

Tana River County
Copy



THE PRESIDENCY
MINISTRY OF INTERIOR AND COORDINATION OF NATIONAL
GOVERNMENT



TANA I DECLARATION

POKOMO AND ABDALLA COMMUNITIES RECONCILIATION PROCESS

27TH APRIL, 2016

PREAMBLE

FOLLOWING a series of meetings with the county administration and elders from the Tana River and Abdalla communities of Tana River and Garissa Counties from the 25th to 27th April, 2016;

WE, the county and sub-county security teams, elders and representatives of peace committees from Ijara and Galole sub-counties on the 27th April, 2016 under the guidance of the National Cohesion and Integration Commission Commissioners;

COGNIZANT of the impact of the farmer-pastoralist conflict; mistrust and negative perceptions between communities residing in Ijara and Galole sub-counties; boundary and land related issues, insecurity and underdevelopment;

DESIROUS of the need to promote peace and security in the sub counties and the larger Counties;

APPLAUDING the efforts that have been made so far to ensure that peace and security prevails;

AGREE as follows;

I. Farmer-Pastoralist Conflict

1. THAT all communities regardless of their origin access the Tana River as access to water is a right enshrined in the Constitution
2. THAT access to the water resource should not be at the expense of other communities' livelihoods
3. THAT compensation to the livelihoods of both the farmer and pastoralist communities should be done in case of any losses/destruction. The aggressor should take full responsibility in compensating the aggrieved parties
4. THAT all MALKAS/water corridors should be identified and demarcated

5. THAT both county governments of Tana River and Garissa should initiate and fast track the process of passing by-laws that will designate and demarcate MALKAS/water corridors
6. THAT farmers should refrain from encroaching the designated MALKAS/water corridors
7. THAT both County governments should explore the possibilities of constructing/harnessing additional watering points
8. THAT pastoralists should graze their livestock only on designated areas
9. THAT grazing committees and relevant traditional governance structures should always be involved in resource use, sharing and management as well as in dispute resolution.
10. THAT farmers and pastoralists that have entered into grazing agreements should honor the agreements so established
11. THAT both parties must respect the rule of law and report any breach to the authorities
12. THAT all parties shall embrace dialogue and traditional dispute resolution mechanisms.
13. THAT all animals including donkeys should not be left unattended while grazing

II. Boundary and Land Related Issues

1. THAT county boundaries be respected by all parties
2. THAT those using boundary issues as an excuse to divide Kenyans will be prosecuted and face the full force of the law
3. THAT both communities should live in their areas peacefully and feel free to move across the boundary

III. Enhancement of Peaceful Co-existence and Harmonious Living

1. THAT we forgive each other for wrongs done in the past without conditions whatsoever, and forge ahead in unity.
2. THAT all communities together with their leaders should respect every individual and property

3. THAT all actors work together to end hostilities and conflicts along the common border of our counties and conduct continuous community dialogue in order to address issues of mutual interest without resorting to violence
4. THAT the county governments of Garissa and Tana River enhance and strengthen the infrastructure for peace in the counties including and not limited to funding of peace building and reconciliation activities in their respective counties.
5. THAT with the support of other peace and reconciliation stakeholders conduct more peace meetings at the grassroots level
6. THAT past community traditional dispute resolution mechanisms be revived, strengthened and enhanced
7. THAT we strengthen and enhance community interaction through joint inter cultural activities, exchange visits, sporting events, intermarriages and business ventures e.g. through establishment of common markets along the border
8. THAT peace champions be recognized

IV. Good Leadership and Governance

1. THAT both communities and their leaders should desist from using demeaning and derogatory language against one another
2. THAT politicians/individuals be closely monitored for hate speech and incitement and subsequently charged for the same in a court of law
3. THAT the NCIC strengthens its efforts in monitoring and enforcing hate speech and incitement offences

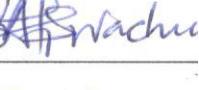
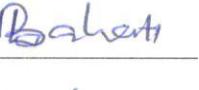
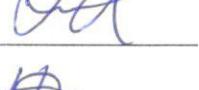
V. Security

1. THAT community members assist the security officers by volunteering and sharing information on criminal activities
2. THAT anyone who provides potentially sensitive/risky information shall be provided with protection in accordance with the Witness Protection Act
3. THAT all foreigners and immigrants should report to the respective authorities including chiefs, elders, nyumba kumi committees amongst others
4. THAT the police carry out thorough investigations, arrest and prosecute the criminals according to the laws of the land and all ongoing police investigations should proceed to its logical conclusions

