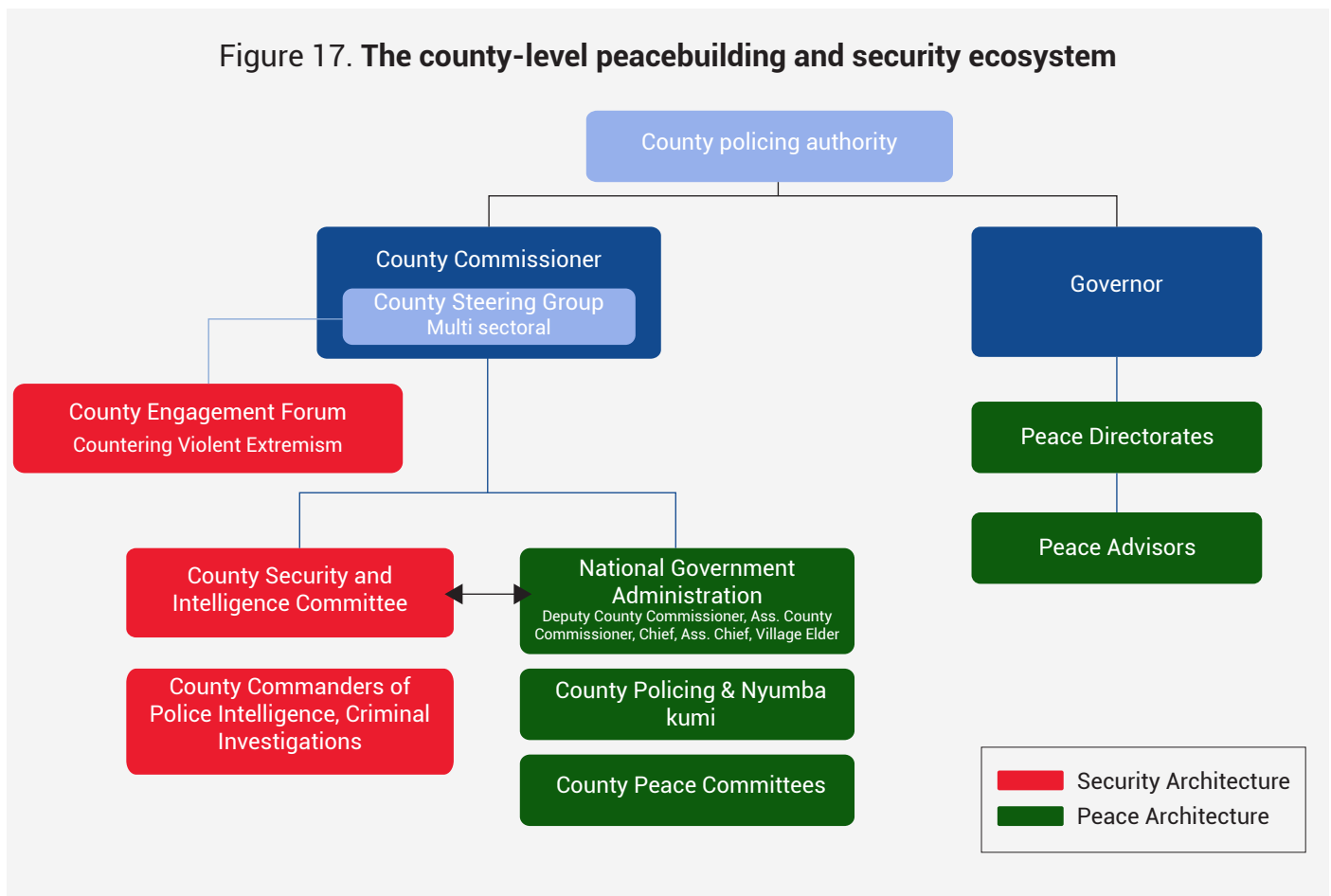
terrorist groups.

Since the introduction of the devolved governance system in 2013, county governance has become inextricably interlinked with national peacebuilding and security functions, though devolution did not extend to security and peace, which have remained with the national government. Even in the absence of an explicit constitutional provision, in practice, peacebuilding and security responses have been implemented concurrently by national and county governments, in some cases co-financing security activities. Although County Policing Authorities envisaged under the Constitution have not been operationalised, some county governments have established Peace Directorates, often situated within the office of the governor or as part of county special programmes. Several counties

have formulated peace policies and established peace committee networks to address intra- and inter-county conflict dynamics, often in collaboration with the NSC and NCIC. Regional economic blocks of counties have also established arrangements to address common peace, security and development challenges.

While county peacebuilding and security structures differ widely across regions according to their needs and resources, the following chart provides an indicative, stylised representation of the county-level peacebuilding and security ecosystem, incorporating both formal and informal practices and mechanisms.

