

# Keeping the peace: Lessons learned from preventive action towards Kenya's 2013 elections

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## Executive summary

This paper presents the results of the Kenya Prevention Project – a joint initiative by the Graduate Institute's Applied Research Seminar and the Geneva Peacebuilding Platform. This project had the objective to develop a better understanding of the workings of preventive actions surrounding the Kenyan elections of 2013.

The project's overall finding is that successful conflict prevention around the 2013 election was based on the interplay between constitutional and institutional reform, the pursuit of transitional justice, and a range of local initiatives. It also found that information sharing and co-ordination of who plays what role, and when, was essential for maximizing the cumulative impact of different efforts, and for capitalizing on the reforms of political institutions. Specifically, the paper finds that:

- Constitutional reform, as well as the associated reform of electoral bodies and the judiciary, was an essential foundation for regaining the confidence of the Kenyan people.
- The pursuit of transitional justice, especially through the International Criminal Court (ICC), provided a looming specter of accountability for politicians. Despite concerted attempts to delegitimize the ICC, transitional justice issues had a profound impact on the conduct of politicians.
- A range of local conflict prevention efforts helped build a broad-based desire to avoid the violent scenario of the previous election. These efforts involved, for instance, early warning response mechanisms, District Peace Committees, small arms and light weapons control schemes, interethnic dialogue, as well as an emphasis on collaborative leadership.
- The prevalence of 'peace messaging' appears to have influenced popular discourse in the lead up to the 2013 election and afterwards, and appears to have been effective in preventing conflict boil over into violence.

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The Geneva Peacebuilding Platform is a joint project of four institutions:



## Introduction

After the brutality of the 2007-2008 post-election violence, the largely peaceful 2013 Kenyan general elections has been considered a success case of conflict prevention. A vast array of actors from local to the international levels played their part, as did the reform agenda, which accelerated rapidly following the National Peace Accords. While the judgment of the long term impact of the reforms is still out, at least in the short term, they can be credited to have contributed to the prevention of election-related violence in 2013. Even as many of the reforms are ongoing and many of the root causes of conflict remain, it is worthwhile to see how the reforms and specific conflict prevention efforts mutually reinforced each other and how they contributed to the peaceful elections in 2013 and what lessons can be drawn.

The magnitude of the 2007-2008 post-election violence in Kenya, challenges the “prevailing assumption that democracy and peace are, ideally mutually reinforcing with elections serving as the connecting cord between them” (Omotola 2010, p. 57). The trend towards violence surrounding elections in the third wave of democratization in Sub-Saharan Africa surprised many who “assumed incorrectly that most countries were heading down a one-way path to democracy and development” (Mueller 2008, p. 205). This makes successful conflict prevention efforts such as the 2013 Kenyan elections all the more important to understand.

The number of actors (politicians, voters, supporters) involved in elections and the range of the issues and interests in dispute make explaining and understanding election violence a challenging process. Given the complex dynamics of election violence, we use the broad concept of conflict prevention defined by the former UN Secretary General, Boutros Boutros-Ghali as “action to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and limit the spread of the latter when they occur” (Ekiyor, 2008, p. 28). We also draw on the conflict prevention work of the Geneva Peacebuilding Platform which emphasises that conflict prevention cannot be fully achieved by any one sector, approach or actor alone and that for effective prevention of conflict to take place, there must be interaction between all component parts (Ganson and Wennmann 2012).

Using this broad approach to conflict prevention, this paper identifies some of the key conflict prevention efforts in Kenya since 2008 and especially in the lead up to and around the 2013 elections. It also looks at the role played by civil society, business, government, regional and international organisations in this process. The paper is based on a literature review and semi-structured interviews conducted in Kenya between 8 and 15 June 2013 and via Skype with 19 resource persons in Kenya and Ghana, many with links to organisations in New York and Geneva including experts on conflict prevention, NGO workers, journalists, community leaders and officials in government agencies and international organisations involved in conflict prevention efforts in different contexts.

While it is impossible to consult all parties involved in conflict prevention, we consulted resource persons from a wide range of backgrounds as a deliberate approach to hear a diversity of perspectives on conflict prevention efforts and to develop a better understanding of the interaction between different actors and their role in conflict prevention and its impact on their communities. Despite the broad range of backgrounds of these resource persons, strong themes emerged in the responses and little controversy regarding the approaches used or their effectiveness. A condition of participation was that interview responses would be not attributed directly to those interviewed though they do contribute to the findings in the report.

# 1. Background

## 1.1 The 2007-2008 Election violence

After the results of the 2007 general elections in Kenya were announced among accusations of vote-rigging, mass demonstrations faced extreme violence which spread throughout the country, killing over 1300 people and displacing over 600 000 people (Kenya Red Cross Annual Report 2008, p. 18). The leading candidates for the 2007 presidential election were Raila Odinga of the Orange Democratic Movement (ODM) and the incumbent Mwai Kibaki of the Party for National Unity (PNU). Odinga had previously been a member of a coalition government led by Kibaki, which was elected in 2002 under the National Rainbow Coalition (NARC) but Odinga left the coalition in 2005 following disputes over his role in government and differences in opinion over proposed reforms to the constitution (Kagwanja 2008, p. 332) While the NARC had crossed ethnic divisions, the expulsion of Odinga and other candidates representing the large Luo minority of Western Kenya and members of other ethnicities led to the creation of the ODM. A consequence of this split was Kibaki's Democratic Party (DP) came to appear as representative of the Kikuyu tribe of central Kenya (Kagwanja 2008, p. 334). Odinga's split from the NARC, alliance with Kalenjin candidate William Ruto and subsequent candidacy for the presidency, therefore, in part aligned supporters along ethnic lines.

In the lead up to the 2007 election, Odinga had campaigned to appeal to the poor and youth vote, while Kibaki emphasized the economic success of the country (ICG 2008, p. 4). Odinga had polled ahead of Kibaki, though this lead was narrowing as the election approached (ICG 2008, p.4). While observers consistently reported that voting and counting of results was done in an orderly way, there was clear manipulation at the tallying stage (ICG 2008, p. 6).

By 29 December 2007, two days after the election, a result had still not been announced and in reaction to the delay and apparent rigging of the election, ODM supporters attacked those perceived to be supporters of Kibaki, primarily Kikuyu (ICG 2008, p. 9). Much of the violence occurred in the slums around Nairobi and in the Rift Valley with mixed populations of Luo, Kikuyu, Kalenjin and other ethnicities (ICG 2008, p. 9). From here, violence spread to a number of urban centres around the country and continued along ethnic lines with police participating in the violence at times (ICG 2008, pp. 9-10). This violence lasted until 20 January but more flared up between 24 and 28 January 2008 especially in the Rift Valley with armed gangs such as the Mungiki and Kalenjin warriors perpetrating much of the violence (ICG 2008, pp. 11-12). Senior politicians from both major parties, including the current president of Kenya, Uhuru Kenyatta, are alleged to have played an active role in encouraging the violence.

