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What Works in UN Resident Coordinator-led Conflict Prevention: Lessons from the Field

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Kenya 2008-17

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Introduction

Described as the “anchor state of East Africa,”¹ Kenya’s strategic regional importance has made it a darling of sorts to the international aid community, which has invested substantially in the country’s nationally-led development. However, Kenya is also prone to chronic instability and vulnerability due to a number of risk factors, including inequality and exclusion, regional instability, resource competition, illicit trafficking, centralisation of political power, and high youth unemployment. In 2007-08, Kenya’s highly contested national elections ignited many of these risk factors simultaneously, resulting in mass violence, displacement, and deepened political and social rifts in the country. But the crisis also generated political will within Kenya to address some of the underlying political and socio-economic tensions that have kept Kenya vulnerable for decades, creating opportunities for the international community to assist in that endeavour.

This paper examines the UN’s preventive engagement in Kenya from the aftermath of the December 2007 electoral violence to the present, identifying the ways in which the UN system has worked to address underlying conflict drivers, de-escalate moments of tension, and help put in place viable national capacities for longer-term stability. In particular, this paper examines how the UN’s three successive Resident Coordinators (RCs) during this period – Aenas Chuma (2008-12), Nardos Bekele-Thomas (2013-16), and Siddharth Chatterjee (2016-current) – developed conflict prevention strategies and initiatives in an effort to mitigate conflict risks. These have ranged from support to building a standing national capacity for conflict prevention and the brokering of a Kenyan-Ethiopian agreement to address cross-border conflicts, to creating spaces for civil society dialogue and developing a national conflict assessment and analysis capacity. This case study shows the potential of RCs to carve out a conflict prevention role for the UN in sovereignty-minded middle-income countries, in particular with respect to strengthening national prevention institutions.

1. Country Context

Roots of Kenya’s Conflicts

At the heart of Kenya’s instability lies an over-centralisation of political power and the difficulties faced by the state to provide basic governance in the peripheries, resulting in social, political and economic marginalization of large parts of the population. In this context, the country has experienced recurrent outbreaks of violence, particularly around highly contentious elections.

Historically, political power in Kenya has been concentrated in the presidency, which wielded its patronage power in favour of particular ethnic groups and communities over others. Over time, this has weakened – or prevented the development of strong – state and rule of law institutions in many of the

country’s rural and economically marginalised areas, in turn enabling the proliferation of criminal networks.² Widespread abuses by Kenyan security forces, combined with growing activity of armed groups, militarization of Kenyan society and pervasive impunity, have made violence a normalised aspect of political and social life in many areas.³

Ethnicity plays a central role in the divisions within Kenyan society, and in how power is distributed by the elites. Composed of more than 40 distinct ethnic groups – with Kikuyu as the largest – political party affiliation in Kenya is largely driven by ethno-regional identity rather than by ideology. The willingness of political elites to mobilise their constituencies around rhetoric rooted in ethnicity and religion has added to the risk of violence.⁴ This is compounded by a winner-takes-all approach to politics, which is often viewed as a zero-sum game, raising the stakes of electoral outcomes. Political elites used public land as a patronage tool, primarily benefitting the Central Province Kikuyu tribe of Kenya’s first president. Non-Kikuyu politicians manipulated this grievance toward ethnic-based retributive violence.⁵

Police and justice institutions, too, tend to manifest ethnic biases, undermining public confidence in the state. This sense of injustice and exclusion, varying according to one’s ethnicity or identity, remains a key driver of violence. Ethnic divides are also a factor in the competition for natural resources and land access, a major issue in the frontier pastoral areas in Kenya. Many of the deep-seated grievances over natural resources are rooted in the colonial era, when local administrators used divide-and-rule tactics amongst different communities. Slow and uneven progress on land reform,⁶ along with deeply embedded patterns of resource capture by elites, have led to the impoverishment of ethnic groups and sub-regions of the country. Particularly in the arid and semi-arid North, competition over water in drought-prone rural areas, and the recent discovery of natural resource deposits (minerals, oil, gas) has often served as a trigger for local conflicts, especially in the absence of adequate resource management systems.

Ethnic divides are compounded by socio-economic inequalities, driving Kenya’s instability, particularly in its frontier and border areas. Despite having recently graduated to middle-income country status, nearly 20 million Kenyans survive on less than \$1.25 per day and there is strong evidence that economic growth has been accompanied by growing inequality.⁷ Youth unemployment runs high, helping drive criminality, extremism and violence.⁸ Climate change has also made Kenya increasingly vulnerable to extreme weather events, from severe flooding to drought, affecting food security and driving displacement, particularly in the marginalised peripheries.

Elections as a Conflict Trigger: Electoral 2007-08 Violence and its Aftermath

The December 2007 general elections in Kenya pitted President Mwai Kibaki of the Party of National Unity (PNU)

against Raila Odinga of the Orange Democratic Movement (ODM). It was the closest race since multi-party politics were re-introduced in 1992, and it took place against the background of a political party system polarised along ethnic lines.⁹ Odinga refused to accept the delayed results of Kibaki's narrow victory, issued by the Electoral Commission of Kenya. Reported tampering in the vote tallying fed deeper suspicions in the credibility of state institutions and triggered a massive wave of violence in the country, resulting in the deaths of roughly 1,500 Kenyans, the displacement of 500,000 people within four months, and widespread destruction of property.

While intercommunal violence has a long history in Kenya, the scale of the carnage during the 2007-08 electoral period was unprecedented for Kenya. Attacks by ODM supporters on those of Kibaki's in Nairobi's ethnically mixed slums spread through the city and beyond, drawing in criminal gangs from other ethnic groups in many of the other cities in the country.¹⁰ Summary killings—often by gangs with clear political affiliations—prompted waves of violence in the poor urban areas of Nairobi and elsewhere. Widespread reports of police brutality deepened grievances amongst historically marginalised communities and reminded Kenyans of the state's entrenched culture of impunity which failed to bring to justice perpetrators of past violence.¹¹ Resentment against politicians who were linked to the violence grew dramatically, while the weak government response added to the levels of distrust in the state.¹²

The levels of violence shocked most Kenyans, revealing the country's deep social cleavages. The violence also hurt the economy and led to a rise in unemployment, in turn driving an increase in gang membership amongst youth in particular. As such, electoral violence was not only a result of deeper conflict drivers, it also served to reinforce them. Addressing the impact of the elections thus became the overriding priority for Kenya, and a key element in the country's attempts to address its chronic instability.