Figure 17. The county-level peacebuilding and security ecosystem



ANNEX II. PROPOSED IMPLEMENTATION MATRIX FOR THE NATIONAL AGENDA FOR PEACE

| Pillar | Recommendations | Responsible Entity | Proposed Timelines |
|--|---|--|-----------------------------------|
| 1. Defining a National Agenda for Peace. | The government should review the national curriculum with a view to decolonising subjects like history and geography and to ensure an appropriate and prioritised focus on Kenya's national values, development, figures, and culture. Standardise the teaching of the peacebuilding curriculum piloted in 2009 in schools across the country. | <ul style="list-style-type: none"> Ministry of Education Institute of Curriculum Development UN Agencies Development partners KEPSA County Governments | 24 months |
| | National peacebuilding institutions should undertake an ambitious, sustained, nationwide communications initiative to educate Kenyans, especially youth, about their rights, roles, and responsibilities in promoting peaceful co-existence in society and sharing tools and approaches for peacefully resolving differences, engaging constructively in political debate and holding leaders to account. | <ul style="list-style-type: none"> Government agencies responsible for peacebuilding/public awareness Review implementation mechanism National Peacebuilding Commission CSOs Development partners UN Agencies KEPSA | Continuous with quarterly reviews |
| | The government should, as a matter of priority, extend high-speed internet access to reach a minimum of 95% of Kenyans to ensure digital inclusion, which in turn can contribute to political awareness, transparency, and participation; promote financial inclusion; and create employment and access to information and skills for the future. | <ul style="list-style-type: none"> Ministry of ICT Communications Authority of Kenya CSOs Development Partners UN Agencies | 36 months |
| 2. Political inclusion. | <p>Kenya's system of government should be amended to accommodate a wider range of political interests in each government at the national and county levels. Whatever the system adopted, it must provide for the participation of as many communities as possible within an inclusive system of executive power. This system must extend to the county level, where multiple communities must see their interests represented in successive county governments. Parliament should amend the Election Campaign Financing Act of 2013 to:</p> <ol style="list-style-type: none"> Require the IEBC to develop a transparent framework for setting campaign contribution and spending limits for all candidates for public office; Require all candidates for political office at the county level and above to establish a fiduciary campaign entity with sole responsibility for receiving campaign contributions and spending campaign finances; and | <ul style="list-style-type: none"> IEBC/ ORPP The Presidency Senate and National Assembly CSOs Development Partners UN Agencies | 24 months |

| | | | |
|--|---|--|--------------|
| | <p>3. Require all political candidates to file public financial disclosures of all receipts – including the identities of donors – and outlays by their campaign with the IEBC within three months of an election. The IEBC should engage an independent auditing firm with international credibility to audit these records.</p> | | |
| | <p>The government should redesign the candidate vetting process overseen by the IEBC to define in detail the requirements for candidate eligibility and the sources of information to authoritatively certify that a candidate meets each of these requirements. The vetting process itself should formally involve representatives of each agency responsible for providing such information, including peacebuilding officials, judicial authorities and financial enforcement bodies.</p> | <ul style="list-style-type: none"> • IEBC • Parliament | 12 months |
| | <p>Prior to elections, the IEBC and peacebuilding officials should engage all candidates in a multi-party dialogue to establish shared commitments on the peaceful conduct of elections. Candidates should be encouraged to publicly commit to using formal channels to dispute an aspect of the election or its results and to respect the outcomes of their adjudications.</p> | <ul style="list-style-type: none"> • IEBC • National Peacebuilding Commission • CSOs • Development Partners • UN Agencies | Periodically |
| | <p>After elections, peacebuilding actors should lead a process of national and personal reconciliation between winning and losing parties and candidates and should invite shared commitments to work together, whether in government or opposition, towards a shared goal of advancing peace, development and prosperity for Kenya.</p> | <ul style="list-style-type: none"> • National Peacebuilding Commission • Other government entities responsible for peacebuilding • Inter-Religious Council of Kenya • CSOs • Development Partners • UN Agencies | Periodically |
| | <p>Existing political commitments to bring equity to political representation in Kenya should be backed by more aggressive affirmative action by the government and political parties. This should include enforcing gender parity rules in candidate selection and appointment practices (for example, requiring that a governor and vice-governor be of the opposite gender); implementing regional quotas in the national public service; enforcing the two-thirds gender rule on representation within political party candidate slates; enforcing a 30% procurement allocation for public spending designated for special groups; enforcing a 40% quota for women, youth and people with disabilities in local peace committees; strengthening the national fund for persons with disabilities; and enforcing a 5% quota for the employment of people with disabilities in the public service.</p> | <ul style="list-style-type: none"> • The Presidency • Ministry responsible for Finance • National Council for Persons with Disabilities • National Gender & Equality Commission • Office of the Registrar of Political Parties • CSOs • Development Partners • UN Agencies | 24 months |
| 3. Deepening conflict prevention and resolution. | <p>A mediated, humane and well-planned system of land ownership rationalisation, dispute resolution and intercommunal reconciliation will be required to address land as a root cause of conflict in Kenya. The government should establish a formal task force to audit national land title management systems and implement reforms. The mandate of the task force should include:</p> | <ul style="list-style-type: none"> • Ministry responsible for Lands • National Lands Commission (NLC) • Council of Governors • CSOs • Development Partners • UN Agencies | 36 months |

| | | | |
|--|--|--|----------------------------------|
| | <ol style="list-style-type: none"> 1. The production of a public report on the status of formal and informal land disputes in the country, including an assessment of the speed, efficiency and jurisprudential consistency in the resolution of disputes before the judiciary. The report should include recommendations for accelerating the resolution of cases, potentially including alternative dispute resolution mechanisms. 2. The full implementation of the National Land Information Management System. 3. The implementation of a strategy to immediately return the land to its original owner where it is found to have been illegally or improperly expropriated from residents or communal conservancies, should be immediately returned to the original owner. 4. The implementation of protections against unlawful evictions, including the Eviction and Resettlement Guidelines Bill, 2012 and the Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities Act and the Community Land Act. | | |
| | <p>Where there is the possibility of relocation of indigenous communities from their ancestral lands, such a course of action should be preceded by inclusive consultations, whereupon free, prior and informed consent should be procured as prescribed under the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIPS).</p> | <ul style="list-style-type: none"> • Ministry responsible for Lands • National Lands Commission • Council of Governors • CSOs • Development Partners • UN Agencies | 36 months |
| | <p>As a matter of national policy, official and unofficial data must be disaggregated according to key leave no one behind (LNOB) categories to help demonstrate how inter-sectional issues serve to exclude people from access to economic prosperity and public participation. The government should regularly publish analysis on the nexus between exclusion and insecurity to help inform inclusive, peace-enhancing development investment.</p> | <ul style="list-style-type: none"> • Ministry responsible for Planning & Statistics • National Gender and Equality Commission • CSOs • Development Partners • UN Agencies | Periodically |
| | <p>The peacebuilding architecture should guide and promote the implementation of proven conflict-responsive initiatives in areas at high risk for climate-related conflict. Representatives of peacebuilding institutions and organisations should be included as stakeholders and technical advisers on future national and regional planning activities around climate change to ensure that the climate-security nexus is well operationalised. Contributions of the peacebuilding architecture to climate-related issues should include:</p> | <ul style="list-style-type: none"> • Ministry responsible for Environment and Climate Change • CSOs • Development Partners • UN Agencies • KEPISA | Continuous with periodic reviews |

