The Concept Peace Committee

A Snapshot Analysis of the Concept Peace Committee in Relation to Peacebuilding Initiatives in Kenya

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PRACTICAL ACTION
Technology challenging poverty
The Concept Peace Committee

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Finally but not least, we convey our gratitude’s to all those whom we have not mentioned but greatly fleshed this analysis and evaluation of the concept Peace Committees.
# List of Acronyms Used

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<th>Acronym</th>
<th>Description</th>
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<tr>
<td>ALRMP</td>
<td>Arid Lands Resource Management Programme</td>
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<tr>
<td>ASAL</td>
<td>Arid and Semi Arid land</td>
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<tr>
<td>AU IBAR</td>
<td>African Union International Bureau for Animal Resources</td>
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<td>CSOs</td>
<td>Civil Society Organizations</td>
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<td>DC</td>
<td>District Commissioner</td>
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<td>DDC</td>
<td>District Development Committee</td>
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<td>DSC</td>
<td>District Security Committee</td>
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<td>DSG</td>
<td>District Steering Group</td>
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<tr>
<td>GDP</td>
<td>Gross Domestic Product</td>
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<td>ITDG</td>
<td>Intermediate Technology Development Group</td>
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<td>NCCK</td>
<td>National Council of Churches of Kenya</td>
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<td>NGO</td>
<td>Non Governmental Organization</td>
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<td>NSC</td>
<td>National Steering Committee</td>
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<tr>
<td>POKATUSA</td>
<td>Pokot, Karimojong, Turkana and Sabiny communities</td>
</tr>
<tr>
<td>PRSP</td>
<td>Poverty Reduction Strategy Paper</td>
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<tr>
<td>SDPDC</td>
<td>Samburu District Peace and Development Committee</td>
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<td>ToR</td>
<td>Terms of Reference</td>
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<td>TRPRDC</td>
<td>Tana River Peace Reconciliation and Development Committee</td>
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<td>TRPRDA</td>
<td>Tana River Peace Reconciliation and Development Agency</td>
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<tr>
<td>WPDA</td>
<td>Wajir Peace and Development Agency</td>
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<td>WPDC</td>
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EXECUTIVE SUMMARY

Over the years, pastoralists and agro-pastoralists communities in Kenya have endured a myriad of problems ranging from socio-economic marginalization to severe and frequent conflicts over natural resources. Of these problems afflicting these segment of populations, conflict has been singled out as the main bottleneck to the development of these rangelands that accounts for over 80% of the total Kenyan land mass.

Peace activists have been quick in blaming the government for failing to protect its citizens as well as their properties. It has been pointed out more often than not that the state is either unwilling or incapable of securing the safety of its citizens, their properties and national borders. Out of this realisation and in their own volition, communities in conflict prone areas have resorted to their own community driven efforts to prevent and manage conflict between them and their neighbours including those in the neighbouring countries.

The formation of district peace and development committees, a community driven conflict management structure/institution, has been one of such commendable community efforts to promote peaceful coexistence in society as well as fill the security void left by the government in conflict prone areas in Kenya.

Peace committees are largely a hybrid structure, borrowing heavily from traditional conflict resolution mechanisms and the modern formal dispute arbitration processes.

Although there is no unanimous definition of the concept peace committee as it relates to local level peace building activities, it can be defined and or described as a conflict intervention structure that integrates both traditional and modern conflict intervention mechanisms to prevent, manage or transform intra-ethnic or inter-ethnic conflicts. Its evolution and genesis could be traced to local level peace building initiatives in Wajir in early 1990s culminating to the establishment of the Wajir Peace and Development Committee (WPDC) in 1995. Other similar efforts began to take shape in North Eastern, Upper Eastern, Coast (Tana River district) and North Rift regions in late 1990s.

As incipient and elusive as it is, this short report sought to understand, critically analyse and offer some suggestions for strengthening district peace and development committees in Kenya so as to enable the committees function effectively and efficiently.

The methodology used in this analysis included literature review, participatory peace committee meetings, workshops, participant observation and interviews with some peace committee members and other stakeholders. This analysis also paid particular emphasis to Samburu, Wajir and Tana River peace committees’ evolution, structure and activities.
This analysis found out that peace committees have been very instrumental in peace building efforts in the Kenya’s drylands. They are credited for reducing tension and improving the intercommunity relations.

Despite of the commendable efforts accredited to Peace Committees, they have not been spared of avalanches of challenges. Lack of a legal and policy framework to secure the work of peace committees across the country has been the main challenge confronting these incipient communities based peace-building structures. Peace committees are thus regarded as *ad hoc* illegitimate arrangements to prevent communal conflicts. Any clever criminal or person can successfully challenge the existence and ruling of peace committees in a court of law.

Lack of volunteerism amongst peace committee members is another challenge. Traditional systems of dispute resolutions were anchored on volunteerism but some members of peace committees devote their time to the endeavours of the committee purely for materialistic gains. When such gains are not forthcoming, members tend to withdraw from the activities of the committees. Others use it as a political stepping-stone for elective positions in society.

Closely related to above has been the challenge of funding. Peace building dialogues and related activities do a time require some facilitation especially when peace actors are expected to travel long distances away from their homes. This calls for regular funding but in most cases; this has not been forthcoming thereby inhibiting the work of peace committees.

Ethnicity and political interferences has equally constrained the work of peace committees. The problem is more acute in cosmopolitan districts where different communities/ethnic groups find it difficult to accept a member from a given ethnic group to chair the committee for it is feared such a chair might pursue the interests of his/her ethnic group at the expense of the other ethnic groups. In most cases, and out of this fear, neutral persons, and mostly District Commissioners have been prevailed upon to chair some peace committees as the case of Mandera attest. Politicians have also infiltrated peace committees where they lobby for inclusion of their sympathisers as leaders of the committee.

Other challenges confronting peace committees include but not limited to gender and age insensitivity in its membership and activities, lack of capacity to intervene in inter-district and cross-border conflicts, lack of an enforcement capacity and mechanisms for its resolutions, tension between traditional institutions of conflict management and the peace committees and uncoordinated structure and activities of the committees.

To remedy the alluded challenges above, this report makes a number of recommendations. First, there is a critical need to legitimise peace committees through legislations and policy frameworks. At minimum, the government should
come up with a policy document and legal framework that not only institutionalise and secure the role of peace committees but also provides it with “teeth” to enforce its resolutions.

Such a policy and legal framework should also provide for the harmonization of the structures, office bearers (including their titles) and activities of peace committees across the country. A body that links grassroots’ peace committees and national peace building structures should be put in place.

Government and development agencies should also allocate resources to district peace committees. Regular budget will not only strengthen the work of the committees but will also go a long way in cushioning it against external manipulations. As part of their contribution, members of peace committees should also uphold the important virtue of volunteerism and the desire to use their God-given skills to serve the community.

The capacities of peace committees to intervene in conflicts that involve more than one district including cross-border conflicts should be strengthened. Collaboration between different peace committees including sharing of intelligence information is expected to boost the capacity of peace committees to rein on as number of culprits. Where tenable, cross-border peace committees should also be established and strengthened. Regional policies and legal frameworks should also be reviewed and harmonized.

Last but not least, pastoralists and other communities should promote peaceful coexistence including sharing of dwindling resources as one sure way of upholding peace. This will go a long way in helping peace committees go a notch higher in their endeavours.
INTRODUCTION
1. Contextual Background

Conflicts, especially cattle related and resource use jostling have defined the better part of the historicity of Eastern Africa drylands communities. These intra state and cross-border conflicts have been caused by a number of variables including but not limited to grazing resource scarcity, socio-cultural factors, economic and political marginalization of these rangelands, unresponsive policy and governance environment, diminishing role of traditional conflict resolution mechanisms, environmental vagaries such as drought, narrow livelihood base and the emerging acts of criminal profiteering (commercialization of cattle raids).