## 1.2 Explanations of the violence

While the corruption and perceived injustice of the electoral process was the immediate trigger for violence, it is important to look deeper to understand the causes of conflict. Systematic flare-ups of violence between different ethnic groups, particularly at a local level, have occurred in nearly every poll since the reintroduction of multiparty elections in 1992 (ISS Report, p. 2). Nonetheless, the violence following the 2007 elections in Kenya shocked many observers around the world due to its magnitude.

A dominant explanation has been the role of ethnicity and patronage that has prevailed in Kenyan politics giving incentive to incumbent politicians to appeal to unaddressed historical

ethnic injustices dating from colonial times “to mobilise voters in exchange for promised access to land or public services” (Romero 2013, p. 1) to incite violence to preserve their power. Susanne Mueller explains that, as power was centralized in the Presidency “Politics is viewed primarily as a winner takes all zero-sum ethnic game. The national economic cake is the prize. Various ethnic groups argue openly that it is their turn to ‘eat’” (Mueller 2008, p. 200).

Another explanation has been what Kagwanja calls “an entrenched legacy of ‘informal violence’” (2008, p. 384) from the Moi era and that this combined with the ethnic divisions cultivated by politicians explains why ethnic tensions so easily erupted into conflict. (Kagwanja, 2008, p. 384)

## **2. Reform and Conflict Prevention in Kenya, 2007-2013**

The surprising extent of the violence prompted a strong response from the international community and of course Kenyans themselves. In the midst of the crisis, Ghanaian President and African Union Chairman, John Kufuor, intervened to try to negotiate a settlement between the two parties. This intervention resulted in an agreement to seek settlement with mediation by a Panel of Eminent African Personalities, under the Chairmanship of former UN Secretary-General, Kofi Annan (Amnesty International Report, 2013, p. 7). Through this mediation process the Kenya National Dialogue and Reconciliation Agreements were signed including four agenda items, one of which was a power-sharing arrangement. Importantly, Agenda item 4, recognised “the need for ‘tackling poverty and inequity, as well as combating regional development imbalances’; the need for addressing ‘unemployment, particularly among the youth’; and the need for undertaking land reform” (ISS Report, 2009, p. 14). This was a significant accomplishment to come out of mediation efforts, in that it went beyond quelling violence and put in place the foundations for meaningful preventive action strategies. Some commentators have wondered however whether such a comprehensive accord could have been brokered without Kofi Annan’s political clout.

While this regional intervention was important in reaching settlement and establishing agreement on necessary reform, national actors retained firm primacy and agency, and the implementation of the resulting National Peace Accord was left entirely to them. The International Crisis Group (ICG) described the conflict prevention efforts as well as the attempt to recast the political system in response to the 2007-2008 trauma as “unparalleled” (ICG, Africa Briefing Number 94, 2013). Reforms ranged from constitutional change, electoral reform, judicial reform, pursuit of transitional justice and an extensive range of local initiatives. While they have a much broader agenda than conflict prevention and seek to achieve long-term change beyond the 2013 elections they have had a profound impact on the conflict prevention initiatives surrounding the 2013 elections.

### **2.1 Institutional Reform**

Identification of the shortcomings of many of the key institutions necessary for the conduct of free and safe elections prompted investment in reforming a number of these institutions. The introduction of a new constitution in 2010 was accompanied by reform of electoral institutions and the judiciary which were crucial in restoring people’s faith in the electoral process in Kenya and avoiding a repeat of the dissatisfaction that triggered much of the 2007-2008 Post-election violence (PEV).

### 2.1.1 Constitutional reform

Constitutional reform had been on the agenda even before the 2007 PEV. A referendum to reform the Constitution failed in 2005 largely because it was perceived not to devolve power to regions to a sufficient extent. This dispute became a trigger for the dissolution of the NARC and opposition between Kibaki and Odinga among others. Given this history, it is not surprising that constitutional reform was at the centre of the National Peace Accord following an attempt to break the cycle of winner-takes all politics, which has been a major driving factor in election violence in Kenya. The Constitution was promulgated on August 27, 2010, following a successful referendum (KHRC Report 2010, Wanjiku's Journey, p. 34).

The new constitution established a number of features including a "devolved system of government, an independent elections management body and requirements for affirmative action measures meant to guarantee the representation of marginalised and community groups within the country" (KHRC, 2013, p. 6). In addition, the constitution introduced vetting of public servants under Chapter 6 on 'leadership and integrity' setting out a framework for behavior of civil servants and a new Bill of Rights under Chapter 4, as well as a framework to ensure they are respected (Murray 2013, p. 1). These major reforms represented a necessary step in restoring the general population's faith in the political process.

Devolution, a cornerstone of constitutional reform, entailed a systematic decentralization of power through the restructuring of the provincial administration. A new structure was introduced under Chapter 11 to provide for a two-level devolved governance: the national government and the county. This effectively replaced the existing eight provinces with 47 counties to provide a second level of governance after the national government (Murray 2013, p. 1). Such a measure was expected to constitute a major success of constitutional reform, particularly in light of the European Union findings that "the centralization of power and therefore control of public resources and decisions-making in the institution of the presidency" is a clear and direct cause of post-electoral violence eruptions in Kenya, as it fosters "cut-throat competition during elections and worsens the existing ethnic divisions" (EU-KAS Report, 2009, p. 20).

Evaluating the effects of devolution in relation to the most recent election is difficult given its recent introduction and the multitude of other factors at play. Some resource persons consulted saw that there were many problems with the 2013 election, though they were less visible. One resource person interviewed suggested that constitutional reform had meant violence has also been 'devolved to county level', suggesting violent incidents in Busia, Bungoma, Mandera and other counties where dozens were killed may have similar dynamics to much of the violence that was considered political in the 2008 PEV. While some ongoing violence was expected, it has made identifying hotspots has been hard because many are different to what they were last time. Consequently, it was hard to target civic education campaigns for example, in Tana River, which experienced violence in 2012 in the lead up to the election but had not experienced in 2008. Similarly, some of the violence was not only devolved but delayed, which could prove problematic because some rapid response programs set up for potential election violence would no longer be operating at the time such delayed or 'devolved violence' might take place.

A further criticism is that constitutional reform is insufficient to achieve lasting change and prevent future election related violence as "the new constitution, and the political systems set therein, has yet to set roots in the political psyche of the society that has since adapted to the

ethicized patronage politics of the past legal regime" (KHRC, 2013, p. 57). The KHRC has largely attributed this to a lack of civic education on the new constitution.