| | | | |
|--|--|--|--------------|
| | <ol style="list-style-type: none"> 1. The development of guidance on the implementation of conflict-responsive initiatives as part of climate mitigation and adaptation strategies, targeting national and regional climate change action plans and programming. 2. Directly funding conflict-responses climate mitigation and adaptation initiatives through a central fund managed by the peacebuilding architecture. | | |
| | <p>As part of their role in the National Conflict Early Warning and Early Response System, local peacebuilding mechanisms, such as Nyumba Kumi and Councils of Elders, should be provided with capacity building support by county governments and national state and non-state peacebuilding actors to enhance digital literacy and their ability to monitor and respond to conflict risks on social media. These initiatives should aim to increase the participation of youth in these mechanisms.</p> | <ul style="list-style-type: none"> • National Peacebuilding Commission • Ministry of Interior and National Administration • County Governments • CSOs • Development Partners • UN Agencies | Periodically |
| | <p>Kenyan peacebuilding actors of all types should significantly scale up digital peacebuilding initiatives. Kenyan peacebuilding actors should establish a centralised digital peacebuilding data repository, where information gathered through social media monitoring could be collated and shared and where online peacebuilding initiatives can be coordinated.</p> | <ul style="list-style-type: none"> • National Peacebuilding Commission • Ministry of Interior and National Administration • County Governments • CSOs • Development Partners • UN Agencies | 24 months |
| | <p>Securitized responses to conflict risk, in particular counter-terrorism operations, should systematically include civil-military cooperation initiatives with the responsibility of informing, coordinating with and addressing concerns of the civilian population in areas affected by the operations. The NCTC and all security actors operating on the ground should establish civil-military cooperation cells that deploy in advance of any securitized response.</p> | <ul style="list-style-type: none"> • Kenya Defence Forces • National Police Service • NCTC • UN Agencies • Ministry of Interior and National Administration • CSOs • Development Partners | 12 months |
| | <p>The Kenyan government should expand the resources dedicated to monitoring and countering online hate speech and incitement, currently housed in the NCIC and its in-house expertise on the regulation of social media, artificial intelligence and human rights in the digital sphere. Sustainable, high-tech capacities to monitor and counter online hate speech and incitement should be embedded within the peacebuilding architecture. The government should adopt a more robust engagement with social media companies, building on lessons from recent elections, to ensure that content moderation is adequately resourced, appropriate to the cultural and political context and covers all languages spoken in Kenya.</p> | <ul style="list-style-type: none"> • Senate and National Assembly • National Peacebuilding Commission • Media Council of Kenya • CSOs • Development Partners • UN Agencies • Technology Platforms • KEPISA | 24 months |
| | <p>While encouraging technological innovation in Kenya, regulators should prescribe processes for the introduction of new economic technologies that could impact labour markets, including a social impact analysis. Companies that have invested in and benefitted from existing labour structures should be required to manage and mitigate the socio-economic consequences of their introduction of new technologies.</p> | <ul style="list-style-type: none"> • Ministry of ICT • Communications Authority of Kenya • CSOs • Development Partners • UN Agencies • KEPISA | 36 months |

| | | | |
|---|---|---|---------------------|
| <p>4. A new institutional architecture for peacebuilding.</p> | <p>The Kenyan government should repurpose the NCIC, through repeal of the NCI Act, to become the National Peacebuilding Commission (NPBC). This Commission would serve at the apex of a well-resourced and autonomous peacebuilding architecture, mandated with overall coordination of peacebuilding actors in Kenya. It would enjoy operational independence and be strategically supported by the government. The Commission would anchor a national peacebuilding fund that has capacity to leverage blended finance instruments, such as multi-partner trust funds. Building on lessons learnt from similar contexts, this multiparter trust fund could be co-chaired by the NPBC and other development partners.</p> | <ul style="list-style-type: none"> • The Presidency • Senate and National Assembly • CSOs • Inter-Religious Council of Kenya (IRCK) • NSC • NCIC • KNFP • Directorate of Cohesion • Development Partners • UN Agencies • Council of Governors | <p>36 months</p> |
| | <p>In this context, it is recommended that a new, strengthened national mediation support capacity be established within the National Peacebuilding Commission. This capacity's roles should include 1) identifying and building the capacity of national and local mediators across the county; 2) providing analytical and operational support to assist mediators in carrying out their tasks; 3) contributing to policy and best practices for mediation in Kenya; and 4) liaising with regional and international mediation activities. The capacity should not exercise any operational control or influence over mediators, however and must be carefully structured as to safeguard mediators' independence and impartiality.</p> | <ul style="list-style-type: none"> • Taskforce on Implementation • National Peacebuilding Commission • CSOs • Development Partners • UN Agencies • Council of Governors • Inter-Religious Council of Kenya • NCIC • NSC • KNFP • Directorate of Cohesion | <p>Periodically</p> |
| | <p>A National Peacebuilding Financing Facility should be created to receive, manage and disburse peacebuilding funding efficiently and transparently to fund programming at the national, regional and county levels. The fund should include both a regular funding stream for longer-term activities and a rapid response window for urgent or unpredicted conflict risks.</p> | <ul style="list-style-type: none"> • Ministry responsible for Finance • Office of Attorney General • Taskforce on Implementation • National Peacebuilding Commission • KEPSA, Council of Governors • CSOs • Development Partners • UN Agencies | <p>Periodically</p> |
| | <p>NGOs and CSOs registered as working on peacebuilding should fall under the coordination of national peacebuilding institutional and financing arrangements, including for the purposes of coordination and reporting. While respecting the rights and roles of civil society in acting freely within the boundaries of the law, peacebuilding actors should be encouraged to align to nationally identified peacebuilding priorities and should be required to demonstrate and be held accountable for delivering meaningful results and for responsible stewardship of resources.</p> | <ul style="list-style-type: none"> • Ministry responsible for Finance • Office of Attorney General • Taskforce on Implementation • National Peacebuilding Commission • KEPSA • Council of Governors • CSOs • Development Partners • UN Agencies • KEPSA | <p>Periodically</p> |