Although conflicts have been a historical reality in this region as alluded to above, recent developments on their scale, the consequences and the actors involved have created a situation that threatens the very lives and livelihood of the pastoralists, their neighbours and in the process defying the State’s ability to monopolize the coercive instruments of power.

In Kenya’s Arid and Semi-Arid rangelands, droughts coupled with the unprecedented influx of small arms from neighbouring war torn countries has played a critical role in increasing the frequency, severity and socio-economic impacts of conflicts. These conflicts mainly manifesting itself a cattle rustling, stock thefts and banditry are feared to be going out of control and is singled out for precipitating the social, political and economic underdevelopment of these areas.

Doughts have increased the security of conflictss in ASAL area as people struggle to re-stock.
As these conflict scenarios are not entirely new phenomenon in the historicity of dryland communities in Kenya, attempts to prevent and manage them have existed since time immemorial, with a varying degree of successes and failures.

Traditionally, negotiations involving warring parties were a major approach to conflict resolution among pastoral communities. The warriors respected the agreements and ensuing ritual conducted by a council of elders, at least until a new incidence scuttled peace. However, in the recent past, this approach has weakened following marginalization of local institutions by emergence of the formal state governments/administrations, which the communities has little knowledge and trust.

From this withdrawal, it dawned to pastoralists that the external help for restoring peace was not forthcoming. This reality convinced them that the responsibility for peace and security depended entirely on them, the very victims and perpetrators of the said conflicts.

This realization that community members themselves are better placed to manage their own conflicts was anchored on the inaccessibility of the formal judicial system and lack of trust in government led conflict prevention interventions as the numerous cases of failed militarised disarmament programmes especially in North Rift attest.

One such community led peace process took place in Wajir; a district in the North Eastern Kenya that eventually became Wajir Peace and Development Committee (WPDC). This peace process became successful and increased optimism that such model can work in other similar pastoral contexts.

From Wajir experience, the government and the civil society organizations saw an opportunity for peace building using traditional conflict mechanisms. Since then, the government and particularly the Provincial Administration, has been increasingly acknowledging the pivotal role played by community based peace building initiatives and started, on initially an ad hoc basis, supporting the local peace building initiatives.

Community led peace building interventions have been replicated in many pastoral and semi-pastoral areas in Kenya as well as in the neighbouring countries.

2. Purpose of the Assessment

The main purpose of this assessment was to critically analyze the concept peace committee and its relation to modern dispute resolution mechanisms. Specific objectives of this assessment included:

1. To understand the concept peace committee and its relation to traditional conflict resolution mechanisms
2. To find out key challenges facing peace committees in Kenya
3. To establish gender and age representation in peace committees
4. To make recommendations on how to strengthen peace committees in order to make them more effective and efficient in preventing and managing conflicts within and without communities.

3. Methodology

This assessment mainly benefited from Practical Action’s experiences working with and through peace committees in various parts of pastoralists Kenya and cross-border areas in managing conflicts. More specifically, this assessment was undertaken using the following tools:

1. Review of existing literature on peace committees in ASAL and Cross-Border areas in Kenya
2. Participatory field observation and analysis of activities of some peace committees
3. Interview of key informants, leaders, Government officials and NGOs
4. Participation in workshops and meetings that discussed experiences, threats and opportunities for peace committees

4. Constraints

Dearth of literature on the concept peace committees as largely understood in the pastoralists’ contexts in Kenya constrained this assessment. A lot of literature exists on the various peace building initiatives but few have focused on the specific roles and challenges faced by peace committees. This could be attributed to the fact the concept peace committee is relatively new in the realm of peace building and conflict management.

Lack of sufficient resources to undertake a more comprehensive field assessment of peace committees in the country was another major hiccup that faced this piece of work. A more comprehensive analysis of peace committees would have greatly benefited from interviews with as many districts, divisional, locational and cross-border peace committees around the country.
Chapter 2

THE

CONCEPT PEACE COMMITTEE
1. The Origins and evolution of the Concept

The increasing frequency, severity and cumulative consequences of conflicts in ASAL areas in Kenya particularly in the late 1980s and better part of the 1990s surrogated a number of community based concerted initiatives to ameliorate the impacts of the then raging conflicts, which are regrettably until now causing untold sufferings to the affected communities.

Of particular interest is the emergence of local level peace building processes amongst the pastoralists’ and agro-pastoralists’ communities in Northern Kenya in mid to late 1990s. Peace dialogues, reconciliation meetings and sharing of grazing resources started to take a more convincing shape, resulting to prolonged periods of ceasefire and adherence to inter-community agreed measures (declarations/agreements) to end hostilities.

The most noticeable of these emerging local level attempts to manage pastoralists’ conflicts was in Wajir district, the so called Wajir peace process, where local people
started tackling a clan conflict that had spiralled out of control of the relevant state authorities. The Wajir initiative was necessitated by the withdrawal of several NGOs from the district." However, their running away became a blessing in disguise as their absence gave the communities the opportunity to take charge and begin their own Peace Initiatives in their own way.

The Wajir clan conflict had degenerated to include fighting between women in market places in the district. Sensing danger posed by the continued clan fighting, a group of women (initially two in number) initiated peace meetings with women in Wajir town market with the express purpose of addressing the root causes of the confrontations. As a result, Wajir Women for Peace Group was formed.

The initial fruits of the women led peace initiative in Wajir saw a group of educated professionals drawn from all clans in the district form Wajir Peace Group. The peace group teamed up with women for peace in facilitating peace dialogues in the district. Other groups also began to coalesce into peace groups in the district (elders for peace, youth for peace etc) culminating to the formation of Wajir Peace and Development Committee (WPDC) in 1995.

On the other hand, NCCK concentrated its peace building efforts in Rift Valley and Western Provinces. NCCK led in facilitating the development of Village Peace and Development Committees (VPDCs) in the North Rift and Western provinces. These are perhaps, the earliest models of peace committees used in the North Rift and Western Regions. Later, Peace Committees borrowing heavily from NCCK were formed by POKATUSA (Pokot Karamojong, Turkana and Sabiny), a World Vision’s cross-border peace building Project.

Out of these initial local level peace building initiatives, Wajir Peace and Development Committee (WPDC) is perhaps the best functioning local-level peace structure and largely remains a model. It inspired formation and strengthening of peace committees in various parts of the country notably Garissa, Mandera, Isiolo, Tana River, Marsabit, Baringo, Samburu and the POKATUSA cluster.

In the cross-border areas of Kenya, Uganda, Ethiopia and Sudan, the Inter-African Bureau of Animal Resources within the African Union (AU IBAR) expanded its focus to include peace building and played a key role in the establishment of cross border peace committees. Oxfam GB (2003) report details the formation of the

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2 “Women take the lead in pastoral Kenya: Back to the future” on www.gppac.net/documents/pbp/4/4_womenk.htm
3 Juma 2002, 19
4 SNV and Pax Christi 2005
various Peace Committees following the success story of WPDC together with their ensuing successes and challenges.

Informed by the development of the Peace Committees and civil society efforts on peace and security, the National Steering Committee (NSC) on Peace building and Conflict Management (PB&CM) was constituted to coordinate peace building and conflict mitigation efforts undertaken by the government, civil society organizations and peace committees.

Although still at its infancy and dogged by perennial lack of resources and legal backing, NSC has embarked on a nation-wide programme of coordinating peace building activities as well as harmonizing the different peace committees structures. A policy framework and structure linking peace committees with NSC or rather making the former part of the latter is also in the offing. Many peace building actors, including the government, are beginning to appreciate and recognize the role played by local level led peace building structures.

2. Peace Committees and Traditional Institutions

Peace committees are largely modeled and or anchored on the respective communities’ traditional conflict resolution mechanisms and approaches. A larger proportion of the memberships of the respective peace committees are drawn from the council of elders. Similarly, peace committees’ approaches and methodology of managing conflicts are modeled on the customary institutions of conflict management of the communities in question.