## 2.1.2 Electoral Reform

Another major institutional reform to emerge out of the new constitution was an overhaul of the electoral system. Following the National Peace Accords, a commission that came to be known as the Kriegler Commission sought to determine what had gone wrong with the electoral process that triggered the PEV in 2007-2008. Identification of serious shortcomings of the Electoral Commission of Kenya (ECK) led to its disbanding and to the creation of the Independent Electoral and Boundaries Commission (IEBC) instead in 2011. The ECK had been the national body in charge of administering the 2007 elections and as a result, its disbanding was an indispensable step to moving forward, as many Kenyans held it responsible for the vote-rigging and voter intimidation which had occurred. A KNDR Report (2013, p. 14) found that "new laws and institutional arrangements that demand transparent recruitment and procurement processes, and the creation of new oversight mechanisms" boosted and restored Kenyans' confidence in the electoral process, as is evidenced by the fact that the IEBC enjoyed a high confidence rating of over 90% of respondents to a survey in February 2013 (KNDR Report, 2013, p. 6).

Whether the legitimacy of the IEBC persists is less clear. Attempts to make electoral processes more transparent by the introduction of biometric voter registration (BVR) failed due to technical glitches caused controversy (See boxed text below). In addition, failures to meet deadlines regarding the provision of toolkits as well as nomination lists right before the March 2013 election deadlines have been considered a "serious blot on its record" (KNDR Report 2013, p. 6)

Despite these shortcomings, the relatively peaceful nature of the 2013 election, its resolution in the Supreme Court and graceful acceptance of the decision by Odinga suggest democracy might be 'taking root' in Kenya (Open Democracy, 2013). Similarly, one resource person interviewed commented that whether or not there was an in-depth understanding of political reforms, Kenyans were very happy with the IEBC and it was by and large perceived to be impartial and a move away from old politics.

### **Box1: E-lection - the failure of technology – Lessons learned**

Kenya has prided itself on its ability to leapfrog technology advances and has rapidly embraced new technology as the M-Pesa system and Nairobi's technological innovation centre, iHub, show. Not surprisingly, as part of the reform to reclaim legitimacy in electoral institutions severely damaged by the old ECK's role in the 2007 election was the IEBC's use of technology to register voters and record votes. New biometric voter registration (BVR) was to help prevent 'dead voters' casting ballots or the casting of multiple ballots. It was also hoped that technology could show vote progress in real time and create a national "moving picture" map of turnout, which would provide ultimate transparency (Barkan 2013). This would be complemented by a results reporting system allowing immediate transmission by mobile telephone.

Despite receiving 27 bids to provide the technology for the election but by August 2012, none were found to be able to complete the ambitious reforms the IEBC envisaged. Political pressure encouraged the IEBC to continue with the process and the Canadian Commercial Corporation eventually intervened.

For the most part the registration process went smoothly, despite the tight timeframe. However, on election day, half of the electronic voter-identification devices used stopped working because spare batteries had not been sent in the rush to distribute them. Similarly, there were a number of problems with the mobile phones used by election officials from battery failure, lack of access to local networks, or failure to distribute access codes to presiding officers. Ultimately, election centres had to resort to paper ballots as a back-up. This failure risked undermining credibility of the election result and the IEBC generally – a serious risk in the circumstances.

A clear lesson emerges from this case study that while technology has the potential to improve transparency and reinforce democratic institutions, it will only work if managed properly and that time must be taken to install and test it before it can be relied on for major challenges such as BVR.

Source: Joel Barkan, "Technology is Not Democracy", *Journal of Democracy*, Vol. 24, No. 3, pp. 156-165

### 2.1.3 Judicial Reform

The influence the President held over the judiciary through constitutional amendments and the corruption of many standing judges at the time of the 2007-2008 PEV meant few Kenyans had confidence in the judiciary, rendering judicial review of executive orders ineffective, promoting non-judicial means of achieving justice (Judiciary Transformation Framework 2012, p. 2). The 2010 Constitution removed a number of the executive's controls of the judiciary opening possibility for reform. The Appointment of Willy Mutunga who was a reform activist and had been tortured under the Moi regime, as Chief Justice of the Supreme Court has been assumed to prioritise the implementation of the rule of law and human rights over the political will of the elite. In response, the Judiciary Transformation Framework 2012-2016 was launched in 2012. This sets out changes to the leadership, management and culture of the judiciary. Some resource persons indicated that the appointment of Mutunga and proposed reforms indicate a cultural shift and bolstered trust in the judiciary in the case of electoral disputes. However, Barkan, for example, has suggested that the Supreme Court decision to dismiss the challenge to the 2013 election results for irregularities, was political decision and has undermined its own credibility going forward (NED, 2013) echoing concerns of a number of resource persons also about the long-term impact of judicial reforms.

## 2.2 Transitional Justice

Intertwined with this institutional reform were a number of efforts to lay the foundations for future peace through pursuing transitional justice. Transitional justice was identified as a key process in the prevention of the recurrence of violence due to the sore in the psyche of many Kenyans of 'historical injustice' or in the words of one resource person 'historical and ongoing injustice'. It was anticipated that transitional justice would play a 'healing' role and ultimately lead to conflict prevention on the basis of the idea that "there cannot be peace without justice" (KHRC, KICJ and ICPC, 2010, p. 14).

There remains considerable debate about how best to achieve these ends, in particular about whether to pursue "retributive" or "restorative" justice, the impact and interactions of such initiatives with political developments and the appropriate timing for each measure. While retributive justice was seen as strengthening the rule of law by fostering long-term impunity, it has

been identified as potential source of tension and spoiling behaviour which could prompt a repeat of violence (KPTJ, 2010, pp. 23-25).

In order to “achieve lasting peace, end the culture of impunity and foster democratic governance” there was broad support for “strategic partnership, between the public, Civil Society, the Media, the political class, and other stakeholders geared towards the successful execution of all the transitional justice initiatives.” (KHRC, KICJ and ICPC, P.109). The most significant of these include the establishment of the Truth, Justice and Reconciliation Commission, the creation of the Commission of Inquiry into Post Election Violence and the referral of crimes against humanity to the International Criminal Court.

### 2.2.1 Truth Justice and Reconciliation Commission (TJRC)

A major development emerging from the peace settlement was the enactment of a bill creating a Truth, Justice and Reconciliation Commission (TJRC). Agitation for the TJRC began in the early 1990s with the introduction of multiparty democracy but gained momentum in 2002 with the election of the NARC Rainbow Coalition (KHRC, KICJ and ICPC, 2010, p. 68). Pressure to go ahead with the TJRC finally translated into action following the National Dialogue following the 2007 - 2008 election violence and it was enacted in October 2008. While supporting the implementation of the TJRC, a number of limitations with the TJRC have been identified, including; failure to consider non-state actors as perpetrators, a mandate that is far too large, a structure which means that it is likely that regional areas will be neglected, a compensation mechanism which may exclude marginalized communities, inadequate witness protection and the lack of provision on how to enhance national reconciliation (KHRC, KICJ and ICPC, 2010, p. 74).