| | | | |
|--|--|---|------------------|
| | <p>As part of the National Peacebuilding Financing Facility that is recommended to be established alongside the proposed National Peacebuilding Commission, a Multi-Partner Trust Fund should be established to manage blended finance investments in peacebuilding. The MPTF should serve the strategic objectives identified by the National Peacebuilding Financing Facility in consultation with the National Peacebuilding Commission, including the financing of peacebuilding programming directed at the county level.</p> | <ul style="list-style-type: none"> • Ministry responsible for Finance • Office of Attorney General • Taskforce on Implementation • National Peacebuilding Commission • KEPSA • Council of Governors • CSOs • Development Partners • UN Agencies • KEPSA | <p>12 months</p> |
| | <p>The operational arm of a reformed national peacebuilding institution should link directly to the National Conflict Early Warning and Response Unit (CEWERU) and East African Community (EAC) Early Warning and Response Mechanisms and be mandated to take peacebuilding actions in response to alerts.</p> | <ul style="list-style-type: none"> • Ministry of Interior and National Administration • Taskforce on Implementation • Ministry responsible for Foreign Affairs • Development Partners • UN Agencies | <p>36 months</p> |
| | <p>The national early warning system should be restructured such that information gathered by local peace committees is delivered both to the CEWERU and EAC Early Warning and Response Mechanism at the national level and to county-level offices with developed responsibility for peacebuilding.</p> | <ul style="list-style-type: none"> • Ministry of Interior and National Administration • Taskforce on Implementation • Ministry responsible for Foreign Affairs • Development Partners • UN Agencies • County Governments | <p>36 months</p> |

ANNEX III. CRITERIA FOR DESIGNING A NEW NATIONAL PEACEBUILDING COMMISSION

| Big picture challenges to be addressed (emanate from SWOT analysis) | Proposed National Peacebuilding commission | National Peace Council (Bill) | Current Institutional Architecture (NSC/NCIC/ KPF etc) |
|---|--|-------------------------------|--|
| Institutional/ political capture | ✓ | X | X |
| Addresses funding gaps in peacebuilding | ✓ | ✓ | X |
| Executive Authority to enforce agreements | X | ✓ | X |
| Has constitutional anchorage | ✓ | X | X |
| Coordination among national peacebuilding commission | ✓ | ✓ | X |
| Clarity of roles and mandate | ✓ | ✓ | X |
| Creates peacebuilding fund | ✓ | ✓ | X |
| Balancing and sequencing of securitised and peacebuilding responses | ✓ | X | X |
| Creates an apex body above NSC and NCIC and provides oversight | X | ✓ | X |
| Feasibility | X | ✓ | X |
| Creation of county-level peace structures | X | ✓ | X |
| Demarcates roles between national and county government actors | X | ✓ | X |
| Weak operational incapacities and institutional inefficiencies | ✓ | X | X |
| Addresses lack of inclusion: Provides for Women Peace & Security and Youth Peace & security | ✓ | ✓ | ✓ |
| Strengthens mediation | ✓ | ✓ | ✓ |
| Creates linkages with human rights and other CSOs | X | ✓ | ✓ |
| Inadequate legal and policy frameworks | ✓ | ✓ | X |
| Integration of state and non-state peacebuilding actors | X | ✓ | ✓ |
| County and local peace committees | X | ✓ | ✓ |
| System of safety nets and escalation mechanisms | X | X | ✓ |

| Big picture challenges to be addressed (emanate from SWOT analysis) | Office of the President | NCIC National Peacebuilding Commission | National Peace Council | National Steering Committee on Peacebuilding | NCTC | Directorate of National Cohesion (EOP) | KNFP |
|---|-------------------------|--|------------------------|--|------|--|------|
| Policy Direction | ✓ | X | X | X | X | X | X |
| Coordination | X | ✓ | ✓ | X | X | X | X |
| Early Warning and Early Reponse | | | | | | | |
| <i>Digital</i> | X | ✓ | X | X | X | X | X |
| <i>Offline</i> | X | X | X | ✓ | X | X | X |
| Regional Early Warning / IGAD/ EAC/ ICGLR | X | X | X | ✓ | X | X | X |
| Mediation and Preventive Diplomacy | | | | | | | |
| <i>Mediation at national level</i> | X | ✓ | ✓ | X | X | X | X |
| <i>Mediation at subnational level</i> | X | X | ✓ | ✓ | X | X | X |
| Peacebuilding, conflict management, cohesion and integration | X | X | ✓ | ✓ | X | X | X |
| Digital Peacebuilding | X | ✓ | X | ✓ | ✓ | ✓ | ✓ |
| Monitoring and investigations of hate speech | X | ✓ | X | X | X | X | X |
| WPS and YPS | X | X | X | ✓ | X | X | X |
| Arms Control and management | X | X | X | X | X | X | ✓ |
| PCVE | X | X | X | X | ✓ | X | X |
| Alternative Disruption Resolution | X | X | ✓ | ✓ | X | X | X |
| Humanitarian assistance | ✓ | X | X | X | X | X | X |
| National Peacebuilding Fund (Multi-partner Trust Fund) | X | ✓ | ✓ | X | X | X | X |