It is worth to appreciate that traditional approaches use conflict management methodologies that are indigenous to the particular community involved in conflicts. Traditional approaches emphasize local values and customs, and are more accessible to local communities because they cost less than the formal methods such as using the courts. They are also more flexible in terms of their scheduling and procedures; and they are more accessible because they use local languages and symbols⁵.

It has been argued by a number of peace actors that the philosophy behind the establishment of peace committees was derived from the need to institutionalise and legitimise traditional conflict resolution mechanisms as well to widen the constituency of traditional institutions that were construed as insensitive to gender age relations in modern conflict management systems.

A look at some of the traditional conflict management institutions would suffice the notion that peace committees are largely modelled on traditional institutions and provides grounds for the need to legitimise and institutionalise them.

1. The Borana

The Boran community, a sub group of the wider Oromo Empire, could perhaps be among the best examples of pastoralists who widely use the customary institution to prevent and manage not only conflicts but also all aspects of their life. The Council of Elders (Jaarsa Dedha) is responsible for decision making on resource management and in articulating clan politics including conflict prevention, peace brokering with neighbouring communities among others.

In a typical conflict resolution setting “court room”, which is normally under a large tree, Elders assess the situations and force an individual to abide by the decision reached. The most senior elders (Abbaqae) have the authority to enforce the decision.

If such a council fails to resolve the issue, other parties are sought. However, the final decision will be made in the coveted Boran parliament representing the Boran of Kenya, Ethiopia and all over the world, the Gummi Gaayo. It should be noted that only matters of grave concern would make their way to this parliament. Young and old men, besides the ruling elders themselves, only attend the Borana conflict resolution meetings.

The following diagram illustrates the Borana traditional governance and conflict resolution system/hierarchy

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6Ayus are the indigenous lawyers who normally aid conflict parties argue their cases out. They are normally found in all the levels of traditional dispute resolution mechanisms but noticeably at the local and regional levels. At the traditional parliament (highest level), the Abagatha normally nominates Ayus to act as defence and protection counsels.
Peace committees in Moyale and Marsabit district that has a large proportion of Borana speaking groups (including their Gabbra cousins) tends to follow the Borana governance system and their peace building procedures are essentially anchored on Borana traditions.

2. **Somali**

Unlike other pastoralist communities in northern Kenya who recognise a central authority, the Somali community is territorially segmented along clan system. Traditionally, such large clans were headed by a King (Boqor) who had his deputy (Boqor Kuhigen). The king and his deputy had a team of advisors. In the modern Somali community, the position of the king has either disappeared or is only titular where it exists. Decisions affecting the community, whether on internal or external matters, are made at the clan level, and by clan leaders.

The four major structures of traditional conflict management among the Somali are the practice of blood compensation or ‘diya’-payments; clan elders in managing inter-clan conflicts; “Xeer”, or social contract negotiated between two lineage groups; and the consultative mechanism of the “shir”, or clan assembly.

Among the Somali speaking communities, clan elders were and still remain the central actors in traditional conflict management. The elders are people who have earned their reputation and include notable religious leaders such as Sheikhs or “Wadads”. They are noted as effective negotiators as well as men who were wise and pious, orators during debates and trusted mediators. It is critically important that clan elders be skilled negotiators on behalf of the clans, the importance of these other attributes notwithstanding.

Like in Oromo speaking districts in Kenya, peace committees in Mandera, Wajir, Garissa, Ijara districts and to an extend Isiolo have borrowed heavily from the structure and procedures of Somali traditional conflict resolution mechanisms. Procedures in normal peace committee led peace dialogues have been synonymous with a typical Somali traditional “court”.

3. **The Turkana**

Among the Turkana, the council of elders’, which is also referred to as the tree of men (Ng’ekeliok) is perhaps the supreme body in as far as conflict resolution is

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7 The traditional institution of the King amongst the Somali community has since been replaced by present day Ugas who are basically clan elders. This change was initiated by both the colonial and post colonial administrations. Each Somali clan has its own Ugas.


9 Mburugu K and Hussein M, 2001
The council is composed of clan representatives and all the respected leaders in the neighbourhood (Adakar).

Any matter about the community is reported at the tree of men where discussions are held and decisions made. Very many issues are discussed, hunger or starvation, raids, lack of pasture and water for livestock, impending drought and many others.

In conflict situations, summonses are sent out to the parties in conflict and witnesses are called. However the procedure and proceedings are highly informal and the gathering can be “convened anywhere where men are brought together by common activities”. They can meet at watering points, in the grazing pasture, under the shade of a tree, at a dance or a feast.” The tree of men will listen to the conflicting parties/individuals, scan evidences adduced and pronounce the verdict accordingly. Punishment and or fines to be imposed are then administered as per the crime committed. In most cases, the chief of the council is the oldest person among the council members, or the one who underwent the right of initiation first (Asapan).

Issues pitting Turkana with their neighbours (especially their Karamoja cluster neighbours) like pasture, water and livestock aids are discussed in the tree of men the same way internal conflicts are resolved. In such settings, decisions are mainly by consensus and affected parties adhered to it until or unless a new issue/conflict arises.

Peace committees’ approaches to solving conflicts in Karamoja cluster (including Karamoja region in North Eastern Uganda) are synonymous to the traditional dispute management practices of these communities.

4. Samburu

The council of elders is perhaps the highest socio-political organization and institution of managing conflicts amongst the pastoralists Samburu. This institution is an equivalent of the tree of men and the kokwo amongst the Turkana and Pokot respectively. The council of elders is composed of respected elders in the community, respective heads of the Nabos (neighbourhood “court” that is found inside the manayatta and always managed by senior elder) and representation from age sets and to lesser extent elderly women.

In Samburu community, men (not il-morani) often under a tree designated as a “council” meeting site normally make decisions. These decisions, which are normally based on consensus, covers issues ranging from grazing patterns, peace

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10 The Karamoja Cluster describes the pastoral and agro-pastoral groups, livelihood systems, and land area encompassing northeastern Uganda, northwestern Kenya, southeastern Sudan and southwestern Ethiopia
brokerage with neighbouring communities, internal/domestic issues among others. Women may sit in an outer circle and usually speak while seated down and holding green grass.

Additionally, a woman might not necessarily speak directly in the open council, but may convey a comment or concern through a male relative. However, women may have their own “council” discussions and then carry the results of such discussions to men for consideration in the men’s council.

Samburu District Peace Committee, especially at the sub-locational level, is composed of men and women drawn from different Nabos in the district. This committee has been successful by any standards in managing conflicts in the district largely because their utilize Samburu traditions and customs of managing conflicts.
3. Defining the Concept Peace Committee

The meaning and or definition of the term peace committee has been elusive among the various stakeholders. There is no single definition of this term as many stakeholders have defined it in their own ways. The lack of a convincing definition of this concept could partly be attributed to the fact that it is still a relatively new concept, tracing its roots to the late 1990s.

However, a workshop organized by NSC and Oxfam GB that was held in Nanyuki\(^\text{11}\) in June 2005 came up with a working definition of the concept peace committee. The Nanyuki workshop defined peace committee as “a group of people whose broad job is to define parameters for peace.”

Other definitions of Peace Committee that have been advanced include but not limited to:

- A conflict intervention structure that integrates both traditional and modern conflict intervention mechanisms to prevent, manage or transform intra-ethnic or inter-ethnic conflicts.

- A Conflict mitigation and peacebuilding structure that integrates traditional and modern conflict interventions to address intra- and intertribal tensions and conflicts.

- A community based structure and initiative to prevent, manage and transform intra and inter-community conflicts

In order to have a better understanding of this concept, it is prudent to outline the key roles Peace Committees plays in society.