The Post-2008 Period: Opportunities and Limits of Reform

While the crisis following the December elections was a major destabilising moment for the country, the scale of the violence also fuelled strong popular demand for systemic change in the country, opening a window of opportunity for key reforms that could help address the underlying socio-economic and political drivers of risk. Mediation efforts led by former UN Secretary-General Kofi Annan on behalf of the African Union resulted in a power-sharing agreement between President Kibaki and opposition leader Odinga, signed on 28 February 2008, ending the cycle of violence.¹³ A government of national unity was formed, the first step towards power-sharing across key ethnic and communal lines. Importantly, the parties also agreed on the adoption of a new constitution that would enshrine important governance reforms. In addition, the government committed itself to undertake steps towards addressing land reform, youth employment, judicial/police reform, anti-corruption measures and electoral reforms

designed to broaden political participation.¹⁴ As one expert noted, "to Kenya's credit, the moment was not wasted."¹⁵

A National Cohesion and Integration Commission (NCIC) created in 2008 under the National Dialogue and Reconciliation Agreement, was pivotal in filling a critical gap in moderating political discourse and creating a means for accountability. Tasked with promoting inter-ethnic harmony, it boldly confronted inflammatory political behaviour by "naming and shaming" offending politicians, which resulted in three being indicted for hate speech. Its wide-ranging work reviewed legislation for discrimination, investigated biased public sector hiring and proposed key legal and policy reforms.¹⁶

In 2010, the new constitution was adopted in a referendum that was held without a single instance of violence.¹⁷ Key reforms enshrined in the document included devolution of executive, legislative and judicial powers to sub-regional levels, which would bring to a close the era of the "imperial president," and help address the underlying issue of unequal distribution of wealth and authority between the centre and peripheries.¹⁸ But governance reforms at the centre also carried an unintended negative side-effect, because they increased the stakes of capturing power at the county level, and according to some experts may have increased local-level tensions around access to resources and control of municipal/county-level authority.¹⁹ The prevalence of local-level corruption, patronage networks and political violence rendered the implementation of the national reforms insufficient and placed a premium on further reforms at the municipal level.

Moreover, security sector reform did not keep pace with legislative reform and Kenyan security services remained highly centralised. As a result, there remained a crucial lack of state security presence in key conflict-prone areas, and widespread criminality and armed gang activity persisted.²⁰

Attempts at accountability for the violence following the 2007 elections were a double-edged sword: crucial for improving public perceptions of the state, but also politically divisive. A Commission of Inquiry emerged in 2008 to investigate crimes related to the post-election violence.²¹ Its report called for a special tribunal, stating if one was not set up within six months, its investigations would be referred to the International Criminal Court (ICC). A bill to establish the tribunal was rejected twice by the National Assembly. Accordingly, in 2009, the report, with a sealed envelope listing key instigators of the violence, was shared with the chief ICC prosecutor. In 2010, the ICC indicted six leading politicians on crimes against humanity, including Deputy Prime Minister Uhuru Kenyatta and Education Minister William Ruto, causing enormous tension within Kenya, and a backlash among the political class against the ICC's infringement on national sovereignty.²²

The 2013 elections: Violence Avoided, Not Overcome

The March 2013 elections were Kenya's next major test, the first under the new constitution. It pitted Odinga against Kenyatta of the National Alliance Party with the latter winning 50.5 percent of the votes.²³ The elections were peaceful,²⁴ in part due to the reforms carried out after the 2007 crisis. Unlike in 2007, the police and security services were restrained, the political parties agreed to a code of conduct limiting inflammatory public stances, and the media was sensitized to avoid divisive coverage.²⁵ Odinga's petition challenging the results was dismissed despite some acknowledgement of irregularities, and importantly without any resort to violence by any party.²⁶ In fact, Odinga himself called on his supporters to remain peaceful, declaring that "any violence now will destroy this nation forever."²⁷

The decision to create inter-ethnic and cross-sectoral alliances played an important role in temporarily reducing tensions around the elections. For example, the alliance between the two largest ethnic groups—the Kikuyu and the Kalenjin—was seen as a key factor in avoiding heightened risk.²⁸

However, violence avoided is not conflict overcome. And one audit of the 2013 elections found that "conflict fatigue" was the major factor in the peaceful elections, as "people realized they had more to lose than gain from violence."²⁹ The major conflict drivers remained very much under the surface.³⁰ The breakdown of the Kikuyu-Kalenjin alliance, lack of follow through on accountability for past electoral violence, and the failure to address deep-seated disputes over natural resources, all combined to set the stage for a violent 2017 elections.³¹

The 2017 elections: A Return to Violence

Many of the same factors that drove the 2007-08 electoral violence reappeared in the 2017 presidential elections, during which roughly 50 people were killed. The disputed vote in August prompted an Electoral Commission's finding of manipulations and "irregularities", and a surprise Supreme Court annulment of its results, calling for a re-run creating enormous uncertainty over the political process. Supporters of an opposition-called boycott prevented voting in hundreds of polling stations, resulting in violent police clashes, low voter turnout, and further polarization. State security forces were once again accused of using excessive force.³² The easy availability of small arms and slow pace of police reforms fed security risks.³³

It is important to note that, in contrast to the 2007 crisis, this time Kenyans had been forewarned of the risk of violence and were better prepared. In fact, Kenya had put in place a national early warning and response system, which anticipated many of the conflict risks around the election, leading to the establishment of mitigating measures, which likely helped to prevent further escalation. However, today Kenya remains extremely tense and there is a very real risk

that the deep social and political divides will again drive a descent into violence.

2. RC-Supported Prevention Initiatives

The 2007-08 Electoral Crisis as Entry Point and Opportunity

The UN has been a major development partner for Kenya since before the country's independence in 1963, with programs largely focused on poverty reduction. In the 1980s, the UN and donor community unsuccessfully tried aid conditionality as a means to pressure a recalcitrant government towards public sector reforms.³⁴ In light of heavy state control that stymied local development, donors and aid agencies often bypassed the government in favour of direct implementation of projects in partnership with local authorities and civil society.