ANNEX IV. REVIEW TEAM COMPOSITION AND REVIEW PARTICIPANTS

Independent Panel of Advisers

1. Lt. Gen. (Ret.) Daniel Opande, Chair
2. Shamsa Abubakar Fadhili, Vice Chair
3. Dr. Fatuma Ahmed Ali
4. Esther Ang'awa
5. Sheikh Abdullahi Abdi Ibrahim
6. Caroline Kariuki
7. Lizzie Kiama
8. Liyayi Magotsi, HSC
9. Patricia Philip Mativo
10. Rev. Father Joseph Mutie
11. Mukhtar A. Ogle, EBS, OGW
12. Benson Odhiambo Owiti
13. Irene Chepoisho Tulel, HSC

Technical working group

1. Milka Chepkirui, National Steering Committee on Peacebuilding and Conflict Management (NSC), Co-chair
2. Thomson Muthama, Security Research and Information Centre (SRIC), Co-chair
3. Mariam Aga, NSC
4. Renice Akinyi Bunde, Kenya National Bureau of Statistics (KNBS)
5. Beatrice A. Amollo, Office of the Registrar of Political Parties (ORPP)
6. Emmy Auma, International Alert
7. Babu Ayindo, Mercy Corps
8. Bonita Ayuko, REINVENT Project, Tetra Tech International
9. Juliana Chao, SRIC
10. Allan Cheboi, Code for Africa
11. Lesley Connolly, Life and Peace Institute
12. John Edmond
13. Mohamud Haji, Act, Change, Transform! (ACT!)
14. Veronicah Jepkemboi, NSC
15. George Kabongah, Africa Centre for Security, Governance and Research
16. Erick Kamau
17. Prof. Karuti Kanyinga, Institute for Development Studies, University of Nairobi
18. Amos Katana, Kenya National Focal Point on Small Arms and Light Weapons
19. William Kemboi, Independent Electoral and Boundaries Commission (IEBC)
20. Michelle Khagoitsa, Habari Kibra
21. Leah Kimathi, Peace Actors Forum
22. Robinson Kipkemoi
23. Edwin Kipng'etich Metto, KNBS
24. Gibson Kiprop
25. Stephen Kirimi, Life and Peace Institute
26. Kahara Kubai, PeaceNet Kenya

27. Leonard Kyalo, SRIC
28. Mercy Letting, PeaceNet Kenya
29. Everlyne M. Lumbi, SRIC
30. John Macheche, Local Capacities for Peace International (LCPI)
31. Anthony Maneno, SRIC
32. Peter Maruga, Partnerships for Peace and Security
33. Olive Metet, National Cohesion and Integration Commission (NCIC)
34. Christina Murray, UN Standby Team of Senior Mediation Advisers
35. Peter Muthoga, Africa Centre for Security, Governance and Research
36. Rolex Mwamba, Inter-Religious Council of Kenya
37. Jeremiah Mzee, REINVENT, Tetra Tech Int.
38. Josephine Mwangi, Embassy of Sweden
39. Anthoni Nderi, Kenya National Focal Point on Small Arms and Light Weapons
40. Beatrice Nderi, Office of the Registrar of Political Parties
41. Richard Nderitu, NCIC
42. Lorna N. Ndirangu, Daystar University
43. Agatha Ndonga, Peace Actors Forum
44. Mary Ndulili, Inter-Religious Council of Kenya (IRCK)
45. Tony Ng'ang'a, Partnership for Peace and Security
46. Tom Odera
47. Skitter W.M. Ocharo, National Cohesion and Integration Commission (NCIC)
48. Millicent Okatch, NCIC
49. George Okungu Onyango
50. Linus Onyango, Independent Electoral and Boundaries Commission
51. Charles Opundu, Mercy Corps
52. Jescah Otieno, NCIC
53. Susan Owiro Chege, PfPS
54. Dr. Kiprono Philemon, Public Service Commission
55. Edmond Pamba
56. Dominic Pkalya, Act, Change, Transform (ACT!)
57. Zaituna Ramadhani, NSC
58. Caroline Sammy
59. Aaron Stanley, Life and Peace Institute
60. Nelly Waiya, GIZ, Kenya
61. Paul Waweru, Kenya National Bureau of Statistics (KNBS)
62. Happy Alphonse Were, Mathare Peace Initiative (MPI)

NSC Secretariat

1. Jacob Narengo, National Steering Committee on Peacebuilding and Conflict Management, Co-Chair
2. Collins Atito, National Steering Committee on Peacebuilding and Conflict Management
3. Mary Ndulili, Inter-Religious Council of Kenya (IRCK)
4. Lucy Oiro, National Steering Committee on Peacebuilding and Conflict Management
5. Maurice Oluoch, National Steering Committee on Peacebuilding and Conflict Management
6. Lilian Taabu, National Steering Committee on Peacebuilding and Conflict Management
7. Lilian Wangari, National Steering Committee on Peacebuilding and Conflict Management

United Nations Secretariat

1. Rana Taha, Peace and Development Advisor (PDA), UN Resident Coordinator's Office
2. Marissa Bray, Office of the UN Resident Coordinator for Kenya
3. Dirk Druet, Senior Technical Adviser
4. Iris Madeline, Office of the UN Resident Coordinator for Kenya
5. Mwachofi Singo, Senior Technical Adviser
6. Casper Sitemba, Office of the UN Resident Coordinator for Kenya
7. Irene Torres Ortega, Office of the UN Resident Coordinator for Kenya
8. Elvi Agunda, Office of the UN Resident Coordinator for Kenya
9. Prisca Kamungi, Office of the UN Resident Coordinator for Kenya
10. Marcel Meyer, Office of the UN Resident Coordinator for Kenya
11. Brian Murithi, Office of the UN Resident Coordinator for Kenya
12. Agnes Ndegwa, Office of the UN Resident Coordinator for Kenya
13. Maryeverlyn Ngumbi, Office of the UN Resident Coordinator for Kenya