1. Key Roles and Functions of Peace Committees

The overall role and goal of Peace Committee is to promote the peaceful co-existence of the different groups in a given district as well as neighbouring districts (including cross-border areas) through peace building, dialogue and arbitration in cases of conflict. Specific roles and responsibilities of peace committees include:

i. Facilitation of Peace Dialogue and Reconciliation Forums

Peace committees have been promoting peace and security within the district and the neighbouring districts through dialogue and reconciliation by:

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\(^{11}\) This workshop, dubbed Nanyuki Peace Committees Harmonization workshop, was held to among other things harmonize the different peace committees structures in an effort to come up with a National Terms of Reference and structure for Peace Committees.
a. Tracing, retrieving and returning stolen livestock to the owners
b. Conduct reconciliation meetings between communities
c. Fining defaulters in accordance with agreed community based
c. Fining defaulters in accordance with agreed community based
parameters like Modogashe Declaration \(^{12}\)
d. Cursing wrong doers in accordance with respective customs and
beliefs

\(\text{ii. } \text{Raising Conflict Awareness}\)  

Peace committees are supposed to create awareness and educate the community on peace building and conflict resolution for development through:

a. Educating communities on their roles in conflict management
b. Sharing intelligence information with relevant authorities and other peace committees where appropriate
c. Ensuring involvement of all stakeholders in peace building initiatives
d. Ensuring justice is done to all
e. Mobilizing youth and women groups in enhancing security within their districts as well as neighbouring areas
f. Advocating for peace through existing traditional institutions/ fora, public barazas and the media.

\(^{12}\) xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
iii) Coordination of Peace Initiatives

One of the important functions of peace committees is the coordination of peace initiatives within the district and collaborating with other peace stakeholders within and beyond the district boundaries, thus:

a. Act as link between the Government and the Community by working with the District Security Committee and other relevant government structures

b. Monitor community migrations and gather information on potential conflicts and inform the necessary authorities

c. Ensure adherence to correct procedures for election of Peace Committees at all levels and provide information flow from the grassroots to the district and vice versa

d. Enhance collaboration with development agencies and faith based institutions dealing with peace so as to minimize duplication of efforts and optimize impacts

e. Provide a link with other peace committees in neighbouring districts.

In addition to the above roles and responsibilities, peace committees do undertake a number of other activities solely to promote peaceful coexistence in society. Their construed mandate is to promote peace in whatever ways that are socially, culturally and legally acceptable.

The outlined roles and responsibilities of peace committees are expected to enhance a better understanding and definition of this concept.

4. Institutional Advantage of Peace Committee

As opposed to traditional structures in which community leadership and decision making obligation and mandate is vested in males (elders), Peace Committees are more inclusive drawing representation from community (elders, women, youths), civil society groups, community organizations and the government. This makes Peace Committees superior structures that value the role and contributions of the various groups in the community.

Whereas membership in traditional structures is earned through successive defined steps and or criteria e.g. age set system, kinship/clan, the membership in Peace Committees is by selection process. This aspect broadens the constituency of peace committee with cumulative effect being emergence of an all-inclusive peace building structure/approach/process.
Women, who have been marginalized by traditional customs, have finally found solace in peace committees. In most of the peace committees, women form at least a third of the membership. However, women are still being sidelined and overshadowed by men especially elders in many of the peace building processes notwithstanding their substantive number.
Chapter 3

THE KEY CHALLENGES FACING PEACE COMMITTEES
Although Peace Committees have played crucial roles in diffusing tensions within and between communities especially in pastoralists’ districts in Kenya, they have not been spared of challenges and criticism. It has been observed that they are male dominated and not accountable to the respective communities. Peace Committees are also not recognized by the Kenyan constitution or any other legal framework for that matter.

The following are some of the key challenges facing peace committees in Kenya.

1. **Legitimacy**

Lack of a legal, institutional framework and policy mandate has been the main constraint facing peace committees in discharging their roles and responsibilities. As detailed in the historicity of peace committee, they were formed informally as need arose without strategic reference being made or rather thought of in regards to the legal and policy implications of forming such committees. The ensuing results of such omissions have been the numerous legal and policy bottlenecks that has constrained peace committees in enforcing its rulings and resolution.\(^\text{13}\)

This deficiency has given critics of peace committees including criminals and some government officials a leeway in sabotaging the work of these local level peace building structures. In some districts for instance, the DCs have more often than not threatened to disband and even disbanded peace committee especially if they don’t toe his/her line. Other committees have been disbanded by Provincial Administration because they have been perceived as dangerous critics of the establishment.

Provincial administration has in many instances accused peace committees of overstepping their “highly informal” mandates and meddling on issues of security. Prior to the establishment of NSC, peace committees were left at the whims and the goodwill of the relevant government officials.

Criminals have also questioned the legality of peace committees especially when cornered. In some instances, criminals have threatened to rush to courts to challenge the punishment prescribed by the peace committees. This has forced some committees to “go slow” on some criminals for they understand that their activities are not anchored in any legal framework.

\(^\text{13}\)observation made in ITDG PEACE BULLETIN on www.itdg.org/htm/itdg_eastafrica/peace3_peacecommittee.html, accessed November 1, 2005
2. Lack of Volunteerism

The work of peace committee, like that of traditional approaches of preventing and managing conflicts, is anchored on volunteerism. Members of the peace committees are not salaried or offered any kind of remuneration. It is, or rather was, believed that those who have been assigned the task of building peace have accepted the same voluntarily and had volunteered their skills, experiences and time to peace building endeavours.

However, capitalistic and materialistic urges have of late crept into peace committees. Members of peace committees have been demanding “allowances” in order to go and broker or prevent conflict.

Non-governmental organizations have been blamed for encouraging this kind of uncouth behaviour among members of peace committees. Some organizations have been giving members of peace committees’ allowances especially when they are engaged in peace building activities. Although this allowance was or is intended to cover some basic living costs like food, accommodation and transport especially when members of peace committees are engaged in areas outside their homes, it has of late been abused. This facilitation fee has been perceived as benefit to members of peace committee. The most disheartening thing is that even when some of these costs are borne by a given organization, still some members of peace committee demand “sitting allowance”.

This monetary approach to peace building has killed the philosophy behind the establishment of peace committees. This practice has seen self seekers infiltrate peace committees with cumulative effects being discredited committees and inability to manage conflicts. It has also been alleged that some members of peace committees have been causing conflict in order to be called to solve it and in the process earn an allowance.

It has also been observed that peace committee members driven by material gains have only supported peace building activities of those organizations that offer allowance and sabotage activities of those organizations that do not offer allowances. This is possibly why you will always see or meet particular faces of peace committee members in meetings, trips or workshops where some kind of allowance is given.

In other words, commercialization of the roles and responsibilities of peace committees has weakened its respective abilities to tap on skilled and experienced peace builders and has greatly undermined the rationale behind establishment and promotion of peace committees. This is a challenge that needs to be addressed otherwise it could wreck future work of peace committees.
3. Funding

Closely related to lack of volunteerism among peace committee members is the problem of funding and donor dependency. Although some Peace Committees were initiated by the communities themselves out of the need for peace and security without external support, many of the committees were established or its establishment facilitated by NGOs.

The committees established and or supported by external actors have become so dependent on external funding and facilitation that they cannot operate on their own. Most of their activities are dependent on donor support and this has posed a major threat to the committee in terms of its independence (neutrality, objectivity) and its very activeness and existence. Many peace committees are active when there is funding but disappears to the horizon the sooner the funding stops. Such committees have become mouthpieces and proxy of the funding institutions a practice that has completely eroded the philosophy behind the establishment of peace committees in conflict prone areas in Kenya.

On the same note, Peace Committees whose establishment were motivated by the benefits of funding from NGOs have experienced little stability. Some have been formed, disbanded and reconstituted in an ad hoc basis and as deemed necessary by the funding institutions. Some districts have also seen a multiplicity of peace committees, as each funding agency tends to form its own peace committee. This has also midwifed another problem of the structure of peace committees as each funding institutions forms the committee in their own way and or structure. The end result has been weakened and discredited legitimacy of such peace committee in society. They are no longer seen as non-partisan and objective peace makers but have been perceived as outfits motivated by material gains and serving interests of a given body.