The TJRC's final report released in May 2013 has been praised for its robustness, yet implementation has already met controversy. Paul Seils of the International Center for Transitional Justice (ICTJ), has claimed that Uhuru Kenyatta's office altered some of the TJRC's findings to cover up issues of land tenure relating to his father and former president, Jomo Kenyatta, (Al Jazeera, 2013) and on 3 October the ICTJ filed a petition in a high court in relation to these actions (AllAfrica 2013). These actions clearly threaten to undermine the legitimacy of the TJRC.

### 2.2.2 Commission of Inquiry into Post Election Violence (CIPEV)

Another major development was the creation of the Commission of Inquiry into Post Election Violence (CIPEV) in February 2008. This was led by former Kenya Court of Appeal Judge, Philip Waki, and was also known as the Waki Commission. A key recommendation of the commission was to establish a tribunal to hold those responsible for the violence accountable. In an attempt to overcome the history of political impunity, the commission suggested that if the government failed to establish a tribunal to prosecute perpetrators of the election related violence, it would refer the matter to the International Criminal Court” (ICG, 2012, p. 1). On two occasions, a bill to establish such a tribunal did not make it through parliament. Consequently, the matter was referred to the ICC in 2009 and six people were indicted including Uhuru Kenyatta, the recently elected president and William Ruto, the First Deputy President.



### 2.2.3 International Criminal Court (ICC)

From the outset there was significant optimism about the effectiveness of using the ICC to make Kenya's political leaders accountable by removing control over the process from national institutions. ICG reported, "to many Kenyans ... the ICC's involvement sends a signal that entrenched impunity for wealthy and powerful politicians will not be permitted to endure" (ICG, 2012, p. 1). Similarly, the NGO, Kenyans for Peace, Truth and Justice, wrote, "the international criminal court (ICC) is perhaps the best option available to victims and human rights groups to seek retributive justice in relation to the crimes of the planners and sponsors of PEV" (KPTJ, 2010, p. 23).

Nonetheless, some serious shortcomings have been identified with the involvement of the ICC. For example, in 2010 the KPTJ indicated that, "the ICC ... may cause disillusionment among some victims because it will target only a handful of perpetrators and the cases brought before the court are not likely to get underway for two to three years from the time indictments are issued" (KPTJ, 2010, p. 23). Similarly, the ICG notes that while initially popular in Kenya, its support among the Kenyan population has been steadily declining (ICG, 2012, p. 2). In 2010, the KPTJ also indicated that it did not believe that the ICC would "succeed in Kenya without credible commitment from the government to provide reliable and sustainable cooperation" with the court's investigations (KPTJ, 2010, p. 5).

This appears to have been prescient with a recent ICG report noting that the Jubilee government, including ICC Uhuru Kenyatta and William Ruto, has attempted to undermine the authority of the court. They have "used nationalist rhetoric grounded in the perception that the ICC discriminates against Africa and unfairly targeted Kalenjin and Kikuyu communities", as defendants were primarily from those communities (ICG, 2013, p. 8). Similarly, Menocal has remarked that "...some analysts have suggested, ICC proceedings may have unwittingly strengthened Kenyatta's position at home and helped him secure the election in reaction to what is perceived as unwelcome Western interference" (Menocal, 2013). The lack of witness protection measures has also been identified as a key shortcoming in the ICC prosecution and now threatens the prospects of prosecution of Uhuru Kenyatta and William Ruto (ICG, 2013, p. 10). More dramatically, the decision to withdraw from the jurisdiction of the ICC on 5 September places the future accountability of its leaders before the institution in even more doubt even as the trial of William Ruto begins.

While uncertainty remains about the ultimate impact of the ICC's role in changing Kenyan politics in the long term, there is no doubt that pursuing accountability has had a dramatic impact in the short term. Almost universally, resource persons interviewed believed the ICC had had a positive impact on conflict prevention in Kenya by making politicians responsible for violence accountable to procedures they had less power to influence. An inadvertent result of the ICC's intervention appears to be the forging of a Kikuyu-Kalenjin détente through the alignment of Kenyatta and Ruto in the campaign for the 2013 election. Many resource persons interviewed agreed that this had a dramatic impact in defusing tensions between these two ethnic groups in the combustible rift valley in the short-term. However, the sustainability of such an alliance - and therefore its long-term impact - is less clear. One resource person believed that if this alliance broke down, that 'violence is very much possible'.

## 2.2.4 Police Reform

Aside from restoring impetus for transitional justice mechanisms, a major development arising from the Waki Commission has been a massive and ambitious effort to reform the police apparatus starting in 2009. This was in response to the Waki Commission's identification and documentation of "widespread allegations of attacks, including killings and rapes, committed by the police, and allegations of deliberate negligence where the police failed to respond to situations of violence" (Amnesty International Report, 2013, p. 7).

A National Task Force for Police Reform was created in 2009 and subsequent laws passed in 2011 contain a comprehensive framework for police reform. If fully implemented, these measures would overhaul the structure of the police force by addressing shortcomings, which permit and perpetuate abuse and impunity (Amnesty International Report, 2013, p. 7). However, efforts guiding the police reform had not been put into practice in time for the March 2013 general elections and as a result, "the very same policing structures blamed by many for serious human rights violations during the 2007-2008 post-election violence remain in place for the 2013 elections" (Amnesty International Report, 2013, p. 6).

## 2.2.5 Curbing Small Arms and Light Weapons Proliferation

As chair of the Regional Centre on Small Arms in the Great Lakes Region, the Horn of Africa and Bordering States (RECSEA), Kenya has played an important role in preventing the proliferation of small arms and light weapons for some time. In 2011, RECSEA identified "the possibility of cancerous civil strife" given an escalation in the circulation of small arms and light weapons (SALWs) in the countryside as a direct result of the 2008 post-electoral violence and "the increasing allure of the gun to communities in electoral violence-hit zones" (RECSEA report, 2011, p. 2). This finding prompted the Kenyan government to focus its efforts on disarmament operations specifically in pastoralist areas as well as developing a Draft National Policy on Small Arms and Light Weapons. This draft, to be adopted shortly would enhance a currently weak legal framework surrounding management and control of the SALWs proliferation, but has been criticized for its lack of practical, concrete measures as to how to strategically proceed in order to carry out a systematic and country-wide disarmament campaign.

Although essential steps have been taken to reform the flawed institutions, which played an enabling role in the 2007-2008 post-electoral violence, this national process has stopped short of translating into a general sense of justice and accountability for the Kenyan society at large. The Institute for Security Studies found that violence committed following the 2007 elections has seldom resulted in perpetrators being held accountable for their actions a result, and hence highlights as necessary for the long-term legitimacy of the government and reforms underway that policy-making "be approached not only in terms of the most recent election violence but also as a wider problem where groups that have historically been exposed to political violence or marginalised receive reparations" (ISS Report, 2013, p. 14). Structural change then, although undoubtedly necessary, only becomes an effective vector for change when coupled with efforts aimed at addressing the underlying causes of grievances and engaging the electorate through public education and restoring its faith in the political process.