By the 1990s, President Moi's government led a systemic backlash against the aid community as a whole, harassing NGOs and aid agencies engaged in rights-based work, burning offices and arresting staff.³⁵ Due to the lack of entry points at the national level during this time, throughout the early 2000s the UN strategy and posture in Kenya remained largely focused on the MDGs and humanitarian issues, without much attention to conflict prevention or early warning.

In the years leading up to the 2007-08 electoral crisis, UNDP and national counterparts had jointly developed a programme on preventing electoral violence, which included training and sensitization programmes for political leaders, civil society and media practitioners. But even UN officials conceded that "none of these efforts seemed to have had substantial impact on the electoral process."³⁶

The electoral crisis of 2007-08, and the strong national commitment to far-reaching governance reforms opened important opportunities and entry points for the UN Country Team to adopt a more preventive posture focused on electoral violence, looking also to help create the conditions for tackling structural conflict drivers. In doing so, the UN played a "quiet but effective" role in enabling the national-level process to proceed, by providing strategic advisory and technical support, a convening and coordination role, as well as funding to the process.³⁷

The period from 2007-17 can be divided along the deployment periods of the three consecutive RCs, as detailed below. Each RC built on the strategy of his/her successor, while adapting to the shifting political space and national priorities. In the immediate post-crisis period, the strategy was focused on helping strengthen Kenya's national peace architecture, developing a participatory conflict analysis structure and national conflict prevention strategy, and a national early warning capacity that would prevent a recurrence of atrocities in future elections. Following a successful constitutional referendum in 2010 and peaceful elections in 2013,³⁸ the RC and UNCT had to adjust their strategy to a shrinking political

space, while trying to address the underlying conflict drivers related to inequality and exclusion.

Building a National Standing Capacity and Strategy for Conflict Prevention, 2008–12

RC Aeneas Chuma was deployed in 2008, having previously served in Zambia (as RC) as well as Mozambique and Uganda (with UNDP), which provided him with relevant experience in fragile transition contexts. Using the political space created by the reform-orientation of the national government and the constructive relationships he managed to establish with the parties soon after his arrival, Chuma made it his primary objective to position the UN as a provider of effective support to the expansion and institutionalization of a fledgling national “infrastructure for peace” (see below box) and in doing so, restoring public confidence in state institutions.

Chuma’s overall approach was geared, on the one hand, towards providing technical and advisory support to government bodies in Nairobi charged with advancing peace and reconciliation in the country and, on the other hand, to help create political space and secure a formalized role for civil society in national prevention efforts.

Concretely, RC-led efforts focused on four sets of activities: First, the RC convened a broad coalition of stakeholders³⁹ around discussions aimed at strengthening Kenya’s national capacities and institutions for conflict prevention and resolution, then embedding them into an overall architecture that would constitute a coherent and effective “infrastructure for peace.”⁴⁰

Second, the RC offered technical support, guidance and funding to the National Steering Committee on Peacebuilding and Conflict Management, so it could expand the network of local peace committees. This support also helped consolidate disparate Kenyan early warning initiatives into a common effort.⁴¹

Third, the RC created an inclusive, highly participatory conflict analysis process, engaging government, partners and the UN into a common process, while influencing decision-making on policy and programmes.

And fourth, the RC supported the inception of the National Cohesion and Integration Commission with needs assessment and guidance, developing its strategy, fundraising and mobilizing international support, as well as supporting coordination.

In all these efforts, the RC relied heavily on the support of his Peace and Development Advisor (PDA), Ozonnia Ojielo, (deployed in July 2008), whom he empowered by facilitating high-level access to the government and a degree of autonomy.⁴² Prior to his deployment to Kenya, the PDA was instrumental in building Nigeria and Ghana’s peace infrastructure, an experience that proved valuable, not least as he was already known to many National Steering Committee (NSC) commissioners whom he had hosted a year earlier as members of a Kenyan delegation studying Ghana’s Peace Council.

Benefitting from these preexisting relationships, and from generous donor support in the post-crisis period, Ojielo led

Kenya’s Infrastructure for Peace

The term “Infrastructure for Peace” is generally used to describe a network of interlocked government, civil society and community institutions and capacities at the national and local level that promote peace and reconciliation. In the Kenyan context, it refers to a set of bodies and initiatives that include in particular:

- Local- and District-level Peace Committees that have their origin in the Wajir Peace and Development Committee established in the early 1990s in response to pastoral conflicts in Kenya’s northeast;
- The National Steering Committee on Peacebuilding and Conflict Management (NSC), originally created in 2001 to coordinate the local peace committees;
- The National Cohesion and Integration Commission (NCIC) established in 2008 by the National Dialogue and Reconciliation Agreement mediated by Kofi Annan in the aftermath of the Electoral Crisis;
- The National Focal Point on Small Arms and Light Weapons, created in 2003 to trace and respond to the widespread use of small arms. The Focal Point is located in the President’s Office and has task forces in 110 districts.

While many of the constituting elements of Kenya’s “infrastructure for peace” were in place prior to the electoral crisis of 2007-08, this crisis disclosed significant weaknesses and shortcomings, which subsequent efforts sought to address.

a lengthy consultation process, convening a broad range of stakeholders that resulted in the creation of two forums that would become key drivers for conflict analysis and conflict prevention programming in the country:

First, a Peace and Development Committee within the UNCT, which consisted of 13 agencies that met monthly to update its conflict analysis, review and adjust programming, and develop a common UN conflict prevention approach aligned to the national conflict prevention strategy.⁴³

And second, a Conflict Analysis Group, embedded in the Office of the President consisting of civil society (the dominant force in that group), representatives of the President, and the UN. The Group was made responsible for scenario planning, policy briefs, conflict mapping, monitoring of conflict indicators and coordination with a new early warning platform.⁴⁴ With advisory and technical support from the RCO and the UNCT, the Conflict Analysis Group led a series of consultations and their national conflict analysis surveys produced recommendations, which became the NSC's operating framework. Institutionalising this latter forum within the President's Office, helped elevate prevention to a national priority and provided the UN with a direct entry point to influence the Kenyan government's deliberations on issues relevant to prevention.⁴⁵

UN participation in the Conflict Analysis Group also allowed the UN to ensure the two forums could align their analysis and strategies. The two forums collaborated closely in a three-year conflict analysis process to ultimately produce, in 2010-11, "*Uwiano*", Kenya's first Peacebuilding and Conflict Prevention Strategy and national early warning and response mechanism (see below for further detail on *Uwiano*).⁴⁶ By 2011, Kenya held its first National Peace Forum to convene a public dialogue toward a common vision of peace beyond the absence of conflict, presenting the findings of its Conflict Mapping and Analysis exercise.⁴⁷ The final conflict prevention framework was finalised by 2012, from which a National Peace Policy was approved by Parliament.