United Nations Support Teams

1. Gregory Akall, Office for the Coordination of Humanitarian Affairs
2. Kennedy Akatsa, Office of the UN Resident Coordinator for Kenya
3. Elizabeth Carabine, United Nations Environment Programme
4. Catherine Chegero, UN Women
5. Aideen Conway, Office of the UN High Commissioner for Human Rights
6. Benedetta De Alessi, Office for the Coordination of Humanitarian Affairs
7. Ann-Christine Dellnas, United Nations Development Programme
8. Shewit Desta, Office of the Special Envoy for the Horn of Africa
9. Chris Earney, United Nations Office for Project Services
10. Li Fung, Office of the UN High Commissioner for Human Rights
11. Cornelius Gonzaga Weira, International Organization for Migration
12. Tanja Hichert, United Nations Development Programme
13. Noa Liboshi, Office of the Special Envoy for the Horn of Africa
14. Dan Juma, United Nations Development Programme
15. Alex Kamai Madadi, United Nations Office for Project Services
16. Milka Kariuki, UN Women
17. Nirina Kipligat, United Nations Development Programme
18. Teymur Mammadzada, United Nations Office for Project Services
19. Martha Mathenge, United Nations Development Programme
20. Lucy Mukina Maingi, United Nations Office for Project Services
21. Anna Mutavati, UN Women
22. Jeffrey Savage, United Nations Office of the High Commissioner for Refugees
23. Narue Shiki, United Nations Development Programme
24. Dr Katindi Sivi, Strategic Foresight/ Futures Consultant
25. Clarice Wilson, United Nations Development Programme

Thank you to all the following institutions who attended our consultations or submitted formal inputs:

Africa Centre for Security, Governance, and Research (ACSGRE); African Leadership Centre at King's College London; AI For Peace; Andy Speaks 4 Special Needs Persons Africa; Anglican Development Services (ADS); Association of Media Women in Kenya (AMWIK); Bintisphere Society; Black & White; Black Albinism Kenya; Bridge Shakers Youth Group; British High Commission; Build Up; Caritas; Centre for Science and Technology at the Technical University of Kenya; Chemchemi ya Ukweli; Coalition on Content and Freedom of Expression; Coast CSOs on Peace and Security; Code for Africa; Concerned

Kenya Peacebuilding; Council of Governors; County Assemblies Forum; County Peace Committees (Bungoma, Uasin Gishu, Kitui, Kericho, Siaya, , Bomet); Dag Hammarskjöld Foundation (DHF); Dagoretti Greeners Community (DGC); Daystar University; Dean of Hope; Development Alternatives Incorporated; Disengagement Network; District Peace Committees (Homa Bay, Kisumu, Taita Taveta, Baringo, Kajiado, Laikipia, Busia, Mombasa, Kwale, Nairobi, Murang'a, Nandi); Dreams (Hope Worldwide Kenya); East African Community (EAC); Echo Network Africa; Embassy of Austria; Embassy of Denmark; Embassy of Finland; Embassy of France; Embassy of Ireland; Embassy of Japan; Embassy of Norway; Embassy of Sweden; Embassy of Switzerland; Embassy of the Netherlands; Equal Access; Evangelical Alliance of Kenya; Evangelical Youth Alliance; Federation of Deaf Women Empowerment Network (FEDWEN) Kenya; Feminists for Peace, Rights and Justice Centre (FPRJC); Frontier Counties Development Council (FCDC); Gender Responsiveness & Youth Leadership; GIZ Civil Peace Service; Global Centre for Policy and Strategy (GLOCEPS); Global Network of Religions for Children (GNRC); Global Peace Chain; Haki Africa; Hope in the Dark; HORN International Institute for Strategic Studies; Hummingbird; Independent Electoral and Boundaries Commission (IEBC); Independent Medico Legal Unit (IMLU); Indian High Commission; Infinite Dreams; Institute for Strategic Dialogue; Institute of Development Studies at the University of Sussex; Institute of Economic Affairs; Inter-Religious Council of Kenya (IRCK); Intergovernmental Authority on Development (IGAD); Intergovernmental Relations Technical Committee; Intermedia Development Consultants; International Alert; International Center for Peace, Human Rights and Development (IPHRD); International Crisis Group; International Justice Mission; International Organization for Migration (IOM); International Peace Support Training Centre (IPSTC); Interpeace; Isiolo County; Jesuit Hakimani Centre; JLL Kenya; Joint Initiatives for Strategic Religious Action (JISRA); Juhudi Center; JUHUDI Tana River; Kalobeyei Initiative 4 Better Life; Kenneth and Jacob's House; Kenya Christian Lawyers Fellowship; Kenya Coalition on Youth Peace and Security; Kenya Conference of Catholic Bishops (KCCB); Kenya Defence Forces; Kenya Editor's Guild; Kenya Human Rights Commission; Kenya Institute of Mass Communication; Kenya Institute of Professional Counselling (KIPC); Kenya National Association of the Deaf; Kenya National Commission on Human Rights (KNCHR); Kenya National Deaf Women Peace Network (KNDWPN); Kenya National Focal Point on Illicit Small Arms and Light Weapons; Kenya Navy; Kenya Network of Women with Disabilities; Kenya Pastoralists Community Organization (KePACO); Kenya Private Sector Alliance (KEPSA); Kenya Union of Journalists (KUJ); Kenya Veterans for Peace; Kenya Women's Parliamentary Committee; Kenyan Red Cross; Kenyatta University; Komb Green; Landscape Kenya Foundation; Law Society of Kenya; Legendary Art; Life and Peace Institute; Manyatta Youth Entertainment CBO; Manyatta Youth Resource Center; Mathare Peace Initiative; Media Council of Kenya; Ministry of Defence; Muhuri – Muslims for Human Rights: Junior Achievement Kenya; MYG Housing; Nairobi Regio; National Cohesion and Integration Commission (NCIC); National Council for Persons with Disabilities; National Council of Churches of Kenya; National Council of Elders; National Counter-Terrorism Center (NCTC); National Muslim Leaders Forum; National Police Service – General Service Unit; National Police Service – Inspector General; Network for Religious and Traditional Peacemakers; North Rift Economic Bloc (NOREB); Office for the Coordination of Humanitarian Affairs (OCHA); Office of the Director of Public Prosecutions; Office of the High Commissioner on Human Rights; Office of the National Security Advisor (ONSA); Office of the Registrar of Political Parties (ORPP); Office of the Senate; Office of the Special Envoy of the Secretary General to the Horn of Africa; Organization for Sustainable Development Africa; Organization of African Instituted Churches; Organization of African Youth (OAY); Oslo Governance Center; PeaceNet; People's Aid Foundation (PAF); Pokot Turkana and Marakwet Women Peace Network (POTUMA); Public Relations Society of Kenya (PRSK); Re-Invent Tretatek; Recoup Initiative; Regional Coordinators for Coast, Central, Eastern, Nairobi, Rift Valley and Western Regions; Royal Media Service; Samburu Women's Trust; School of International Relations and Diplomacy at Riara University; Search for Common Ground, Act Change Transform (ACT!); Security Research and Information Centre (SRIC);