Other committees have been forced by circumstances to change their structure in order to attract donor support. A good example is the Wajir District Peace Committee that formed a secretariat, Wajir Peace and Development Agency (WPDA) headed by a coordinator. The agency was registered as an NGO in order to access external support.

Peace Committees are peace building structures that must focus on the long-term prevention and management of conflicts. However, this attribute has been affected by external funders who are “good at emergencies”\textsuperscript{14} and are less interested in providing long term core funding for effective and efficient conflict management.

\textsuperscript{14} Jenner and Ibrahim 2000p.20
Nevertheless, it is important to appreciate the fact that peace activities need financial facilitation. The rapid response teams for instance require automobile, fuel and living or travelling facilitation. Funding for Peace Committees is critical and although Jenner and Ibrahim (2000, 21) \(^{15}\) say “as long as you are dependent on the outside funding, the bottom-line is that you are in vulnerable position”, they need financial support whatever the source. However, this funding or facilitation should not be perceived as monetary gains to the committee but rather a facilitative mechanism.

### 4. Politics

Another noticeable challenge confronting peace committees is the politics of leadership, representation and funding. Politicians have invaded peace committee membership for they perceive this structure as capable of either solidifying their support or shattering it. And where the potential for increasing their support exists in a peace committee, the political class has influenced the membership of such committees. In such situation, the political class have lobbied for the inclusion of their supporters in the committee so that they can propagate their ideals and keep an eye on those who are likely to shatter support base of their masters.

\(^{15}\) Jenner and Ibrahim 2000 p.21
This phenomenon has turned peace committees into another political propaganda tool, a complete deviation of the roles and responsibilities of the committee. Committees that are also associated with some political faces have been discredited by the community in the process rendering them toothless dogs.

On the other hand, politicians who have failed to penetrate membership of the peace committees have frustrated the work of such committees. Leaders of such committees have been labelled bad people whom cannot bring peace to soviet. Such politicians have used each and every opportunity to banish the committees. This problem has become even more difficult where such political class have conspired with provincial administration in frustrating the work of peace committees.

On the other hand, members of peace committees have been vilified for using the committees as a political platform for strategizing and furthering their political ambitions. Some individuals strategically contest for positions in the Peace Committees solely to bolster their chances for elective positions. And whenever such individuals loose in the elections, their passion on peace building deflates and disappears into thin air.

Peace committees being structures that are district wide and important for visibility, it has high affinity to political class and therefore one of the greatest challenges facing these peace building structures.

5. Problem of the Structure / Approaches

The institutional structures of Peace Committees vary across various districts in Kenya. This is mainly because the committees were formed by different actors and at different times. Lack of a standard structure for the committees countrywide has also compounded this problem.

The problem of the structure spans its membership, roles, responsibilities, accountability and level of engagement with various peace actors. Some are called district peace and development committees, others district peace committee and others are even called constituency peace committee. Some of the committees only exists and operate at the higher (district) level but below that there is nothing to show.

In terms of structure, one could easily confuse some of the committees with District Development Committee (DDC) or the District Steering Group (DSG) as in pastoralist’s districts in Kenya.

A look at some structures of the peace committees would shed more light on this problem.
i. Tana River Peace and Reconciliation Committee (TRPRC)

TRPRC looks like an expanded DDC for virtually all government departments, civil society and religious groups in addition to elders forms a substantive membership. The establishment of this structure was based on the realisation that conflicts, especially the 1999 – 2001 tribal clashes between the Pokomo and Orma people over the resources along River Tana\(^{16}\), affected every aspect of life including the work of the various line ministries in the district. It was argued that since every aspect of life is affected by conflict then such aspects should be represented in the peace building structure for peace is everybody’s business and not the elders alone.

As in DDC or DSG, the DC was designated as the chairman of the committee with chiefs being the locational coordinators. At the district level, the Committee is composed of 34 members drawn from DSC, relevant ministries, Arid Lands Project, local authorities, 7 divisional peace committees’ coordinators, 2 elders, 2 women representative, 2 youth, 2 religious groups, 2 civil society representatives and 2 disabled person’s representatives.

\(^{16}\) Read Tanya Weiss article, “Guns in the Borderlands, Reducing the Demand for Small Arms” published in Monograph No. 95, January 2004.
The following is the structure of TRPRC

District Peace Committee (TRPRDC)

Secretariat (TRPRDA)

<table>
<thead>
<tr>
<th>DSC</th>
<th>Ministries</th>
<th>ALRMP</th>
<th>Local Council</th>
<th>Divisional Reps</th>
<th>Elders</th>
<th>Women Reps</th>
<th>Youth Reps</th>
<th>Religious Groups</th>
<th>CSOs</th>
<th>Disabled Groups</th>
</tr>
</thead>
</table>

Divisional Peace Committees (Composition as above)

Locational Peace Committees (Composition as above)

Sub Locational Peace Committees (Village elders, women and youth representation, religious elders etc)

Key

DSC  District Security Committee
ALRMP  Arid Lands Resource Management Programme
TRPRDC  Tana River Peace Reconciliation and Development Committee
TRPRDA  Tana River Peace Reconciliation and Development Agency
CSOs  Civil Society Organizations
However, it should be borne in mind that TRPRC is perhaps one of the most successful committee in Kenya. It brokered peace between the pastoralists Orma and agriculturalist Pokomo in the District.

During the 1999 – 2001 Tana River district ethnic violence and clashes, TRPRC prevailed upon the warring communities to identify their representative to participate in a workshop in Malindi, which consequently resolved the conflict. This process led to constituting of peace committees. From there the peace committees took over the peace work.

### ii. Wajir Peace and Development Committee (WPDC)

As detailed elsewhere in this report, WPDC was an initiative of a group of professional women who came together to find lasting solution to the then clan feuds in the district. Their idea was quickly echoed and supported by a cross section of people in Wajir culminating to the formation of the committee in 1995.

Again, like in the case of TRPRC, the structure of WPDC has incorporated in its membership DDC, DSG and District Security Committee (DSC). It is important to note that these bodies are all chaired by the DC hinting the influence such a position could have on the overall functioning of the committee. Below is the structure of WPDC.
iii. **Samburu District Peace and Development Committee (SDPDC)**

Despite being one of the youngest committees, SDPDC has emerged as one of the most promising committee in the country. Their strength has mainly been its structure, which is completely unattached to the government. It draws its membership from the traditional institutions as the case is in the sub-locational committees.

Unlike the former WPDC and TRPRC, the chairman of SDPDC is a civilian who was elected by representatives of the various divisional peace committees. The leadership of the committee is thus home grown and easily identifies itself with Samburu people. Below is the structure of SDPDC.

At the district level, the committee has 20 members with each division (there are 6 divisions in Samburu district) nominating three members (an elder, youth, and woman) to the district committee. The extra two members are drawn from cosmopolitan Baragoi and Nyiro divisions where there is a substantial population of Turkana people. Each of the division nominated an extra one person (Turkana) to the district committee so as to ensure that minority interests are not pushed to the periphery.

Samburu Peace Committee was voted as the best peace committee in 2005.

These three illustrations of different structures of peace committees was perhaps the reason why the Nanyuki Peace Committee Harmonization workshop was held so that at least a semblance of order and uniformity across the peace committees in the country could be institutionalised.
6. Ethnicity and Leadership Crisis

Another challenge confronting peace committees and is also related to the problem of structure has been that of ethnicity and leadership. This challenge is common in cosmopolitan districts where certain groups tend to use their numerical superiority to marginalize others.

In order to neutralize this ethnicity, certain peace committees have made it mandatory that a specified number of peace committee members are drawn from a given ethnic group. This has successfully been done in Samburu, Tana River, Marsabit and Marakwet.