The Kenyan prevention framework, provided a helpful platform for the UN to engage in a wide range of activities aimed at reducing the risk of violence around the 2013 elections. For instance, UN entities funded training for Kenyan police in handling riots and in human rights, worked to sensitise major media outlets to violence risks, and supported the election commission to overhaul the machinery to prevent tampering.⁴⁸ The relative success of the 2013 election process can be attributed in part to those, as well as the enormous broader efforts by the international community and the Kenyan authorities to avoid another 2007 experience (see below box).

But this success belied deeper challenges. Implementation of Kenya's Peacebuilding and Conflict Prevention Strategy might have defused some triggers of electoral violence but underlying conflict drivers remained unaddressed. Illustrating often short-sighted aid policies, once donors had deemed the election a "success", most prevention funding dried up shortly thereafter, just when this work was bearing fruit.⁴⁹

Testing Prevention: Elections in a New Era for Kenya (2013–16)

While cooperation between the UNCT and the Kenyan government around preventing electoral violence was positive, relations between the two found themselves at a low soon thereafter as a result of the election victory of Uhuru Kenyatta and his deputy William Ruto. Both had been indicted three years earlier by the ICC for crimes against humanity because of their role in the electoral violence in 2007-08. Against the background of the indictments, Kenyatta ran on an anti-internationalist agenda of "reclaiming sovereignty" from foreign forces, of which the UN was depicted to be part and parcel. After assuming power, the Kenyatta government took a hostile stance vis-à-vis the UN, contributing to a refusal by the government to participate in key prioritization activities, and a year-long delay in putting in place a new UNDAF.⁵⁰

Inventory of Prevention Programs, 2007-13

An extensive inventory done by Stanford University and the U.S. State Department between 2007 – 2013 found 38 conflict and electoral violence prevention projects active in Kenya during that period, ranging from \$20,000 to \$35 million U.S. dollars, most with multiple and cross-cutting aspects. Among those aimed at preventing and mitigating conflict, were projects on: hate speech monitoring, peace messaging, community dialogue and reconciliation, building the capacities of local peace structures, early warning and response (EWER), and deterring spoilers. Those dedicated to peaceful and credible elections included: building the capacity of the election management body (Electoral and Boundaries Commission, IEBC), civic and voter education, election observation, and professionalization of political parties. Only seven of these projects lasted beyond the 2013 elections.

Source: Cho, S Y et al. 2015.

This was the situation with which Nardos Bekele-Thomas, a long-time UNDP official with prior experience in Kenya, saw herself confront when she was deployed to Nairobi in September of 2013. The ICC indictments put the RC in a difficult position. On the one hand, cooperating closely with a President who was widely seen as having blood on his hands risked making the UN vulnerable to accusations that it was lacking commitment to justice and ending impunity. On the other hand, it would be difficult for any RC to shun a democratically elected leader, and for the RC to be able to drive UN programming in Kenya, including on prevention, access to and constructive relationships with the government would be essential. Faced with this dilemma, the RC chose a pragmatic approach, seeking active engagement of and a close partnership with the government.

Against this background, the RC decided to use the UNDAF as an “opportunity not to be missed”⁵¹ to repair the relationship with the Government, in particular by directly engaging the President in the UNDAF process.⁵² She also hoped the UNDAF would create an entry point for the UN to support constitutional governance reforms that would work toward Kenya’s underlying conflict drivers.⁵³ In her initial courtesy call with the President, she underlined that both the UN and Kenya could “score” by working together on some of the key areas related to marginalization, which would secure his legacy.⁵⁴

While not uncontroversial and risk-free, tying the UN into a close partnership with the government built common ground and helped overcome a deadlock created by the ICC indictments. (The issue became moot when the ICC withdrew the indictment against Kenyatta in late 2014.) Indeed, shortly after the courtesy meeting, the President convened a joint meeting between the Government and the UN Country Team to chart a way forward together where they agreed on a common agenda focused on development, governance (devolution) and security, which was subsequently enshrined in the UNDAF. Featuring transformative governance as its first pillar and placing significant emphasis on the “Delivering as One” principle, the UNDAF was subsequently adopted in 2014, the first in Kenya’s history signed by the President himself in a public ceremony with the UN and international donors. According to those involved, this dramatically changed the dynamic: influential ambassadors now saw the UN as the entry point to the Presidency, and the President became an ardent proponent of channelling donor support via the UNDAF.

The President subsequently designated ministerial focal points to work with the UN on the key outcome areas of the UNDAF, and these ministries adopted the UNDAF’s reporting processes for measuring progress. According to UN officials involved, the UNDAF appeared to act as a unifying tool for the new administration and a “dramatic” change toward positive government/UN relations, while jointly targeting underlying conflict drivers as the strategic basis of the UN’s work in Kenya.⁵⁵

To give meaning to this objective, as well as the “Delivering as One” principle underlying the UNDAF, the RC subsequently spearheaded the development of two flagship projects in the northern borderlands (Turkana and Marsabit Counties), which would serve as a model for a new approach to area-based and cross-border development assistance in Kenya, targeting particularly marginalized communities (see *below for further details*).⁵⁶

Consolidating Gains (2016-17)

Siddharth Chatterjee, who was appointed as RC in 2016, had served in the UNCT Kenya as UNFPA representative for several years and could thus build on existing relationships with the Government and other UN agencies. He continued his predecessor’s “human security approach to development as a conflict prevention tool” which he expanded to encompass the nexus between climate change, poverty and violence in Northern Kenya. Importantly, Chatterjee also built on his predecessor’s efforts to forge public/private partnerships, leveraging stronger resource mobilization potential for development and conflict prevention in target areas. Private investment was key to a longer-term prevention strategy aimed at countering inequity and promoting inclusivity in Kenya’s margins. Calling private companies the “third force” in development, the RC brokered several large corporate partnerships for investments in the UN flagship programs in Turkana and Marsabit.