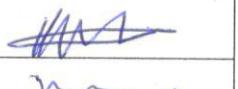
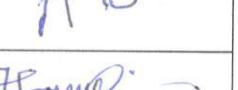
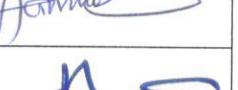
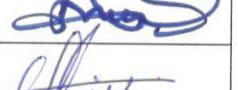
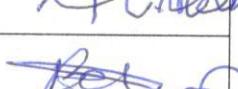
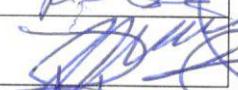
5. THAT law enforcement agents observe the Public Officer Ethics Act while carrying out their duties.
6. THAT public officers from both Tana River and Garissa that do not effectively discharge their duties should be disciplined
7. THAT National Police Reservists from either County shall work within their assigned areas and only move out of their respective assigned areas with the authority of their superiors
8. THAT security agents be proactive in responding to conflicts through intelligent policing
9. THAT suspects/criminals take individual responsibility for the crimes they had committed and not hide under their respective communities.
10. THAT elders, representatives of peace committees among other actors counsel their young men and women to counter the resurgence/burgeoning of illegal militia groups
11. THAT elders and identified community actors/committees shall assist in pushing forward implementation of resolutions from past meetings with their MPs and Governors
12. THAT this agreement binds all parties involved in this conflict and will apply in resolving conflicts affecting other communities within the region

This agreement has been entered willingly and freely by all parties without coercion from any quarter.

ENDORSED on 27th April, 2016 at Laza Leisure Lodge Resort and Restaurant, Tana River County by;

ELDERS FROM GALOLE, TANA RIVER COUNTY				
NO	NAME	DESIGNATION AND ID NO	LOCATION	SIGNATURE
1	Bakari Kiragu	Chairman, 1397601	Gaza Gwano	
2	Hussein Ahmed Boya	Peace coordinator, 10971308	Zubaki	
3	Mohamed Akare Berhe	Chairman, 0169613	Mikinduni	
4	Bakari D. Wachu	Vice Chairman, 12728516	Kinakomba	
5	Lilian Bahati	Peace Member, 9769704	Chewani	
6	Rose Isack	Peace treasurer, 8297152	Zubaki	
7	Maro Ade Dae	Chairman, 0168747	Chewani	
8	Said Buya Mbarak	Chairman, 0173489	Makere	
9	Hussein Ilu Bahola	Chairman, 0649873	Mazuni	
10	Rhova Uleo Bubu	Chairman, 0168506	Milalulu	

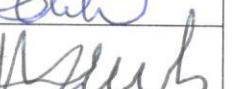
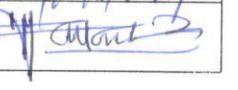
ELDERS FROM IJARA, GARISSA COUNTY

NO	NAME	DESIGNATION/ ID NO.	CLAN/FAMILY	SIGNATURE
1	Adan Ismail Abdi	0538945	Rer-Mohamed	
2	Nasir Bare Dabav	30978292	Baha	
3	Mursal Mohamud Mohamed	0541489	Hassan Aden	
4	Ali Omar Muhumed	0546532	Abdikarim	
5	Aden Ali Abdi	0035166	Mahat Abdalah	
6	Ahmed Abdi Maalim	0028883	Abukuradan	
7	Hussein Bulle Aden	3915490	Sentalis (Ekal)	
8	Ali Abdi Hussein	1262811	Suleiman	
9	Bashir Dahir Dagane	0192024	Hassan Aden	
10	Dubat Ali Amey	0191803	Mahat Abdalah chis Alwe	

WITNESSED by:

1. Khalid Ibrahim
2. Mayan Yalge
3. Mohamed Kure

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No	NAME	DESIGNATION	SIGNATURE
1	Isaiah Nakoru	County Commissioner, Tana River	
2	James Kianda	County Commissioner, Garissa	
3	Kennedy Lunalo	Deputy County Commissioner, Galole Sub-county	
4	Julius Too	Deputy County Commissioner, Ijara Sub-County	
5	Mohamed Nasoro Bochani	Chairman of Tana River County Peace Committee	
6	Professor Gitile Naituli	Commissioner, NCIC	
7	Adan Mohamed	Commissioner, NCIC	