However, this attempt to neutralize ethnicity in peace committee structure has not been very smooth. It has also given rise to another problem that is leadership crisis. In some district, DCs have been “forced” to chair peace committees simply because the ethnic groups in the district could trust each other for one of them to lead the committee.

In Mandera for instance, the Garre could not trust a Murulle to head the committee and vice versa. To solve this problem, the district peace committee agreed to have the DC as the chairman of the committee for the DC was perceived as neutral and not party to any clan or ethnic group interests.

The same happened in Tana River where the Pokomo could not trust the Orma to chair the district peace committee. However, some cosmopolitan districts like Marsabit, Isiolo and Moyale have overcome this challenge as they elect one of the members of the district peace committee as their chairman.

The problem with such kind of arrangement is that leadership crisis has more often than not been occasioned by the high turnover of DCs in Kenya. Some DCs are happy to chair peace committees whereas others are unwilling or unsupportive of the idea in the first place. In the event that a new DC declines to chair district peace committee, a leadership crisis normally ensues for as alluded to above suspicions and deep rooted ethnicity does not allow a given ethnic group to chair the committee in a cosmopolitan setting.

Other committees have been faced by poor leadership especially where the chair is not very active, driven by monetary gains or inclined towards a given political agenda. This problem has in many occasions affected the overall vision, mission and direction of the committee right from the district to the village level.
7. Gender and Age Relations

Most traditions and customs sideline women in peace building activities despite the fact that the women often perform peace building rituals.
Though women and youth are increasingly being incorporated into membership of most of the Peace Committees, their significance is yet to be celebrated. This is partly because most traditional structures of pastoral communities in which peace committees have been modelled on marginalize this important group of people especially in decision-making forums including conflict management.

Most traditions and customs have never granted women the mandate to directly deliberate on decisions of the wider community; neither have they given equal rights in discussing community issues and jointly reaching a decision.

By including women and youth in peace committees, some of the committees have been seen as a threat to some traditions and a challenge to the status quo of the traditional decision making structures.

This belief has constrained women and youth participation in the affairs of the peace committees. Their male colleagues, as the case of West Pokot District Peace Committee infers, have deliberately overshadowed some of the women members. Though peace committees have constitutions/by-laws and procedures that provides for equal and engendered peace building process including membership of the committee, the cultural expectations and norms seems to occupy a major space in the process marginalizing this important stakeholders.

8. Capacity / Cross border Resolutions

Peace committees’ capacities to intervene in a range of conflicts are limited. For instance, the committees are district level structures while conflicts transcend district, inter-tribal boundaries and even the international borders. How far the Peace committees can go have been dependent on informal agreements and goodwill of the various conflict actors and institutions.

Peace committees use customary conflicts resolution mechanisms that are heterogeneous. These conflict resolution approaches and its resolution works in the community in question. It may be considered foreign and alien in another community and therefore not binding on that other community. This has been one of the peace committees’ obstacles to effectiveness across district and ethnic boundaries. This is why for instance inter-community peace agreement like the Modogashe declaration has not been replicated in other districts. Samburu district peace committee for instance faulted the declaration on the grounds that it provides for compensation for women killed in conflict. According to Samburu customs, compensation for women and children killed during raids does not exist in their vocabulary for their customs and practices does not allow killing of women, children and the elderly during inter-community raids.
Another challenge facing peace committees in terms of capacity has been the cross-border conflicts. In pastoral areas, conflict often transcends national borders because of the transboundary resources and the fact that most of the cross-border communities have their kinsmen in either side of the border. When such cross-border conflicts, peace committees have been unable to adequately facilitate peace dialogues for they may not been seen as legitimate structures in either side of the border. On the same note, government authorities in either side of the border could not recognize peace committees for they are comfortable dialoguing with their counterparts across the border.

Closely related to this cross-border challenge, peace committees do not have their own enforcement mechanism. Peace committees could come up with award winning declarations and or decisions but when it comes to implementation of the same, they have to take a back sit and rely on the goodwill of the communities, traditional institutions (curses) and the government (Police and Provincial Administration). This lack of enforcement mechanism has reduced peace
committees to toothless and cosmetic structures in society. Even the office of the Assistant Chief is more respected than some decisions of the peace committees simply because the former can arrest, punish or lock you up whereas the latter can do nothing.

In most cases, peace committees have requested the government to enforce their decisions but this has been received with mixed reactions. In situations where the government is party to the conflict, there is no way it can purport or attempt to punish itself or some of its officials. Such requests has also depended on the whims of the respective government officials for others, especially who have passion on the work of the committees and are committed to ending conflicts in their areas of jurisdiction are willing to help the committees. Other officials can just refuse to enforce the committees’ decisions without advancing any reason. After all the peace committees are not legal entities!

On the other hand, while these initiatives have been credited for restoring some stability and reduction of tension, they seldom address the underlying causes. Peace committees have been able to assist towards a relative peace by helping in resolving issues of theft, murder and assault; they have not been able to address political and administrative factors which are considered underlying the violent conflicts in some of the pastoral districts.

9. Tension between Traditional Institutions and Peace Committees

Although peace committee draws heavily from the respective traditional governance systems especially in terms of its structures and approaches to conflict, some traditional practices have completely refused to open up to peace committees. The inclusion of women, youth, political leaders, government officials and other “alien” characters that do not have respect to such traditions in the peace committees have been cited by those indigenous institutions as reasons why they don’t recognize peace committee.

In communities where traditional institutions are still very strong as in Oromo speaking areas (Marsabit and Moyale), peace committees have been forced to play a subordinate role. Final decisions on communities position on given conflict issue rests within the traditional institution. For instance, any decision made by Marsabit District Peace Committee is not binding in Gabbra land unless Okayed by the Yaa elders.

The same applies to the Borana parliament where the Abagatha has to make the final decision on any commitment that is likely to bind the community. In these
two scenarios, and in the event of a conflict of interest, then the Gabbra and Borrana will respect the position of the Yaa and Abagatha respectively. This means that peace committees in such a setting will have to play a second fiddle to the traditional governance institutions.
Chapter 4

CONCLUSIONS
AND RECOMMENDATIONS
1. Conclusion

Peace committees have proved to be very effective conflict prevention, management and peace building structure especially for intra and inter-ethnic conflicts. Appropriate and sustainable peace building is not a one-man show but rather a product of concerted efforts of multiple actors whose contribution feeds into the peace process.

The indigenous conflict management institutions have of late been unable to meet the challenges of contemporary pastoral conflicts partly because, they have been weakened, their legitimacy and relevance questioned, faced competition from new leadership and authority structures among pastoralists as well as proliferation and institutionalized gun-culture which has usurped authority that was vested in elders and transferred to the youths who are gun owners.

To restore peace among these communities, the rise and the role of peace committees becomes timely and useful structure that brings a hybrid approach that seeks to play down the tension between traditional conflict resolution approaches and the modern government led formal judicial dispute resolution mechanisms. Peace

Governments in Eastern Africa should put in place legislations and policies that secures the roles of Peace Committees.
committees also seek to fill the gaps within the government and the traditional approaches to conflict management in society.

Peace committees have also given human face to the conflict management realm. Communities, through peace committees, are increasingly being consulted by the government and other stakeholders on how to approach a given conflict situation including disarmament. Disarmament in Samburu district that was done between 2005 and early quarter of 2006 was relatively successful for the Samburu District Peace Committee took lead in the process.

The overall peace building environment has received a major boost from the inputs of the peace committees. The environment is now gender and age sensitive and takes into cognisance some basic human right issues. The peace committees have also made Justice System in society accessible and affordable. Most disputes are being addressed at the local level saving the citizens the burden of travelling hundred of kilometres to seek justice. The peace committee led dispute resolution process has been made less costly for the committee does not charge a fee (legal fee as the case of lawyers) and the proceedings of the “local court” are held at the village level.

Some of the peace agreements crafted by peace committees like the much hyped Modogashe declaration have proved to be a deterrent measure. The punishment prescribed in such agreements are so hush and affects every member of the community that it prevails upon them to prevent conflicts in society.