### **3. Local Conflict Prevention Initiatives**

While international interventions and the national reform agenda were crucial, perhaps the most remarkable aspect of conflict prevention was the range of local initiatives that played a central role in ensuring peaceful elections. Great effort went in to strengthening local initiatives addressing the major drivers of violence in order to avoid a repeat of the 2007-2008 election violence at the local level. Many local initiatives shared the same aims as the national and international conflict prevention efforts and replicated the same methods to achieve conflict prevention and benefited from the support and funding from national agencies in particular the National Steering Committee on Peacebuilding and Conflict Management (NSC). These efforts ensured that communities throughout the country were engaged in conflict prevention measures. While such efforts originated locally, they were successfully harmonised and incorporated into the broader efforts described above which added to their effectiveness.

#### **3.1 National Steering Committee on Peacebuilding and Conflict Management**

The NSC played a central role bringing together different actors at a number of levels to share information and expertise and co-ordinate conflict prevention efforts to enhance the effectiveness of all actors. The NSC was created in 2001 by the Government of Kenya with the help of the UNDP with the aim of coordinating peacebuilding and conflict management mechanisms in the country. In the lead up to the 2013 elections, the NSC's main strategy was bringing together and coordinating actors from the international, national and sub-national levels in conflict analysis and early warning as well as in capacity-building and training and promoting peace for example in the UWIANO platform (See boxed text below). International organizations like the UNDP, Pactworld and SaferWorld, national organizations like the National Drought Management Authority and the Kenya Police as well as local organizations like PeaceNet Trust Kenya, a coalition of 530 NGOs, all worked each bringing in its expertise.

##### **3.1.1 District Peace Committees**

District Peace Committees (DPCs) played a central part in local level conflict prevention efforts. The first such body was initially established in 1993 by a group of women in the Wajir District of Northern Kenya who sought to end a protracted cycle of violence in the region (Van Tongeren, 2011, p. 407). From its inception, the initiative emphasized local participation from various civil society actors, particularly elder mediation. The model achieved remarkable results. The model was soon replicated throughout the region and the country as a whole (Odendaal & Oliver, 2008, p.18) and became recognized as "the widely accepted non-state peace structures in most parts of Kenya" (IFP-EW Report, 2012, p. 29). During this process, there was a realization that a degree of formalization was needed and civil society actors began rallying and involving official representatives in their activities. This led to the establishment of peacebuilding bodies now referred to as DPCs. Each chaired by a district commissioner, DPCs bring together a wide array of actors including government officials, NGOs, religious leaders, local chiefs, security officers and local civil society (Van Tongeren, 2011, p. 407).

DPCs received renewed attention and support following the latest post-electoral violence. Indeed, in the 2007-2008 aftermath, the National Accord and Reconciliation Agreement recommended the establishment of peace committees in all the districts of Kenya, with priority given to the Rift Valley province, where most of the violence had occurred. As of 30th June 2011, there were 130 active district peace committees in the country (IFP-EW Report, 2012, p.

29). As a result, they are now coordinated by the NSC and have been hailed as “valuable interface structures” which facilitate community dialogue and dispute settlement at the local level, hence acting as local preventive mechanisms.

### **Box 2: UWIANO – a Consolidated Approach to Conflict Prevention and Peace-Building**

The work of Uwiano Platform for Peace was most visible from the period leading up to the 2010 referendum on the new Kenyan constitution till the 2013 elections. ‘Uwiano’, which means ‘Cohesion’ in Swahili, exemplifies a strategy that brings together organizations from the grass-root level through the national to the international levels. Through the joint efforts of its partner organizations - the National Steering Committee on Peacebuilding and Conflict Management, the National Cohesion and Integration Commission, PeaceNet, the United Nations Development Programme and later the Independent Electoral and Boundaries Commission – the platform organized peace caravans and vigils to promote dialogue, create awareness and educate Kenyans on the need to end violence and embrace peace during the referendum. Fourteen districts including Samburu, Laikipia, Nakuru, Kipkelion, Isiolo Triangle and Nairobi benefitted from these programs. Media advocacy campaigns called “Chagua Kenya Chagua Amani” (Choose Kenya Choose Peace) were also run alongside to strengthen the peace message.

Before and during the 2013 elections, the Platform also strengthened local capacity by recruiting and training about 120 peace monitors, gender-based violence analysts, a communications consultant and a monitoring and evaluation specialist. These were trained in early warning and response mechanisms as well as conflict and violence resolutions to facilitate local level conflict prevention efforts. The peace monitors and gender-based analysts also served as personnel in erected County Peace Tents in about 20 counties where, through information gathering and coordination, the appropriate bodies were contacted to handle potential peace-breakers. Working closely with the Office of the Inspector General for instance spurred immediate reactions to violence by the police once information gathered by the Platform was passed on to them. The coordination done by the Platform thus served to link together and strengthen the work of different groups involved in conflict management and prevention during the 2013 elections.

Source United Nations Development Programme, Uwiano Platform: A multi-stakeholder strategy for peaceful elections.

### 3.1.2 Coordination of Conflict Analysis, Early Warning and Early Response Strategies

A major focus of NSC activities involved the collating of reports from the local level DPCs and peace monitors with a separate conflict analysis group whose main task was to crosscheck and evaluate the likelihood of a potential conflict. The mapping and analysis were to identify the intersection of different indices of violence as well as simple enough anomalies in everyday situations like the increased movement of youth into market areas. Once information was analyzed, an Early Warning Report was transferred to the relevant authorities to act. These ranged from the Kenya security forces to local mediators and security personnel.

From our interviews it became apparent that there was a broad consensus that In comparison to 2007, there was a much better understanding of the potential causes of violence and potential flashpoints in communities. Resource persons interviewed from experts to former gang

members in Kibera commented that security was deployed early in known violence hot spots prior to the election. This helped prevent such places turning into flashpoints for the spread of violence to other areas. This was possible through significant research, information sharing between partners and violence mapping, which helped to identify violence hotspots and the intersection of political, ethnic and economic causes of violence in a number of communities that experienced violence in the 2007-2008 PEV.

### 3.1.3 Training and Capacity-building

The NSC also organized training and conflict sensitization sessions in Sub-Local, Local, Divisional, District and Provincial peace committees. The aim was to permeate all levels with enough training on conflict management and peace-building strategies. Similar training, in partnership with the UNDP, was given to over 760 government officials and Police officers between 2008 and 2010 with the aim of encouraging prepared and responsible management of conflict situations. Training models centered on negotiation and mediation, reconciliation, disaster risk reduction and disarmament, monitoring and evaluation, etc.

