Country/entity	Kenya
Region	Africa (excl MENA)
Agreement name	Mabanga Peace Accord
Date	21 Oct 2011
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/local conflict

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	Mr Henry Wanyonyi Chairman, Bukusu Supreme Council of Elders Date: Mr.JoseckiOkisai Chairman, Suprmee Council of Teso Elders Date: MrReuben C.Butaki Chairman, Sabaot Supreme Council of elders Date:

Third parties	Winessed by: Ms. Leonie Abela Chief Facilitator Inter-Community Peace Conference Country Coordinator ACORD KENYA Mr.Festus Mukoya Coordinator, FPFK – Peace and Rights Programme Emmanuel Ole Sayiorry, PhD Co-Facilitator Inter-Community Peace Conference Snr Lecturer, Daystar University Ndolo Asasa Wycliffe Esq. Co-Facilitator, Inter-Community Peace Conferenec Chairperson, Pioneers for Change In the Presence of Hon. KalonzoMusyoka, EGH Vice President of the Republic of Kenya MP Mwingi North and Minister for Home Affairs Dr. Ahmed Yassin Commisioner National Cohesion Integration Commission
Description	Agreement between elders of three communities, Babukusu, Iteso and Sabaot, that makes provisions for the return of stolen land, tribal politics, and provisions for equity between tribes in terms of distribution of resources and political power.

Agreement document	KE_111021_Mabanga Peace Accord.pdf (opens in new tab) | Download PDF

Groups

Children/youth	Groups→Children/youth→Rhetorical Page 5: Prejudice ... c) Children are taught to respect other people's culture Groups→Children/youth→Substantive Page 4, 12, Political Intimidation a) That the Council of Elders shall, among others, lead the disarmaments, demobilization and rehabilitation initiatives of the young men in militia groups occupied by the three communities.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.

Racial/ethnic/ national group

Groups→Racial/ethnic/national group→Anti-discrimination
Page 4, 11, Devolved Funds
...
d) The disbursement of these funds should be given to beneficiaries regardless of ethnicity, race, colour, sex, and religion.
Groups→Racial/ethnic/national group→Substantive
Page 2, 3. Political incitement
a). That the Council of Elders of three Communities work towards eliminating tribal based politics in their midst.
b). That politicians an all leaders should refrain from making hate speech that contribute to negatively inciting communities against each other.
b). That any politician or leader making hate speech should be appropriately reported to the state authorities concerned.

Page 2, 4. Tribalism, clannism, patronism and prejudice.
That for the purposes of equity and inclusiveness among the communities :-
a) The Composition of the Land Control Board and Land tribunal should have equitable representation of officers from the three communities.
b) The Council of Elders should encourage members of all communities to feel free and welcome to live anywhere in Kenya

Page 3, Discrimination on resource Sharing. Access to Employment, Promotions and Opportunities
...
b) That the Principle of Affirmative Action and Inclusion shall be adopted as a benchmark in Resource Distribution, Employment Opportunities and promotions.

Page 5, Prejudice
That the Council of Elders of the three communities shall ensure that:-
a) All parties respect each others' cultural practices and traditions at all time.
b) Use of derogatory names shall stop.
c) Children are taught to respect other people's culture
d) All parties embrace openness and honesty at all times.
e) All parties will work together and in partnership with the administration on matter on naming and renaming.
f) All parties will recognise and develop talents of all children and youths regardless of ethnicity.
g) Stock theft amongst us is stopped and that all communities to respect the economic practices of other communities.

Page 5, Inclusivity
That this agreement in no way excludes other communities resident in Bungoma nad Trans Nzoia Counties from subsequently and severally being enjoined and engaged for the ultimate realisation of the purpose of this process

Religious groups

Groups→Religious groups→Anti-discrimination
Page 4, 11, Devolved Funds
...
d) The disbursement of these funds should be given to beneficiaries regardless of ethnicity, race, colour, sex, and religion.

Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/displaced persons	Groups→Refugees/displaced persons→Substantive Page 1, A. LAND. 1. Land and Displacement That all persons who are the victims of displacement (currently in Bungoma, Trans-Nzoia counties and the diaspora) who hold legitimate title deeds or any other supporting evidence confirming ownership of land from which they were evicted should be assisted through: (I) Council of Elders (Sabaot, Bukusu and Teso) (II) Land Control Boards (III) Land Dispute Tribunal (IV) The Government of Kenya (V) Any other appropriate legal channels Page 2, 6, Squatters That Resulting from:- (i) Colonial displacement from transzoia (ii) forest evictees (III) IDPs (IV) Landless The Council of Elders (Bukusu, Teso and Sabaot) shall lobby the Government of Kenya to resettle all squatters and forest evictees.
Social class	No specific mention.

Gender

Women, girls and gender	Page 4, 11, Devolved Funds ... d) The disbursement of these funds should be given to beneficiaries regardless of ethnicity, race, colour, sex, and religion.
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	No specific mention.

State definition

Nature of state (general)	No specific mention.
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 institutions (new or reformed)	No specific mention.
Elections	No specific mention.
Electoral commission	Page 2, 5, Political and administrative boundaries a) That the Independent Election and Boundaries Commission (IEBC) and administration officials should take into account the interests of minorities and marginalized groups when creating boundaries b) That the e process should be participatory and inclusive c) That the independent Electoral and Boundary Commission should be urged to reconsider redrawing of boundaries where possible that gives all communities opportunities to elect leaders that can drawn from all communities to avoid the dominance of one community from leadership
Political parties reform	No specific mention.
Civil society	No specific mention.

Traditional/ religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

Power sharing

Political power sharing	Power sharing→Political power sharing→Executive coalition Sub-state level Page 3, 9, Culture of Political Domination ... b) That the County Government Positions shall be shared equitably and in an inclusive manner among Communities in Bungoma and Trans-Nzoia County. c) That all nominated positions be done using affirmative action principle as embraced in the Constitution. Page 3, 10, Discrimination on resource Sharing. Access to Employment,Promotions and Opportunities a) That the Council of Elders of the Three Communities shall work to promote equity, inclusion and fairness in distribution and sharing of resources, opportunities and other benefits among the inhabitants of the Two Counties. b) That the Principle of Affirmative Action and Inclusion shall be adopted as a benchmark in Resource Distribution, Employment Opportunities and promotions. Power sharing→Political power sharing→Other proportionality Sub-state level Page 3, 9, Culture of Political Domination ... e) That appointments to the boards and committees shall be done in a manner that reflects fairness and diversity to all communities and geographic spread.
Territorial power sharing	No specific mention.

Economic power sharing	Power sharing→Economic power sharing→Sharing of resources Page 3, 9, Culture of Political Domination ... f) That the allocation of resources in respective counties shall not be pegged on political influence. g) That all leaders at all levels shall take the initiatives towards enhancing equitable distribution of resources as stipulated in the Kenyan constitution. Page 3, 10, Discrimination on resource Sharing. Access to Employment,Promotions and Opportunities a) That the Council of Elders of the Three Communities shall work to promote equity, inclusion and fairness in distribution and sharing of resources, opportunities and other benefits among the inhabitants of the Two Counties. Page 4, 11, Devolved Fund That:- a) Undue political leadership shall not be encouraged as the key determinant of management of the devolved funds b) Funds should be run professionally with a view to project identification, viability and costing. c) The management committees should represent the diversity of communities' in the area on a regional balance. d) The disbursement of these funds should be given to beneficiaries regardless of ethnicity, race, colour, sex, and religion.
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general	No specific mention.
Bill of rights/similar	No specific mention.
Treaty incorporation	No specific mention.
Civil and political rights	No specific mention.
Socio-economic rights	Human rights and equality→Socio-economic rights→Education Page 4, 14, Education and Educational Institutions That :- a) Learning institutions shall be equitably distributed within the region b) The marginalised areas within the two counties shall given priority to redress the imbalance

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Rights related issues

Citizenship	No specific mention.
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

Criminal justice and emergency law	No specific mention.
State of emergency provisions	No specific mention.
Judiciary and courts	No specific mention.
Prisons and detention	No specific mention.
Traditional Laws	No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction	No specific mention.
National economic plan	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 1, 1, LAND.
1. Land and Displacement
That all persons who are the victims of displacement (currently in Bungoma, Trans-Nzoia counties and the diaspora) who hold legitimate title deeds or any other supporting evidence confirming ownership of land from which they were evicted should be assisted through:
(I) Council of Elders (Sabaot, Bukusu and Teso)
(II) Land Control Boards
(III) Land Dispute Tribunal
(IV) The Government of Kenya
(V) Any other appropriate legal channels

a) To repossess their land.
b) To be issued with title deeds.
c) To be allowed to access and use their land freely.
d) To seek for legal redress for any other disputed land cases.