The peace committees have also created some semblance of order, coordination and networking among organizations purporting or actually intervening in conflict situation. The committees, especially at the district level, have created room for different organizations in a district to come together, compare notes and agree to compliment each other.

It is therefore critical that Peace committees are strengthened by putting in place legal and policy frameworks that sufficiently gives it room to perform its proactive conflict prevention and management functions in society.

Long term conditions for ensuring peace and security in Africa require policy measures to address the political and social vulnerabilities on which conflict is premised. To attain the projected 7% annual GDP growth rate and sustainable development, the New Partnership for African Development acknowledges that unless peace, security, democracy and good political governance are embraced, that dream will remain elusive. The respective countries PRSPs have also singled out insecurity and bad governance as issues frustrating their growth projections and sustainable development. A lot of resources are channeled towards conflict management at the expenses of development work. This is partly exhibited by large military budgets in African countries in sharp contrast to allocations to such
important sectors of the economy like education, health, water, physical infrastructure and rural development.

2. **Recommendations**

For Peace committees to be stronger and effective, all the significant actors must be actively involved in order to play their roles constructively. Based on the analysis of the peace committees, this report makes the following recommendations:

i. **Entrenching Peace Committees in the Legal and Policy Framework**

The main challenge facing peace committees in Kenya has been the lack of a legal and policy framework to secure their existence, roles and responsibilities. To overcome this key obstacle, it is critical that the government should move first to entrench this peace structure in the law and policy framework.

Legalizing and institutionalising peace committees would cushion it from its detractors and lukewarm government officials and customs that have mainly frustrated their work. The legal and policy framework should legitimise their mandate; define its roles, composition/membership of the committees and the place of other peace actors, and the relationship among various peace actors.

The Kenya government has been bold in acknowledging and appreciating the role of peace committees in restoring stability in the pastoral regions; but this appreciation must be accompanied by legal and policy regimes and or changes that secures the work of these community based peace building efforts.

The legal and policy framework entrenching the work of peace committees should also take into consideration cross-border conflicts. This calls for the harmonization of regional legal and policy frameworks as it relates to transboundary conflict management and natural resource sharing. Peace committees should ideally be equipped with legal and policy teeth to intervene in cross-border conflicts.

Such a legal and policy framework should also provide for the de-politicisation of peace committees. A legally constituted peace committee with a definite structure, membership, roles and responsibilities will be free from political interferences. This will make the committees independent of any other institution or structure within society meaning that it will discharge its duties objectively.

To achieve this, the government should formulate and implement a policy on peace building in which peace committees are integral component of the policy. The June 2005, “district peace and development committees’ TORs harmonization workshop” held in Nanyuki is a step in right direction and must be taken to the next level; policy and legal entrenchment of the committees. Without legal entrenchment of
The Peace committees in the law or government policy, the gains and its future lie in uncertainty, as the case has been.

ii. Harmonization of the Structures of Peace Committees

Closely related with legitimising and institutionalising peace committees is the need to harmonize the various structures, roles and responsibilities of the committees nationwide.

In other words, the proposed legal and policy framework for securing the mandate of peace committees should at minimum provide for the establishment of a national structure and terms of reference for the peace committees despite of the diverse customs, livelihoods and conflicts in the country.

The number and titles of the office bearers should also be harmonized nationally and the same structure linked with provincial and national peace committee/forum through NSC as was proposed during the Nanyuki Peace Committees ToR harmonization workshop.

Activities of peace committees should also be harmonized so that they address specific conflict issues and also enable the different district peace committees to exchange notes, collaborate, network and assist each other in preventing and managing inter-district conflicts.

iii. Allocate State Resources to Peace Committees

The government should demonstrate its commitment to peace and stability in pastoral areas and the country as whole by allocating both financial and material resources to the District Peace Committees to facilitate their efficiency and effectiveness in playing its conflict prevention, management and peace sustenance functions.

This will make the committee at least independent from external influences in discharging their duties. The funding would also enable the committees plan and implement their activities in a more sustainable and long term basis unlike the current situation where the committees are only active when there is funding.

However, this funding should not be perceived as benefits to the peace committee members but a facilitative mechanism.

Such funding should be freed from the normal government financial procedures and bureaucracies for conflicts do not have bureaucracies. A rapid response mechanisms/kit should be easily accessible to the peace committee members.
iv. Collaboration among Actors

The Government must collaborate with peace building organizations to provide necessary infrastructure and resources for the Peace committees to implement their proposals that are aimed at reducing conflict and fostering peace.

In the same vein, non-state actors must also collaborate with the peace committees so that duplication of efforts and resources is minimized. This collaboration should also foster a networking and complimentarily of activities in peace building realm.

In an ideal situation, district peace committee should act as a mechanism or forum for enhancing collaboration, networking and information sharing among the different peace building stakeholders in a given district.

v. Capacity building

There is a critical need to strengthen the capacity of peace committees to enable them handle all aspects of conflict management and peace building including bridging the gap between traditions and modernity. Peace committees need to be trained on fundamental principles of customary jurisprudence, arbitration, monitoring of peace activities and rapid conflict assessment skills together with supportive skills that will enhance heir effectiveness in delivering peace and
development to their communities. This is because a Peace Committee member has an uphill task that requires representation of ones group and at the same time requires the person’s ability to approach issues with rationality and objectivity for the sake of justice and fairness.

Peace committees need further capacity in intervening in conflict situations that transcends district, regional and national borders including skills in promoting transboundary natural resource management, infusing elements of human rights in their activities. Members of peace committee should at minimum be aware of fundamental human rights including some basic elements of criminal and civil law so that they cannot be dubbed by unscrupulous government officials and members of the public who are keen at evading justice.

Peace committee members should also command a reasonable knowledge and capacity in conflict early warning/early response, conflict analysis, mediation, arbitration and negotiation for these are the key pillars to any successful peace building initiative. They should be seen by society as honest, reliable, objective and above reproach people who can be trusted to resolve disputes within and without communities.

The committees should also be equipped with skills in post-conflict reconciliation, rehabilitation and reconstruction; resettlement of internally displaced persons, combating proliferation of small arms, light weapons and land mines.

Peace committee members should also be able to undertake some basic research and baseline survey of respective conflicts in their localities. Such kind of knowledge and information would feed and inform the early warning and early response mechanisms as well as in resource allocation for conflict prevention and management activities.

vi. Need to Promote Volunteerism in Peace Committees

The future and sustainability of peace committees lies squarely on volunteerism. This will be the case if the government or other development actors fail to offer funding to peace committees as suggested elsewhere in this report.

Peace committees should borrow heavily from the practices of traditional institutions of managing conflicts where the virtue of volunteerism and patriotism was the driving force. People, or rather elders offered their services as an obligation to society. Since they were given oratory or other skills by God, it was believed that they should pay back to the society by offering their skills and expertise free of charge.
Youth, the principle actors in conflicts in ASAL Kenya, should be incorporated in the membership of Peace Committees.
Volunteerism is the key pillar to the future and sustainability of the peace committees. Members of peace committee should not be motivated by material or socio-political gains but be motivated by the desire to serve the community.

**vii. Promoting Gender and Age relations in Peace Committees**

Peace committees should engender not only their membership but also the more important peace building process. Although a reasonable number of women and youth have been co-opted/incorporated in the committees, a lot needs to be done in terms of enabling them to play a pivotal role in conflict prevention and management. Measures should also be put in place to define a minimum number of women and youth in a peace committee as well as mechanisms under which they can contribute to the process of peace building unhindered and without hesitation.