In our research, it was clear that these initiatives had an important impact on conflict prevention efforts. Many resource persons noted that there was a concerted effort to sensitise the local community as to why security was present as the existing relationship between police and community was tense and security presence itself could possibly act as a trigger for violence due to past abuse by police and tension with gangs in the settlements. While security development was effective in the short term, there will be difficulties maintaining it unless community relations with police are improved generally.

#### **Box 3: Ushahidi: Innovation from violence**

A particularly interesting initiative to emerge out of the 2007 PEV was Ushahidi, 'testimony' in Swahili, a non-profit, largely grant-funded organisation. They produced an online 'mashup' of text messages, emails and other reports through twitter etc. of violent incidents which was used to map the occurrence of violence during the 2007-8 PEV as mainstream media failed to report this effectively. People were alerted to Ushahidi's work through advertisements in newspapers etc. It was effective because it was able to employ mobile telephone technology to give real time reports of violence. Texts were translated into English as well as local languages in order to allow an international audience to understand them. The success of this platform later saw it adopted in different contexts including in Russia, Haiti and Japan after the earthquakes in the latter two among others. It has also consulted for the establishment of "harrasmap" in Egypt and for other crowd-sourcing software.

In preparation for the 2013 election, Ushahidi launched 'Ucha Guzi' with the support of a number of international and local donors. As part of this project, links with CBOs and CSOs throughout the country to broaden its network and increase the reliability of the information it received and reported. It held 50 information sessions between February and 2 March and trained 238 volunteers. Ushahidi promoted its work on the premise people needed to protect the value of their votes and encouraged people to report election irregularities and also where voting was working effectively. Trained volunteers in each constituency confirmed reports before they were published. They received over 4500 messages in 5 days. In addition people were sourcing information through twitter and other social media. Media monitors and geo-

location verification was used to verify the accuracy of the information reported. Once verified, texts were translated and rewritten as narratives to convey the information more effectively.

Evidence of irregularities was forwarded to the IEBC, NSC and the Kenyan Red Cross. Many citizens reported seeing security personnel deployed shortly after they reported incidents, suggesting that the project was at least partially effective in creating transparency and preventing violence.

Source: Uchaguzi Kenya 2013, Monitoring & Evaluation, July 2013 and interview with Angela Odour, Developer, Ushahidi, Nairobi, Kenya

### **3.2 Intercommunal Dialogue**

Organisations such as PeaceNet, an umbrella coalition of 530 NGO's, helped mobilize communities to foster both early warning and response and long-term resilience was faith-based organizations and community-level organizations. While PeaceNet works at a national level, its approach is largely bottom-up, with a big emphasis on the local level participation with an attempt to blend these efforts with national level initiatives and NGOs to achieve better synergy. Peacenet is mostly engaged in local capacity building such as training elders and encouraging the establishment of elder councils in various communities of Kenya so that they can use their influence to defuse conflicts at early stage.

Faith Based Organizations were also singled out by the EU-KAS initiative on strengthening non-state actors capacities as "very instrumental in promoting a culture of peace within the province through their various churches, while community based organizations and other non-governmental organizations do the same through development initiatives that ensure that people, particularly the youth are engaged in projects that help shape their behaviours towards good citizenship" (EU-KAS Report, 2009, p. 20). Faith based organisations also helped to nurture alternate identities that cut across ethnic identities. Mkenya Halisi was one such organisation, which emerged from the 2008 violence. Based on a book, it evolved into a 10-week training program to begin a conversation on how ethnicity interacts with politics and society, and draws on Christian values to emphasise the value of unity. By encouraging Kenyans to identify with people from other ethnicities, it has the potential to mitigate ethnic divisions which have been associated with violence in past elections. In Western Kenya, Community Action Initiative - Kenya ran also ran intergenerational dialogues and interethnic forums in which older people confronted younger people about the impact of past violence. Trade between different ethnic groups was also encouraged to provide economic incentives to maintain peace due to the cost of violence to business.

### **3.3 Promoting peaceful conduct in the community**

In the lead up to the March 2013 elections, messages promoting peace became a prevalent strategy of NGOs and government agencies. Such peace messages took the form of advertisements on television, text messages, concerts and community forums to encourage peaceful conduct during and after the elections. While simple, this strategy appears to have had a great impact at least insofar as it reminded Kenyans of the potential personal and financial cost of violence and the impact of the 2007 PEV. One resource person suggested that there was such a bombardment of peace messages that anyone using a different discourse was easily identified.

The largest project was Mkenya Daima (Kenyan Forever), which was responsible for reinforcing the message that whatever the result of the election, it must be conducted peacefully. It spread this message through meetings with media, NGOs, religious and community leaders and judges, media advertisements, sporting events, flashmobs and concerts, which toured throughout the country. A broad alliance of businesses played a significant part in supporting this project, leading the Mkenya Daima organizers to comment that “[t]he private sector proved that business thrives in a stable political environment and are willing to join other sectors to ensure that the business environment is not affected” (MKENYA document p. 27).

The NCIC also launched the Kenya Kwanza national multi-media campaign which re-emphasized the place of peace messaging before the elections. Launched a full year before the 2013 elections, the campaign sought to use different media to “bridge ethnic, racial, religious, and class divides and inculcate a mindset of tolerance, [and] acceptance”, (NCIC, 2013) tenets of the New Constitution whose aim was to promote cohesion, inclusion and peace. A special charter, the Kenya Kwanza Charter, was also designed to serve as a binding document on the behaviour of all signatories. Interested persons who signed the charter were to uphold the terms of the charter to avoid hostile and discriminatory speech and actions and promote constructive debates and dialogues.

Aside from Mkenya Daima and Kenya Kwanza, there were a number of local initiatives which engaged local communities to engage in a range of conflict prevention strategies. One example is Sisi Ni Amani was an NGO that sent text messages of peace at regular intervals in the lead up to the 2013 election. Radio stations such as Ghetto Radio set up to cater to people living in informal settlements in Nairobi with the support of international donors broadcast messages of peace and participated in community events to build community links especially in Nairobi slums. Similarly, Kibera Walls for Peace, which facilitated young people creating murals with messages of peace in the lead up to the election not only promoted peace but engaged young people and provided them with activity to divert them from potential participation in violence.

#### **Box 4: Guthuka Radio**

A striking example of successful business involvement in preventive action was the broadcasting of the popular radio drama Gutuka throughout Kenya. The project was launched by the International Rescue Committee (IRC) and was produced with the support of USAID as part of a joint venture entitled Peace Initiative Kenya. Gutuka – meaning awaken in Swahili – aired both before and after the March 4th elections and aimed to disseminate messages of peace, specifically encouraging women to actively participate in the promotion of a peaceful society. This gender-specific approach to conflict prevention was novel in Kenya, as few initiatives between 2007 and 2013 explicitly acknowledged the specific contributions which women and girls stand to make, as well the particular risks that females are faced with in conflict.