Shia Asna Asheri Jamaat (SAAJ) of Nairobi; Short Stature Society of Kenya; Siasa Place, United Nations Population Fund (UNFPA); Silver Lining Kenya (SLK); Smile Basket; Stable Minds; Strathmore University; Studio Ng'aari Foundation; SUPERB Community-Based Organization; SwahiliPot Hub; Technical University of Kenya (TUK); The Borders Institute; The Hope for Change; The Kenya Institute for Public Policy Research and Analysis (KIPPRA); The Standard Group; UN Habitat; UN Women; UNDP Africa Borderlands Centre; UNDP Futures Lab; UNDP Kenya; UNESCO; UNESCO Youth Kenya; UNHCR Kenya; United Africa Youth Organization; United Disabled Persons of Kenya; United Green Movement; United Nations Office for Project Services (UNOPS); United Nations Population Fund Youth Advisory Panel (UNFPA-YAP); United States Agency for International Development (USAID); United States International University – Africa; Universal Relief Foundation; Universities and Colleges Students with Special Needs Association of Kenya (UCSSNAK); Universities and Colleges Students' Peace Association of Kenya (UCSPAK); University of Nairobi; Usawa; Uwiano Platform for Peace; Violence & Impacts Early-Warning System (VIEWS); WeCare; Women in International Security – Horn of Africa: Women Mediators Network of Kenya; Women Peace Organization; Youth Arts Development & Entrepreneurship Network (YADEN); Youth, Peace in Africa (YOPA).

Field work: 500 Key Informant Interviews and 100 Focus Group Discussions carried out in 33 counties by the Technical Working Group.

Household survey: InfoTrak carried out a Household Survey in 33 counties, sampling 4,500 households.

Online survey: Code for Africa carried out an online/digital survey reaching 3,258 respondents across 47 counties.

Peer review and expert input: The Life and Peace Institute facilitated a peer review and expert input processes, in addition to a consultation of community-based organisations.

ANNEX V. PEACEBUILDING ARCHITECTURE CHILDREN'S SUBMISSIONS

ACE OENGA
GRADE 2
7 YEARS OLD

MY PEACEFUL COUNTRY KENYA



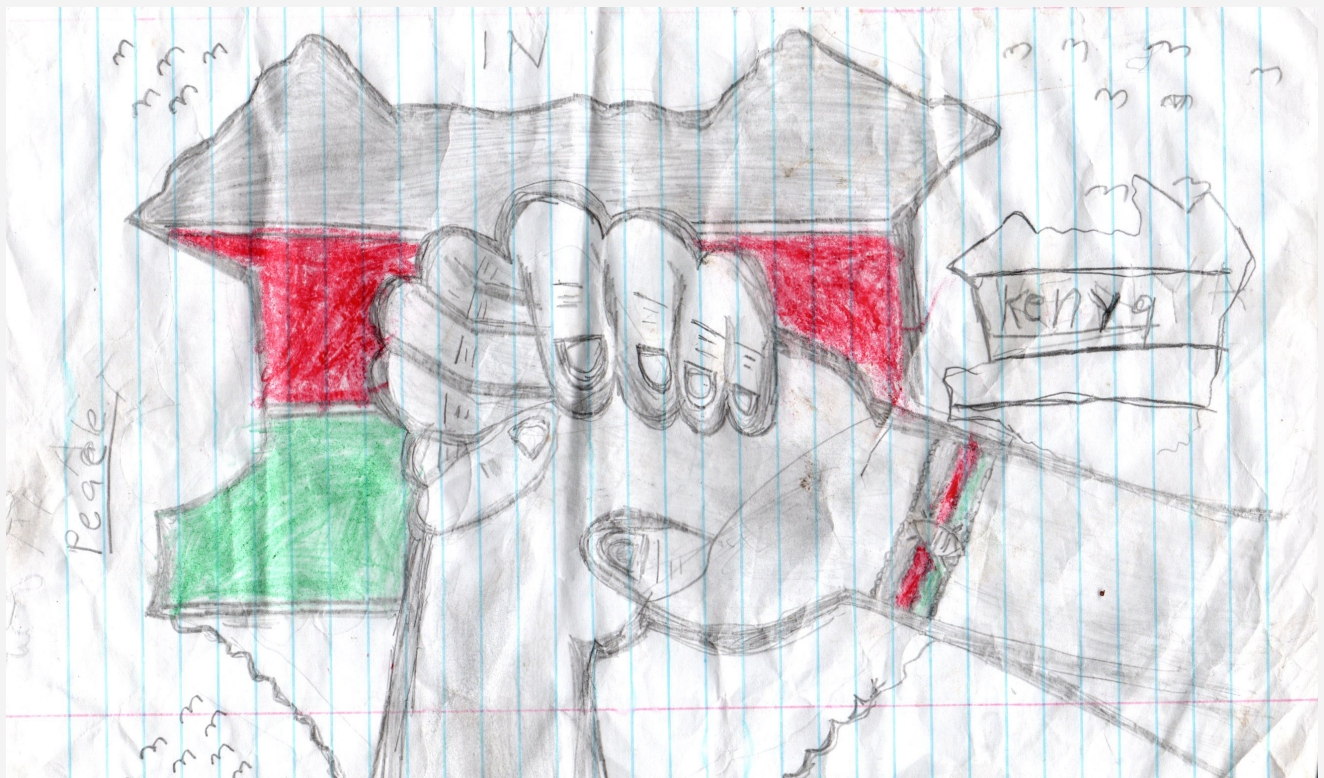
STANLEY OCHIENG
NYAMINIA PRIMARY SCHOOL BOX 4, YALA.