From these, he led Kenya to become the first global pilot for the SDG Philanthropy Platform, a public-private partnership (PPP) initiative pooling expertise and resources toward UN-Kenyan development priorities in areas affected by extreme poverty, marginalization and violence.⁵⁷ The pilot uses “thematic accelerator windows” to channel these investments through a dedicated trust fund to specific priority sectors of the UNDAF and Kenya’s Vision 2030, targeting these geographically and thematically to where lack of access to basic social services and high unemployment are triggers for unrest, radicalization and violent extremism.⁵⁸ High-profile corporate partners (e.g. Philips and Merck) and the Government of the Netherlands committed to the UN’s area-based flagship programs. The platform differs from similar programs in that it aims for longer-term transformative strategies, rather than limited-scope projects.⁵⁹

However, the Government’s commitment to implementing national level constitutional reforms and improve governance stalled during this period and it had still had not mended relations with many donors, refusing to approve many UN and donor programmes relating to governance issues.⁶⁰ This inhibited prevention programs around judicial or security sector reforms, seen as particularly important in combating impunity in Kenya. The government’s lack of political will to support these important components of long-term conflict mitigation programming greatly limited the number of UN entry points as well. The UNCT’s strategy, therefore, was to focus energy on efforts at the county-level, in particular the

flagship area-based programmes in Marsabit and Turkana counties,⁶¹ as well as an initiative to bring together seven historically marginalized counties [Garissa, Isiolo, Lamu, Mandera, Marsabit, Tana River and Wajir] to coordinate and advocate for local development.⁶²

3. Specific Prevention Initiatives

Whereas the above section was meant to provide a chronological narrative of the three subsequent RCs' approaches to prevention, the following section will highlight three specific initiatives and approaches that were particularly relevant in terms of RC-supported preventive action.

Joint Cross-border Programme between joint Kenya and Ethiopia

Initially conceived by RC Bekele-Thomas in 2013-14, further developed in close consultation between the UN Country Teams in Nairobi and Addis Ababa, and officially established in December 2015 through RC-brokered negotiations between the Ethiopian and Kenyan governments, the "Cross-border Integrated Program for Sustainable Peace and Socioeconomic Transformation" constitutes an important innovation in RC-led preventive action in Kenya.⁶³ The programme's goal was to mediate intercommunal conflict and promote cross-border peace and development cooperation among border communities and 26 ethnic groups living in Kenya's Marsabit County and Ethiopia's Borana Zone, a region that is known for its vulnerability to chronic internecine violence, poverty, violent extremism and resource competition.⁶⁴ Viewed as economically and politically peripheral, the region historically has received scant aid or investment.⁶⁵

Concretely, the USD\$200 million five-year programme consists of multi-ethnic district peace committees of elders on both sides of the border working together to maintain peace and promote harmonious coexistence with a catalytic impact.⁶⁶ Elders have cited one indicator of their progress: a significant decline in the number of their youth becoming radicalized or joining extremist groups.⁶⁷

Other than playing a key role in setting up the programme in the first place, the UN subsequently took a lead in seeking support from donors and private sector investors based on ambitious development aims in: business, agriculture, infrastructure and health education. It leveraged joint investment opportunities for non-traditional potential funders and investors, a strategy that remains in place for the 2014-18 UNDAF. Currently, five UN agencies each from the two UNCTs in Kenya and Ethiopia (UNDP, UNICEF, UNAIDS, UN Women and UNFPA) participate in the initiative alongside the World Bank and several other public and private partners. It was the start of the UNCT Kenya's area-based programming and remains a cornerstone of UN Kenya "Delivering as One" joint program.

Meanwhile, the RC struggled against internal obstacles and a lack of UN internal support as UN Headquarters and UN

Regional Offices failed at first to buy into the programme. Through dogged persuasion, she eventually convinced her hierarchy and other relevant UN entities of the programme's promise, and it was subsequently endorsed by both Kenya and Ethiopian governments at the highest level, as well as by the Intergovernmental Authority on Development (IGAD) in December 2015. The UNDP administrator Helen Clark presided over a signing ceremony including President Kenyatta and Ethiopian Prime Minister Desalegn, as well as IGAD representatives, which took place in a tent set up at the border crossing, with half the tent standing on Ethiopian soil and the other half on Kenyan soil.⁶⁸ The Moyale program is now widely regarded as model for regional cooperation, conflict prevention, mediation, dialogue and economic development, encompassing aspects for human trafficking and crime.⁶⁹

Conflict prevention area-based programming – Delivering as One Area-based program in the marginalized frontier counties

In 2013, the RC embarked on a concerted effort to target development resources at Kenya's under-served and restive borderlands. This approach also became the basis for UNCT Kenya's first Delivering as One joint programme, in Turkana and Marsabit Counties, which would become a key vehicle to shift the UN's prevention strategy away from short-term electoral violence prevention to underlying conflict drivers associated with governance, socio-economic marginalization, and natural resources. By doing so, it also served the realization of one of Kenya's key constitutional reforms - devolution - while aligning the UN to the government's development framework.

In 2015, in an innovative pilot, the RC led the UNCT Kenya into an unprecedented provincial-level Framework Coordination and Partnership Arrangement with Turkana County (Kenya's poorest), and Marsabit County (including the Moyale cross-border program), which is being expanded to other regions prone to violent conflict. The programme consisted of a number of elements, including:

- The establishment of conflict and vulnerability mapping, as well as a risk analysis and resilience framework called SHARED (Stakeholder Approach to Risk Informed and Evidence Based Decision Making) which tracks spatial data in the border region and other data points to understand conflict drivers and impacts;⁷⁰
- The creation of local Peace and Development Committees in hotspot areas where they didn't exist before (an effort led by the RC);⁷¹
- The launching in June 2017, by the RC and the Government, of the Turkana Transformation Multi-Partner Trust Fund (MPTF), the first of its kind globally, to channel dedicated resources to the DaO Turkana program.⁷²