2. Loss and destruction of property
That all persons in Bungoma and Trans Nzoia counties whose properties were lost or destroyed or sold under duress during the clashes should assisted through:

(I) Council of Elders (Panel of Sabaot, Bukusu and Teso)
(II) Land Control Boards
(III) Land Dispute Tribunal
(IV) The Government of Kenya
(V) Any other appropriate legal channels
To lobby to get compensation by the Government of Kenya for damages incurred as a result of the said land clashes
Land, property and environment→Land reform/rights→Property return and restitution
Page 1, 1, LAND.
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(III) Land Dispute Tribunal
(IV) The Government of Kenya

Pastoralist/ nomadism rights	No specific mention.
Cultural heritage	No specific mention.
Environment	Page 4, 13, Natural Resources That: - a) Water catchment areas shall be managed, protected and preserved for future generations. b) Forests shall be protected and their products harvested in a systematic and sustainable manner for the benefit of the communities. c) Tourists' sites in these areas shall be developed to their full potential.
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	Security sector→DDR→Demilitarisation provisions Page 4, 12, Political Intimidation a) That the Council of Elders shall, among others, lead the disarmaments, demobilization and rehabilitation initiatives of the young men in militia groups occupied by the three communities. b) That the Government and other development agencies shall enhance security through cooperation and collaboration with the Council of Elders. Page 4, 15, Proliferation of Small Arms Light Weapons That:- a) The Council of Elders and all other leaders shall continuously engage with the Kenya Government to ensure review and implementation of relevant laws and policies on firearms control. b) The communities shall continue to support provision of focused and relevant training for Kenya reservists on the use and control and management of small arms and light weapons. c) We the Council of Elders of Sabaot, Bukusu and Iteso undertake to carry out intra and inter-community monitoring, disarmament and reduction of Small Arms and Light Weapons in close partnership with government. Security sector→DDR→DDR programmes Page 4, 12, Political Intimidation a) That the Council of Elders shall, among others, lead the disarmaments, demobilization and rehabilitation initiatives of the young men in militia groups occupied by the three communities. b) That the Government and other development agencies shall enhance security through cooperation and collaboration with the Council of Elders. Page 4, 15, Proliferation of Small Arms Light Weapons That:- a) The Council of Elders and all other leaders shall continuously engage with the Kenya Government to ensure review and implementation of relevant laws and policies on firearms control. b) The communities shall continue to support provision of focused and relevant training for Kenya reservists on the use and control and management of small arms and light weapons. c) We the Council of Elders of Sabaot, Bukusu and Iteso undertake to carry out intra and inter-community monitoring, disarmament and reduction of Small Arms and Light Weapons in close partnership with government.
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	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	No specific mention.
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	Transitional justice→Reparations→Symbolic reparations Page 3, 10, Discrimination on resource Sharing. Access to Employment,Promotions and Opportunities ... c) That each community shall apologize to each other publicly on perceived injustices of the past. Page 5, 16, Distorted History That:- a) That the three Communities affirm to respect the legitimacy of each other's history recognizing that they have valid but varied narratives concerning events and eras. b) The three Communities affirm each other's legitimacy and rightful status as equal members of the Trans-Nzoia and Bungoma Counties. c) The Three Communities Resolve to continue consulting and collaborating in recreating a shared positive narrative that will foster oneness among the all generations of the three communities.
Reconciliation	No specific mention.

Implementation

UN signatory	No specific mention.
Other international signatory	No specific mention.
Referendum for agreement	No specific mention.
International mission/force/ similar	No specific mention.
Enforcement mechanism	No specific mention.