MY PEACEFUL COUNTRY, KENYA

My peaceful country Kenya is located in the eastern part of Africa, it attained its independence in the year 1963. It is a land of wonder and beauty, a gem the pride of Africa. Kenya is a country that has many things to be proud of, a land of peace and unity, diversity and achievement. Kenya has been stable and peaceful for most of its history, it has also played an active role in promoting peace in the East African region such as hosting refugees and mediating disputes. Kenya promotes citizenship rights for both tourists and its citizens.

Kenya joined the East African co-operation in the year 1967, it consisted of Kenya, Uganda and Tanzania and it was to improve the economic and social cooperation within the region till the co-operation broke in the year 1977. It was later revived in 1988 and changed its name to East African Community which consists of Kenya, Uganda, Tanzania, Rwanda, Burundi and South Sudan.

Kenya is a proper tourist destination attracting millions of visitors every year. It has the second highest mountain in Africa and a large fresh water lake. Some of the tourist attractions include, the wildlife safaris, cultural heritage, coastal beaches, scenic landscapes and the snow mt. It also has the largest Alkaline lake in Turkana on a permanent desert. Kenya's capital city-Nairobi is the largest in Eastern and





MY PEACEFUL COUNTRY KENYA

WE have WE have WE have
 WE have WE have WE have
 WE have WE have WE have

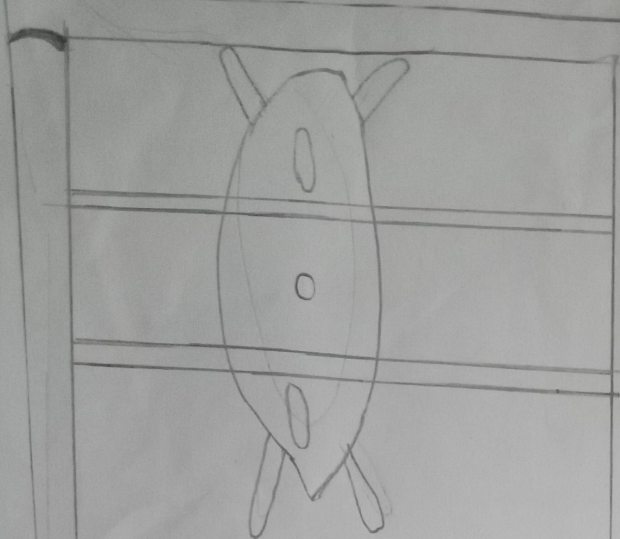
Kenya Philosophy
 peace love and unity
 Harmony

* Kenya has a incredible diversity of people and geography. It more than 40 ethnic groups live across savannas, the Indian ocean coast, mountains highlands, the great rift valley and lake lands

- The rule of law
- Equal distribution of national resources
- Freedom of movement

| | | |
|--|------|--------------|
| | DATE | 29/10/2023 |
| | NAME | YELIF ANOBER |
| | AGE | 9 years old |

MAN IS THE BEST CATCH



It a landscape many people think of when they think of Africa. Kenya is located in East Africa. It terrain rises from coastal plain on the Indian ocean to mountains Plateaus at its center. Most of Kenyans live in the highland, where Nairobi, the capital, sits at a altitude of 5,500 feet (1700 meters)

MY PEACE FULL COUNTRY KENYA

K
Indness

P
Patience

S
Self Control

LOVE



- 1) National assembly
- this brings together the members of ~~national~~ Parliament from every constituency in the Country
 - Participation of national events

| | |
|-------|-------------------|
| NAME | Lucy KHAPELLI |
| AGE | Eleven years old |
| GRADE | SIX |
| DATE | September 01 2023 |

ANNEX VI. MEMBERS OF THE INDEPENDENT PANEL OF ADVISORS

The Independent Panel of Advisors, the Technical Working Group, and the Secretariat (National Steering Committee on Peacebuilding and Conflict Management and UN Peace and Development Team from the Resident Coordinator Office in Kenya) attend the inception workshop for the Kenya's Peacebuilding Architecture Review in March 2023.



The Independent Panel of Advisors, the Technical Working Group, and the Secretariat (National Steering Committee on Peacebuilding and Conflict Management and UN Peace and Development Team from the Resident Coordinator Office in Kenya) attend the official submission of the Final Peacebuilding Architecture Review Report to H.E the President Dr. William Samoei Ruto in March 2024.



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