The programme had several specific characteristics that helped make it effective and potentially serve as good practice

for similar efforts elsewhere. Firstly, it was characterized by a “highly participatory” inclusive planning process with civil society and local authorities.⁷³ Secondly, the RC actively sought involvement and partnerships with the private sector, philanthropic foundations and NGOs. Specifically, drawing on her previous experience with the private sector, the RC effectively used her convening and coordinating roles to facilitate the signing of MOUs with several large corporations (E.g. Philips, Merck) and business networks (E.g. Africa Diaspora Network Entrepreneurs Organization). Finally, the effort was explicitly framed as a “Delivering as One” effort, which provided her with leverage over other UNCT members to align their programming behind this strategy (which sometimes required additional lobbying with individual agencies’ UN regional offices).⁷⁴

Uwiano Platform for Peace: Conflict Early Warning and Early Response mechanism

In May 2010, in the run-up to the constitutional referendum and building on the development of a peace infrastructure over the previous two years, the National Steering Committee, civil society and UNDP joined forces to form the Uwiano Platform for Peace.⁷⁵ Consisting of the PDA-led national conflict analysis capacities within the NSC and a major consortium of Kenyan Civil Society Organisations called PeaceNet, it served as an operational umbrella group with a joint Secretariat responsible for coordinating and implementing electoral violence prevention efforts among a range of actors, and managing Kenya’s first national early warning and early response capacity. In this role, it monitored hate speech, incitement and tensions; partnered with media, led peace messaging campaigns, promoted dialogue, and led peace caravans and peace tents in 20 counties. Nationally, it led conflict sensitive journalism and peace monitoring trainings.⁷⁶

Most active during election periods, the high-profile platform is exceptional in three ways: 1) its effectiveness in crowd-sourcing early warnings of violence, made possible by an extensive network of partners and a free mobile text-messaging service; 2) its analytical capacity with analysts processing information in real time; and 3) its ability to translate those warnings into action in real time through its partnership with the National Police Service, particularly the Office of the Inspector General, which is critical for its security response capacity.⁷⁷ It coordinated an extensive web of local, county and national peace committees.

RC Chuma was actively involved in Uwiano’s establishment, with consistent advocacy and political support to back national stakeholders, fundraising, ensuring technical support from UNDP and the PDA in particular.⁷⁸ He helped broaden its membership to include the elections commission (IEBC) and UN Women to consult on gender-based violence training. The peaceful outcome of the 2010 constitutional referendum was partly credited to Uwiano’s work with local peace committees in defusing an estimated 200 incidents of

potential violence.⁷⁹ In the 2013 elections, a well-resourced Uwiano ignited a frenzy of activity with a rallying call, “Chagua Kenya, Chagua Amani” (*Choose Kenya, Choose Peace*).⁸⁰

While some assessments of prevention efforts in Kenya suggest that UN and PeaceNet support was “crucial” to the peaceful election outcome in 2013,⁸¹ others offer a more critical account, pointing to some shortcomings that prevented the Uwiano initiative from living up to its full potential, including the fact that the early warning architecture was not integrated with efforts to address the root causes of conflict, and that the “episodic and events-based” early warning system was unable to sustain its effectiveness outside of periodic high-profile elections.⁸² In 2017, the platform was relaunched and scaled up, training police and convening forums on hate speech monitoring, community dialogues and mediation forums, deploying a vast network of 1,000 monitors including UNVs organized by the RC, focusing on the 29 (out of a total of 47) counties that were deemed at risk of violence.⁸³ Despite irregularities that prompted sporadic violence in the 2017 elections, these early warning and monitoring activities are credited with helping avert larger-scale violence.

Uwiano was connected to a range of early warning and conflict tracking capacities, some of which were supported by the RC or UNDP, including Early Warning Early Response (EWER) Platforms producing real-time situation maps during and, after election day, Risk Management and National Social Cohesion Indices, a crime observatory working closely with the National Police Service and civil society, and IGAD’s Conflict Early Warning and Response Mechanism (CEWARN). In combination, the network of these platforms served a range of prevention functions by empowering civil society networks, serving to deter violence, providing early warning of violence risk, monitoring hate speech and promoting peace messaging.

4. Prevention Coordination and Capacity

The RCO, throughout the period under review, operated with very limited capacities that would underpin its prevention role. That capacity consisted of a Peace and Development Advisor (PDA), who played a key role in developing and coordinating a prevention strategy.⁸⁴ (The PDA post was abolished just before the 2017 elections, which was widely seen as unhelpful.⁸⁵) In addition, the RC could draw on the support of a Human Rights Advisor who set up an information management system to connect stakeholders and serve as an early warning system, triggering alarms about the risks of violence in 2017 elections.⁸⁶

The RCO also managed to raise funds for three technical advisors to support the flagship projects in Marsabit and Turkana, as well as the SDG Philanthropy Platform. The UN Peacebuilding Fund briefly provided USD1 million in emergency funding in 2008 for United Nations Volunteers (UNVs) to support local peacebuilding initiatives in “hotspot” areas, and again later in 2016 for vocational training to Somali

refugees in Kenya to create incentives for their return.

Overall, the support and resourcing for the RCO to pay a prevention role was viewed as insufficient and inconsistent through the case study period. In a potentially promising effort to find cost-effective ways to bolster the RC's prevention capacity, the RCO and UNDP are trying to put national PDAs in priority counties to liaise with local stakeholders and peace committees on conflict-sensitive implementation of their County Integrated Development Plans (CIDPs).

5. Overall Impact of RC-led Preventive Action

While the overall impact of the cumulative RC-led prevention efforts since 2007 is difficult to assess in quantitative terms, a reasonable case can be made that they played a meaningful role in mitigating short- and mid-term conflict risks in the country.

By seizing the post-crisis political moment, the RC provided strategic advisory and technical support to national efforts to strengthen prevention capacities within Kenya's national peace architecture. Concretely, this support: a) helped establish a standing national capacity for conflict prevention and resolution; b) helped embed formal roles for civil society in the peace architecture, enabling a more constructive state-society relationship to take root; and c) bolstered the national conflict assessment and analysis capacity within the peace architecture, which in turn built the foundation for Kenya's national early warning and response network. Thus RC-led efforts can convincingly claim some credit for the national peace architecture's success in preventing a recurrence of 2007-8 atrocities in subsequent elections.

Moreover, RC-led efforts were key in driving the establishment of area-based development programming and cross-border prevention programmes, in an effort to target development programming at "hotspot" areas at high risk for conflict. This consolidated efforts aimed at addressing underlying conflict drivers and delivering development to especially marginalized communities.