The project was significantly bolstered by business' participation in the broadcasting of Gutuka on seven radio stations across Kenya. Such an alliance was highly strategic as radio is the most readily accessible form of mass media in Kenya since its privatization in the late 1990s, with 89 percent of adult Kenyans stating that they are regular radio listeners. Partner media house Well Told Story (WTS) played a proactive role in promoting participatory listenership through organizing fan competitions and allotting time for call-ins and discussions surrounding the themes

addressed. Efforts were also made to convey the main themes in local dialects throughout the four target regions so as to ensure the widest possible exposure.

The series is estimated to have reached over 1.5 million Kenyans, making it an unprecedented success. Further than its scope, the initiative is particularly worthwhile to highlight in that it did not limit itself to addressing immediate factors relating to conflict and electoral violence. It also endeavoured to spark a debate about deeper-running societal issues such as gender-based violence, gender imbalance in political representation within certain communities, as well early marriages and FGM. Such an approach is very much in line with the finding that more has to be done in the Kenyan context in order to address indirect factors contributing to conflict.

**Sources:** International Rescue Committee. Innovative radio drama inspires Kenyans to embrace peace. June 2013. USAID Kenya. Peace Initiative Kenya. April 2013. Retrieved from Ndeta, J. (2013). Gutuka drama dispels retrogressive practices in Maasai land. Peace Initiative Kenya Magazine, Volume I (2), pp. 6-7.

### 3.4 Engaging Political Leaders and journalists

A recurring theme in interviews with resource persons was the notable self-censorship of major politicians with regards to flaming latent ethnic tensions in 2013 in contrast to 2013. The Kenyan business community, represented by the Kenya Private Sector Alliance (KEPSA), played a significant and proactive role both in rallying the general population around the message of peace as well as in exerting pressure on politicians to follow due process. Beginning immediately following the post-electoral violence in 2008, dialogue was initiated with the main political leaders and “pressure was also exerted through paid adverts in the media” (Mkenya Daima Report, 2013, p. 3).

The business community was also active in promoting messages of peace. The Kenyan Private Sector Alliance (KEPSA) supported Mkenya Daima but also by engaging politicians and holding them accountable. Notably, in June 2012, KEPSA organized a two-day forum in partnership with the Ministry of Justice, National Cohesion and Constitutional Affairs (MOJNCA) where members of parliament (MPs) and top-level government and judiciary leaders, among others, were gathered (Mkenya Daima Report, 2013, p.3). The aim of the event was to obtain a firm commitment on the part of MPs that they would promote messages of peace while carrying out their campaigns. This objective was successfully met with the forum culminating in the parties signing the National Cohesion and Integration Commission (NCIC) Peace Charter, hence helping foster a sense of accountability on the part of the executive (Mkenya Daima Report, 2013, p. 3). Mkenya Daima's diversified efforts in reaching out to the Kenyan public – including women's, youth and religious groups and grassroots movements – as well as its success in brokering high-level political dialogue render it a worthy illustration of the role which business stands to play in conflict prevention.

Apart from the above measures, there were other factors promoting peaceful conduct by political leaders. The UNDP's Collaborative Leadership Programme also brought together MPs from different political parties to hear experts address contentious issues as a means for opening up collaboration between politicians as an alternative to conflict. A number of other actors also promoted peace by targeting provocative statements by politicians or reports. The Media Council of Kenya started monitoring media reports and a number of actors, such as the Community Action Initiative conducted conflict sensitive reporting to journalists refraining from



identifying perpetrators of violence by their ethnicity. Resource persons also noted that influential members of the business community used their influence to privately encourage politicians on both sides not to inflame tensions. Another resource person noted that business had played a role, possibly inadvertently, by refraining from openly supporting one candidate or another. It is also possible that the outstanding ICC investigations of Kenyatta and Ruto played a role.

## **4. Lessons learned**

The value of any lessons learned from the peaceful conduct of the 2013 election depends in part on the extent to which it has brought about lasting change. While a number of reforms to achieve the goals to set out in Agenda item 4 of the Kenyan National Dialogue and Reconciliation Agreement are ongoing, there is widespread concern that many of the underlying causes of violence remain and that with the peaceful passing of the 2013 election future efforts at conflict prevention will subside before real change is implemented. Some resource persons interviewed pointed to constant heated exchanges on social media, which betray ongoing ethnic and political tension, which has the possibility to erupt into violence if it is not addressed. Also, some resource persons suggested that violence has been far more widespread than reported suggesting some of the self-censorship and heavy investment in peace has led to reluctance to acknowledge this. The devolved and delayed nature of more recent violence may make its political connections less obviously political in compared to much of the violence with overlapping motives, which was seen as political in the wake of the 2008 election even if it was based on longstanding grievances.

### **4.1 Ongoing Challenges**

Questions remain about whether the conflict prevention strategies described are likely to have long term effects for future elections. Many of the deep-rooted causes of conflict; the potential for political mobilisation along ethnic lines and the winner-takes-all approach to politics remain problems in political culture need significant work to achieve long-lasting change. Many resource persons interviewed indicated that the restraint by powerful groups from resorting to violence was motivated by the terror of the memories of the violence in 2007. Peace messaging played on memories of the 2007-2008 PEV, though how long such memories will continue to shape perceptions of the value of peace in light of ongoing injustice remains unclear.

Some commentators identified ongoing injustice as a lingering driver for violence and suggested that this would have to be addressed as a priority following the success of peacebuilding. The outcome of the ICC hearings is likely to be crucial in this and they remain fraught with uncertainty and were subverted for the political gain of the accused; Kenyatta and Ruto. A key question is the extent to which the ICC indictments of Kenyatta and Ruto forced them into coalition and therefore temporarily removed the Kikuyu-Kalenjin rivalry, which was closely related to the bulk of the violence in 2007. This continues to develop with the parliament voting to withdraw from the court's jurisdiction on 5 September 2013 and the ICC's prosecutor's office pledging to press on with cases against the two. If this alliance breaks down, violence is more likely in future elections. Similarly, continuing political will to pursue national local transitional justice will be crucial to achieving conflict prevention future as addressing historical injustice comes to be prioritized over short-term peace at elections. At a local level, land disputes remain a likely cause of future tension and will need to be resolved. This will be a delicate process due to the political and ethnic dimensions to such disputes.

Providing jobs and addressing unemployment is also likely to be crucial to see the ongoing development of the country and divert especially youth. A 2008 survey showed that 79.1% of Kenyans were below 35 and 25.9% were between 20 and 35. In addition youth unemployment is around 60%. (Rasmussen 2010, p. 304) Engaging this demographic in peacebuilding is crucial to ensuring a peaceful future as many of them had been involved and affected by the violence in the past more than other groups. While youth were the target of many conflict prevention efforts from radio, to community art to employment initiatives, providing opportunities to earn a livelihood that provide attractive alternatives to violence will mean that they are more invested in peace in the long-term.