**viii. House of nationalities**

To institutionalize the peace committees and reduce tension between the committees and traditional structures on one hand and with state and non-state actors on the other hand, a structure popularly referred to as “house of nationalities”, which is already being practiced in many regions in the world should be piloted. This involves organizing forums where traditional elders and other actors (peace committees in this case) exchange notes and explore on how each could compliment the other with cumulative result being improved local level governance environment. In Somaliland, “Guurti”, a house of nationalities on its own enabled the Northern Somali region to recover from decades of war and misrule. Further south, the “House of Chiefs” in Botswana, a senate in an African context, has breached the gap between traditional chieftaincies and the formal state system.
APENDIX 1

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APENDIX 2

Summary of Proposals for Peace Committees as recommended during the Nanyuki Peace Committee Harmonization Workshop

a). Proposed Name: District Peace Commission;

Participants recommended District peace Commission to replace the District Peace and Development Committees to signify the task and values of peacebuilding work and for coherence for peace initiatives at all levels from sub-location to the national levels.

b). Purpose

DPC is to be charged with the following responsibilities and activities

- Coordinate and facilitate Peacebuilding activities;
- Collaborate with other peace workers;
- Prevent and manage conflicts;
- Promote peaceful co-existence;
- Intervene in local conflicts;
- Encourage dialogue between warring groups;
- Harmonize peace initiatives;
- Create linkages between the community and state actors;
- Create and raise awareness on peacebuilding;
- Mobilize financial resources, especially during the stop gap period, i.e. at the time when the Government expenditure on development budget is temporarily halted (June – July);
- Undertake analysis of root causes of conflict - and develop strategies and programmes to address them;
- Develop conflict early warning mechanisms;
- Identify potential stakeholders at the District level;
- Enhance ownership of the home-grown initiatives and approaches; and,
· Formulate programmes to enhance a culture of peace.

c). DPC Governance, Leadership Structure, and Communication Channels

Proposed Structures

Participants observed that for purposes of harmonization, the proposed District Peace Commissions should embrace the following structures:

(1) Joint Management Team (JMT)

To be formed in every District. JMT will be a technical, managerial and strategy organ mandated to determine parameters for tasks.

The JMT will strictly comprise of members of the DPC and will have he following representation:

· of government,

· NGO,

· Peace Commission,

· women,

· youth,

· religious groups,

· and the Coordinator of the Secretariat.

The JMT shall have Chairperson, Secretary, and Treasure elected from its members. The secretary will be the Co-coordinator of the Secretariat. The JMT will report to the DPC.

JMT functions:

1. Act as a think tank of the DPC;

2. Act on behalf of DPC, generate ideas and make decisions;

3. Undertake regular review of peace and security issues in the District;

4. Develop standard internal procedures – templates - in conjunction with the Secretariat and harmonize amendments;
5. Facilitate rapid response to conflict and related issues;
6. Brief new entrants/stakeholders in peace work to the District and establish a code of conduct and ethics for all stakeholders;
7. Organize biennial DPC meetings to review progress;
8. Determine modalities for election of members to the DPC.
9. Enact a strong constitution to safeguard the DPC against external influence.
10. Develop mechanisms for solving contests/disaffections;
11. Document and keep record of the peace process;
12. Resource mobilization;
13. Stewardship/audit of resources for transparency;
14. Planning, monitoring and evaluating progress;

Tenure of Office of the JMT

Members of the JMT will serve a maximum of 2 terms of 3 years. However, there should be flexibility of retaining some members for institutional memory.

Selection Criteria

- JMT be mandated to decide on modalities of selection, bearing in mind the situation on the ground and uniqueness of contexts. Communities should be mandated to replace their representatives.
- To guard against vested interests and influence, JMT members should neither be holders of political offices nor aspiring candidates.

Incentives

- Though is a vocational activity, JMT should be given some standardized honoraria for specific tasks. Travel reimbursement, meals and other travelling expenses should be considered.

Decision Making

- Two-thirds (2/3) of members will form a quorum for decision making. However, one-half (1/2) of members or the executive can make decisions during emergencies.¹⁷
Leadership Qualities

To be a member of the JMT, s/he must possess the following qualities:

1. Must command respect from the community;
2. Must have diverse knowledge in Peacebuilding and conflict management;
3. Openness/willingness to learn and adopt new ways of working;
4. Must be impartial and non-partisan in decision making;
5. Willingness to sacrifice time, energy and resources;
6. Good listener and communicator;
7. Committed to peace;
8. Ability to exhibit resilience;
9. Ready and willing to consult;

NB: Participants urged illiteracy should not be used to close out good peace makers.

(2) District Peace Commission Secretariat

- A Secretariat should be formed at the District level to serve as a focal point for peace, conflict, and other related issues.
- The Secretariat should have two permanent positions: a co-coordinator and an accountant.
- These will form the core members of the Secretariat. The two can be seconded by either the government or NGOs. However, other technical persons can be brought on board but only on temporary basis to help in a particular activity. The Coordinator will also sit on the JMT and should therefore be its secretary.
- The Secretariat will report to the JMT regularly.
- Secretariat will be charged with day to day administrative work of the DPC which include:
  1. Financial management/ accounting;
  2. Establishment of a District data base;
  3. Communicate and liaise with stakeholders and other parties;
4. Together with JMT, undertake resource mobilization;
5. Facilitate meetings and other related activities;
6. Take minutes and maintain record of various peace related activities undertaken in the District;
7. Coordinate all peace activities in the District;
8. Information dissemination to members on regular basis or as need be;

(3) Panel of Advisors

The Panel of Advisors will not be part of the DPC but will play an advisory role to the JMT. It will also arbitrate between JMT and the Secretariat as well as between individual members of both JMT and Secretariat. The team should be composed of five (5) members.

Qualities of Advisors

1. Must command respect from the community;
2. Honesty;
3. Integrity;
4. Impartiality and neutrality. Not be biased on clan, religion, politics, sex, etc;
5. Knowledgeable; fluent in the local language, and at least Swahili or English;
6. Peace loving;
7. Not a holder of political office or aspiring to be one;
8. A local resident;
9. Accessible and available.

Selection criteria

The Panel of Advisors will be selected by general consensus based on local understanding of the capacities of the proposed individuals. The government would be represented on this Panel by an institution whose operations focus on the livelihoods of the communities in context.
Communication Process

Participants noted that effective communication is key to peace work. They proposed the following:

1. Documentation and dissemination of minutes of meetings by the Secretariat;
2. Monthly meetings for the executive/secretariat;
3. Quarterly meetings for the broader committee;
4. Biennial meetings for the community members;
5. Weekly situational reports from the grassroots to the Secretariat;
6. The DPC should ensure they receive all conflict related reports;
7. Field monitors should be recruited and trained at grassroots;
8. The Secretariat should regularly keep the NPC posted of all undertakings.

Leadership Structure of Peace committees

Source: District Peace and Development Committees’ TORs Harmonization Workshop, Report, June 2005
PEACE COMMITTEE ANALYSIS REPORT

Practical Action is the new name of Intermediate Technology Development Group (ITDG). Practical Action is an international development agency working with poor communities to help them choose and use technology to improve their lives for today and generations to come. Our work in Africa, Asia and Latin America is in partnership with poor people and their communities, building on their own knowledge and skills to come up with innovation, sustainable and practical solutions. Our work is people focused, locally relevant, environmentally sensitive and offers tangible ways out of poverty. Through our work we demonstrate alternatives, share knowledge and influence others.

This snapshot analysis of the concept peace committee found out that these local level committees have been very instrumental in peace building efforts in the Kenya’s drylands. They are credited for reducing tension and improving the intercommunity relations.

However, and despite of the commendable efforts accredited to Peace Committees, they have not been spared of avalanches of challenges. Lack of a legal and policy framework to secure the work of peace committees across the country has been the main challenge confronting these incipient communities based peace-building structures. Peace committees are thus regarded as ad hoc illegitimate arrangements to prevent communal conflicts.

A key recommendation of this analysis and evaluation is that there is a critical need to formulate and implement a policy and or legal framework that would legalize, secure and institutionalize the existence, roles and responsibilities of Peace Committees at whichever level they operate (District, Division, Location or Sub Location).