6. Lessons and Good Practices

National Peace Architecture embeds prevention into the national DNA. Kenya's peace architecture remains an example of global best practice, built from Kenyan grassroots into a formidable capacity within the highest Government office to each of Kenya's 47 Counties. Crucial to its effectiveness were two factors: first, the central space and role it provided to civil society; and second, its anchoring within the Office of the President ensuring access to and influence over high-level political leadership.

Supporting national civic capacities acts as a powerful force multiplier. In Kenya, the RC and his PDA helped the Kenyan government to leverage Kenya's considerable local and national capacities in the design of its national peace

architecture. Including robust, well organized civil society, faith groups and NGOs with experience in reducing internecine and electoral violence in rural areas into national conflict prevention mechanisms (e.g. NSC, Uwiano) helped ensure broad-based, inclusive national ownership that was not only more effective in preventing electoral violence, but by its design, helped restore public trust and participation in Kenya's institutions.

Flagship area-based programming can align UNCT, Government and partners behind prevention goals. A UN commitment to prioritize historically marginalized, volatile areas across its programs creates powerful incentives for peace, through improved access to services and aid, and economic development. It creates a common agenda inviting coherence, reinforces sub-national capacities, and can attract additional public and private investment. Innovative financing tools make securing these investments easier. Multi-donor Trust Funds tied to an area-based joint programme in a conflict-affected or historically marginalized area can transform development investments, even by non-traditional (e.g. private sector) actors, into peace dividends. In Kenya, these programs helped the UN and partners gain traction in sensitive prevention issue areas (e.g. human rights) because they were embedded within broader development objectives and funded programs.

Encourage cross-border cooperation among RCs. Strict adherence to national RC mandates discourages cooperative problem-solving among UNCTs across borders, and in peripheral areas where marginalization and violence can often occur. As our understanding of the transboundary nature of conflicts evolve, so too should our practice. Kenya's multi-dimensional cross-border program simultaneously addresses violent extremism, human trafficking, economic development, local governance and inter-communal peace with mutually reinforcing objectives and means. Now offered as a global model of best practice, it reveals as much about the virtues of RC tenacity and outside-the-box problem-solving, as it does about the outmoded territorial tendencies behind internal obstacles the RC confronted along the way.

Joint conflict analysis between the UN and the government can open space for prevention. While the established tool of the Common Country Assessment (CCA) was not relied on regularly by any of the RCs under consideration in this study, the Kenya case still highlights the value of engaging the UNCT in a systematic conflict analysis effort. In Kenya, a dynamic and inclusive conflict analysis process was put in place in partnership with the government in the form of the Conflict Analysis Group, which helped build bridges for partnerships with civil society, provide entry points to influence government policy reforms, and align the UN behind a UNCT-wide prevention strategy subsequently enshrined in the UNDAF.

Political access matters. In Kenya, the dilemma faced by many RCs elsewhere, namely how to reconcile the imperative of seeking close working relationships with the government, which is necessary for effective programme implementation, with the imperative of tabling, when necessary, sensitive

issues central to conflict prevention, was particularly stark. In Kenya, where political space for RC-led prevention initiatives has been generally limited, RCs tended to tread softly around issues of human rights, transitional justice, security reforms, police brutality, or ethnic inequality, in the pursuit of constructive relationships with the government and in favour of high-level entry points for the UNCT to play a meaningful prevention role. While potentially risky and not uncontroversial, especially after the 2013 election that led to the inauguration of a President and Vice-President indicted by the ICC, this approach allowed the RC to identify and leverage political entry points to play a meaningful role in advancing the conflict prevention agenda in Kenya. In such contexts, deploying experienced RCs with political sensitivity to navigate such tricky relationships is vital.

Limited political space? Go subnational. In Kenya, when political space for the UN at the national level contracted, as it did during the tenure of RC Chatterjee, he was still able to carry out meaningful prevention programming at the subnational level in the context of areas-based programming, working with local partners, building capacity and contacts with local programming (e.g. governance, peacebuilding). This allows for building blocks to be established for more extensive peacebuilding engagement if and when the political space opens up later down the road.

The Peace and Development Advisor (PDA) is a critical prevention asset for RCs and should be strengthened. In each of the initiatives outlined in this case study (and many more not highlighted), the PDA was instrumental in its success. Kenya shows how experienced PDAs can identify

and help create opportunities for potentially transformative conflict prevention by the UN. These PDAs worked best when they were empowered and given space by RCs to engage not only the UNCT and its partners, but with high-level government and civil society interlocutors. The effectiveness of the PDA tool was undermined by the fact that PDAs lacked ready access to funds to stand up prevention initiatives. In the words of one PDA: "Not having money feels like having one arm cut off."⁸⁷ Likewise, the limited duration of PDAs' contracts inhibits the kind of medium-term planning and confidence-building required for sensitive conflict prevention work. Care should also be taken, when possible, to avoid poorly-timed elimination of PDA posts, as occurred in Kenya just before tense national elections in 2017.

Short and long-term prevention strategies need to be pursued in parallel. In Kenya, near-exclusive emphasis in the period immediately following the 2007-08 electoral crisis on prevention strategies around triggers of violence (e.g. around elections) meant missed opportunities in addressing root causes (ethnic marginalization, injustice). It is likely that an earlier effort to complement short-term attention to triggers (negative) with attention to address underlying factors would have led to even more sustainable prevention outcomes. In Kenya, RCs had to manage trade-offs between objectives to prevent recurrence of electoral violence with sensitive longer-term issues, which meant that several key areas relevant to prevention remained unaddressed through UN programming, including public discourse, ending marginalization policies, Truth and Reconciliation, and Security Sector Reform (SSR).⁸⁸

Endnotes

Cover Image: UNDP. 7 December 2015. Signing ceremony for the *Cross-border Integrated Programme for Sustainable Peace and Socio-economic Transformation* between Kenya and Ethiopia, to foster peace and sustainable development.