One promising example of this was Mizuka Youth group in Kibera, composed of former gang members of different ethnicities who had lost friends in the 2008 PEV when members from different ethnicities were encouraged to attack each other. With funding from the District Officer and other local government bodies had started the youth group which earns money doing tasks like garbage collection, community clean ups, urban farming, HIV awareness, organizing soccer tournaments, water vending, running a small computer office and renting a small hall for talks and to watch football matches. The ability to divert youth from violent behavior into productive community engagement will be an important factor in promoting peace in the future.

## **4.2 Successes**

The wide scale changes and institutional reform was only possible with extensive and effective analysis of the causes of conflict. There was broad consensus about many of the various factors that contributed to violence in 2008. This sound understanding made reform possible and the efforts by Kenyans not to repeat the 2008 better informed and ultimately far more effective.

International interventions were particularly critical in determining the course of peacebuilding in 2008. The Annan intervention in 2008 was powerful as it was international, had clout and international meant tension and distrust was diffused. It is evident too that the ICC's involvement has played a crucial role. However, such international involvement is unsustainable and not reliable to create long-term change.

There is some hope that ethnic division need not be an obstacle to real change in the political culture of Kenya. This perspective is supported by Dr. Nicholas Okai, head of research at the Kofi Annan Peacekeeping Training Centre (KAIPTC) who argues that the practice of identifying first and foremost along ethnic lines is inherent to the African context. As such, he contends that ethnic division is to be expected and does not in and of itself constitute an obstacle to peace, unless instrumentalized by inflammatory political rhetoric. There is evidence that it is merely a proxy for access to goods and services, as expressed in the statement of various ethnic groups that it is their turn to eat (Romero 2013). To what extent devolution and other measures have addressed this remains unclear. Many resource persons commented that individuals avoided confrontation during elections by returning to and remaining in their ethnic homelands some time after elections to avoid violence though ethnic divisions remain, suggesting conflict was avoided rather than overcome. Nonetheless, peace messaging seem to have made some impact on prioritizing peace over settling individual or ethnic grievance and worked in the context of the 2013 election.

A very positive aspect of the conflict prevention efforts has been the extent to which local communities and individual Kenyans have had ownership over these changes. Such initiatives were broad ranging - from high tech violence mapping, inter-ethnic dialogue and to civic education - and tailored to the perceived needs of the particular community. They ensured that conflict prevention efforts reached people all over the country and were able to engaged in a meaningful way. While Kenyans were active in creating new initiatives to promote conflict prevention, it is clear that these initiatives, from violence mapping to radio messages, were only possible with international investment and support.

A recurring theme in the field research was the extent of co-ordination between various bodies, bringing together local actors in communities directly affected by the violence and business, which suffered great financial losses as a result of the violence together with national and international institutions, government bodies and NGOs. The National Steering Committee on Peacebuilding and Conflict Management played a key role in co-ordinating conflict prevention efforts from international organisations, national agencies and NGOs. The support and co-ordination of UNDP and Peacenet, both members of the NSC, was also crucial in encouraging peaceful responses to the election outcome. It is essential that this momentum continues and is supported by the international community to ensure it has a long-lasting impact.

## **5. Conclusion**

A common misconception with the 2007-2008 violence was to see it in isolation and fail to see the patterns of violence surrounding most elections since 1992 with the introduction of multi-party politics. Many of the efforts achieved in the lead up to the 2013 elections were the culmination of earlier efforts for large scale reforms which target some of the long term drivers of violence example, especially the new constitution. It is important therefore not to see the success of the 2013 election in isolation but rather as part of an ongoing process. These reforms helped establish trust in political institutions and provided an opportunity to strengthen conflict prevention institutions and programs. The co-operation between actors, sharing of information and expertise and co-ordination and support of different efforts was central to the success of conflict prevention around the 2013 elections.

While there has been major structural reform and strengthening of institutions, which have limited the impact of individuals on political processes, the changes made will only persist as long as the behavior of political leaders continue to support democratic structures and people maintain the will for these structures rather than vie for power to pursue personal interests. The undermining of the role of the ICC is a clear threat to ensuring accountability of political leaders and giving them incentives to change their behavior and further civic education and ongoing engagement is needed to address long term grievances so Kenyans do not merely see elections as way of ensuring that it is simply their 'turn to eat'. Business, civil society and government have a large role to play here. The co-ordination of the NSC has been crucial in enhancing the effectiveness of different actors so far and need ongoing support. The international community also needs to continue to support local and nationwide efforts at peacebuilding in the lead up to future elections and through supporting programs that address the long-term drivers of election violence. As the reaction to the ICC indictments show, however, it will have to do so carefully to ensure Kenyans maintain ownership over peacebuilding and conflict prevention efforts.

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## List of resource persons

1. Abounje, Paul - Presenter, Ghetto Radio, Nairobi, Kenya
2. Ayuko, Bonita – Project Co-ordinator, Saferworld, Nairobi, Kenya
3. Bergner, Joel – Artist, Kibera Walls for Peace, Kibera, Nairobi, Kenya
4. Esilaba, Eda – Founder, Halisi Trust, Nairobi, Kenya
5. Kadenyo, Stephen – Programs Manager, Peacenet, Kenya
6. Kemoi, Kip, Okode, Steve Wambui, Anthony – Mizuka Youth Group, Kibera, Nairobi, Kenya
7. Kiplagat, Nirina – UNDP, New York
8. Kirimi, Steven – CEO, Peacenet, Kenya
9. Lubaale, Grace - Strategic Advisor, Kenya Urban Sector, UN HABITAT, Nairobi, Kenya
10. Nyaburi, Ibrahim – Program Co-ordinator, Kounkey Design Initiative, Nairobi, Kenya
11. Ochola, Robert - former presenter Ghetto Radio, Nairobi, Kenya
12. Odour, Angela – Developer, Ushahidi, Nairobi, Kenya
13. Okai, Nicholas – KAIPTC, Accra, Ghana
14. Ongoro, Daniel - Community leader, Kibera, Nairobi, Kenya
15. Ofieno, Cidi – Convenor, Coalition for Constitution Implementation, Nairobi, Kenya
16. Owalla, Chris – Director, Community Action Initiative, Kisumu, Kenya
17. Shitote, Rosmary - Community leader, Kibera, Nairobi, Kenya
18. Wrong, Michela – Journalist, UK
19. Zarembka, David – Co-ordinator, African Great Lakes Initiative (AGLI), Kipkaren River, Kenya

## About this paper

This paper has been written as part of the Kenya Prevention Project – a collaboration between the Geneva Peacebuilding Platform and the Applied Research Seminar (ARS) of the Graduate Institute of International and Development Studies. The ARS partners students of the Masters of Development Studies at the Graduate Institute with international organizations, NGOs and the private sector to complete discrete research projects for these organisations and provide students with 'real world' research experience.

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