Peace Agreement Access Tool PA-X https://www.peaceagreements.org/

Country/entity Kenya

Region Africa (excl MENA)

Sotik and Borabu Social Contract **Agreement name**

Date 21 Nov 2008

Agreement status Multiparty signed/agreed

Interim Yes

arrangement

Agreement/conflict Intrastate/local conflict

level

Kenyan Post-Electoral Violence (2007 - 2008)

The conflict emerged as post-election violence. After the incumbent President Kibaki was declared the winner of the Kenyan presidential elections in December 2007, complaints of fraud and a structural disadvantage affecting his competitor Raila Odinga lead to outbreaks of severe ethno-political violence. After the first incidents in the Rift Valley region, mainly directed against the Kikuyu ethnic group - the traditional powerbase of Kibaki – the fighting spread to the cities of Nairobi and Mombasa. After two months, Kibaki and Odinga agreed on a power-sharing agreement that granted Odinga the post as a Prime Minister and ended the violence.

Close

Kenyan Post-Electoral Violence (2007 - 2008)

Stage Framework/substantive - partial

Conflict nature Inter-group

Peace process Kenya Local Agreements

Parties Representatives of Kisii and Kipsigis communities

Third parties Agency for Co-operation and Research in Development (ACORD)

The Cereal Growers Association (CGA)

Description Agreement between community leaders with a view to ending cattle rustling and

associated inter-community violence. The document deals with the issue of cattle

rustling by also containing provisions against tribalism and negative politics.

Agreement document

KE_081121_Sotik and Borabu Social Contract.pdf (opens in new tab) | Download PDF

Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

Racial/ethnic/ national group No specific mention.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

Refugees/displaced No specific mention.

persons

Social class No specific mention.

Gender

Women, girls and

Page 1, Untitled Preamble

gender

We, the communities, rose against each and committed atrocities such as: burning

houses, carrying out killings, looting, raping girls and women, and tribal hatred has since

deepened.

Page 3, Conclusion

To oversee the implementation of our social contract, a Social Watch Committee of 6

representatives from each area has been established: 2 men, 2 women and 2 young

people

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state

No specific mention.

(general)

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/ secession No specific mention.

Accession/ unification No specific mention.

Border delimitation No specific mention.

Cross-border provision

No specific mention.

Governance

Political No specific mention.

institutions (new or

reformed)

Elections No specific mention.

Electoral commission

No specific mention.

Political parties

reform

No specific mention.

Civil society No specific mention.

Traditional/ religious leaders

Page 2, Historical Land Issues

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2) We also recognize the sensitivity of land issues linked to inheritance at the family level. We call upon elders together with their sons and daughters to seek for suitable solutions through dialogue.

Public

No specific mention.

administration

Constitution

No specific mention.

Power sharing

Political power

No specific mention.

sharing

Territorial power

No specific mention.

sharing

Economic power

No specific mention.

sharing

Military power

sharing

No specific mention.

Human rights and equality

Human rights/RoL No specific mention.

general

Bill of rights/similar No specific mention.

Treaty No specific mention.

incorporation

Civil and political No specific mention.

rights

Socio-economic No specific mention.

rights

Rights related issues

Citizenship Rights related issues→Citizenship→Citizen, general

Page 2, Tribalism

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3) Instill in our children patriotic values and respect of people from other tribes

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Page 2: Negative Politics

As far as Negative politics is concerned, we shall:

1) Invite Electoral Commission of Kenya (ECK) and other facilitators to conduct civic

education in our communities.

Democracy No specific mention.

Detention procedures

No specific mention.

Media and communication

No specific mention.

Mobility/access No specific mention.

Protection measures

No specific mention.

Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions

No specific mention.

Justice sector reform

 $\label{lem:continuous} \textbf{Criminal justice and} \ \ \text{No specific mention}.$

emergency law

State of emergency No specific mention.

provisions

Judiciary and

courts

No specific mention.

Prisons and detention

No specific mention.

Traditional Laws

No specific mention.

Socio-economic reconstruction

Development or socio-economic

Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-

economic development

reconstruction

Page 3: Poverty /unemployment/idleness

1) We shall establish youth associations that shall liaise with the Ministry of Youth affairs and engage in constructive initiatives such as income generating activities along our border. We believe that access to economic opportunities shall help our youth disengage

from unhealthy involvements.

plan

National economic No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights Land, property and environment→Land reform/rights→Land reform and management

Page 2: Historical land issues

1) We shall therefore respect existing boundaries and persons@' property within those

boundaries.

Pastoralist/

No specific mention.

nomadism rights

Cultural heritage Land, property and environment→Cultural heritage→Tangible

Page 2, Negative Politics

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2) Mobilize our community members to engage the youth in social activities such as

sports(football), games and eventually economic activities.

Environment No specific mention.

Water or riparian rights or access

No specific mention.

Security sector

Security Guarantees

No specific mention.

Ceasefire No specific mention.

Police No specific mention.

Armed forces No specific mention.

DDR No specific mention.

Intelligence services

No specific mention.

Parastatal/rebel and opposition group forces No specific mention.

Withdrawal of foreign forces

No specific mention.

Corruption No specific mention.

Crime/organised crime

Page 2: Rampant cattle rustling

As far as cattle rustling are concerned, we shall

- 1) Cooperate and collaborate in tracking and recovering stolen animals through joint patrol committee and community policing.
- 2) Liaise with the Anti Stock Theft Unit (ASTU) and the provincial administration in case of suspected

cattle theft instead of taking the law in our own hands.

- 3) Report any suspected cattle theft to the ASTU through the Assistant Chief or Chief.
- 4) Ensure security and protection to those who reportsuspect cattle robbers.

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Page 2:Poverty /unemployment/idleness

We recognize that significant number of our youth have no income, no job and no farming land. They are easily drawn into self-destructive behaviours such as alcohol and drug consumption, criminal activities such as cattle rustling, robbery, rape, etc.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional justice No specific mention.

general

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

Other international The Agency for Co-operation and Research in Development (ACORD) **signatory**

Referendum for agreement

No specific mention.

International mission/force/ similar

No specific mention.

Enforcement mechanism

Source

Page 3: Conclusion

To oversee the implementation of our social contract, a Social Watch Committee of 6 representatives from each area has been established: 2 men, 2 women and 2 young people.

The committee shall carry out the following tasks:

- Hold monthly meeting to assess the situation
- Liaise with Provincial administration on matters threatening community peace
- Monitor the implementation of the signed social contract
- Disseminate the signed social contract among neighboring communities
- Participate in community con ict resolution
- Chair community peace building and consolidation sessions
- Submit quarterly reports to ACORD and CGA.

Related cases No specific mention.

Agency for Co-operation and Research in Development, UN Development Programme, (2011), Community Peace Recovery and Reconciliation Handbook: A Handbook for Generating Leadership for Sustainable Peace and Recovery Among Divided Communities, pp.62,https://reliefweb.int/sites/reliefweb.int/files/resources/A39530FC51E66EC18525785B0071E5B7-Full_report.pdf

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