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- 61 RC plans include establishing a DAO office in Turkana County with a national PDA. Kenya's 2014-2018 UNDAF resource mobilization strategy includes a private sector partnership focus in four areas: resource transfer, technology transfer, facilitation of private investments, and value-chain linkages of "inclusive business" approaches. Final Report of the UNDAF MTR Report, 2014-2018. See: "UNDAF Mid Term Review 2014-2018." UNDP. 2016.
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- 63 Mohamed, A. and Adhanom, T., "Kenya and Ethiopia: A cross-border initiative to advance peace and development", 5 January 2016, Thomson Reuters Foundation News, <http://news.trust.org/item/20160105103325-lhafc/>.
- 64 The pilot built on the successful mediation done by county peace forums, part of the national peace architecture present in Kenya's 47 counties. It also comprised part of a broader peace and strategy for the border region, coinciding with national devolution efforts, entrepreneurial support, and infrastructure to enable cross-border trade. Chatterjee, Siddharth. "From Barriers to Bridges: Transforming the Ethiopia-Kenya Border Region", UNDP Kenya. 17 March 2017, www.ke.undp.org/content/kenya/en/home/blog/2017/3/17/From-Barriers-to-Bridges-Transforming-the-Ethiopia-Kenya-Border-Region.html; "Turkana County – United Nations Joint Programme 2015-2018." UN Kenya. 5 March 2015, [info.undp.org/docs/pdc/Documents/KEN/ProDoc%20Turkana-UN%20Joint%20Programme%20final%205th%20%20March%202015-binder%20\(2\).pdf](http://info.undp.org/docs/pdc/Documents/KEN/ProDoc%20Turkana-UN%20Joint%20Programme%20final%205th%20%20March%202015-binder%20(2).pdf).
- 65 Chatterjee, S. 2017;
- 66 UN, Joint UNDP-DPA Annual Report 2015, 25 Oct 2016, www.undp.org/content/undp/en/home/librarypage/democratic-governance/conflict-prevention/undp-dpa-joint-programme-annual-report-2015.html.
- 67 The program is jointly supported by the UN and the Inter-Governmental Authority on Development (IGAD), an East African bloc supporting regional peace efforts, within a multi-year cross-border conflict prevention plan. Chatterjee, S. 2017; Mohamed, Amina and Tedros Adhanom. "Kenya and Ethiopia: A cross-border initiative to advance peace and development." Thomson Reuters Foundation News. 5 January 2016. news.trust.org/item/20160105103325-lhafc/.
- 68 Bekele-Thomas, N. October 2017.
- 69 "Development Partners collaborating to strengthen Kenya/Ethiopia cross-border integrated programme on peace and development." UN Kenya. 2016.
- 70 "UNDAF Mid Term Review 2014-2018." UNDP 2016. pp.96-97.
- 71 In previous electoral periods, analysts noted a higher incidence of conflict where these committees were absent.
- 72 "The Government of Kenya and the UN establish the Turkana Transformation Multi-Partner Trust Fund – the first MPTF at County level." UNDP Kenya. 24 June 2017. reliefweb.int/report/kenya/government-kenya-and-un-establish-turkana-transformation-multi-partner-trust-fund-first..
- 73 "UNDAF Mid Term Review 2014-2018." UNDP 2016.
- 74 Bekele-Thomas, N. October 2017.
- 75 Uwiano Platform for Peace @ 108 is a public platform for peacebuilding in Kenya which uses SMS, Media and Incident Reports to target prevention efforts. National Steering Committee. "Uwiano@108." Republic of Kenya. 2016. www.nscpeace.go.ke/peace-structures/peace-committees.html.
- 76 Ohiorhenuan, John and Erin McCandless. "Sustaining Development Gains: Towards a UNDP Strategy for Preventing Violent Conflict." Prepared for UNDP, Final Report. 22 February 2013, p. 37.
- 77 See "Uwiano Platform: A multi-stakeholder strategy for peaceful elections." UNDP Kenya, www.ke.undp.org/content/kenya/en/home/operations/projects/peacebuilding/uwiano-peace-platform-project.html.
- 78 UNDP support included training of media, police, peace committees, monitors targeted thematic areas on conflict prevention management and resolution (CPMR), Alternative Disputes Resolution (ADR), mediation, conflict sensitive reporting.
- 79 Kenya Prevention Case Study (Internal document) UN DPA, 2017, Kenya Case Study (Internal).
- 80 Backed by a surge of funding in advance of the 2013 elections, Uwiano trained 100 peace monitors, established "Peace Tents" in 20 counties to coordinate and share information: security alerts, conflict mediation, and emerging threats. Partners extended this network further. Citizens could report election related violence through a crowd-source platform, such as "Uchaguzi", linked to first-responders, with other local spin-offs (e.g. "Safecoast") (Cho, S Y et al. 2015.). In partnership with Uwiano, the US State Department supported deployment of officers to identify and deter potential

spoilers, integrating them into local peace committee work. Social Impact, (2013), CSO's Kenya Engagement – Conflict Prevention Initiative, US Department of State, Bureau of Conflict and Stabilization, <https://www.state.gov/f/evaluations/all/232984.htm>. Another partner program, 'Yes Youth Can!' linked disenfranchised youth as potential spoilers to local informal groups, "bunges" with jobs and community activities although with limited scope without attached job opportunities (Cho, S Y et al, 2015).

- 81 Akpendonu, Trixie et al. 2013.; Chuma, A and Ojielo, O. 2012, p. 35.
- 82 Chuma, A and Ojielo, O. 2012, p.35.
- 83 These efforts yielded 27 Governors committed to peaceful elections and signed peace pledges, conflict hotspot mapping and scenario planning. Uwiano Platform for Peace. "Strategic Leadership and Peace Agenda for 2017 and Beyond: Strengthening Coordination and Leadership for a Peaceful and Stable Kenya, Why the 2017 General Elections must be Credible and Peaceful." 2017. www.nscpeace.go.ke/resource-library/downloads/category/6-reports.html?download=157:uwiano-leadership-agenda&start=40.
- 84 Personal Interview with Christopher Wakube. SaferWorld Kenya Country Director. 2017.
- 85 Personal Interview with RC Chatterjee October 2017; Personal interviews with Head of RCO Per Knutsson, October and December 2017.
- 86 The establishment of an information system emerged from a recommendation in Kenya's Human Rights Up Front (HRUF) strategy. Personal interview with UNDP staff, New York, October 2017.
- 87 Interview with former PDA, October 2017.
- 88 Elder, Claire et al. "Elections and Violent Conflict in Kenya." *Peaceworks*, No. 101, October 2014, p.10. www.usip.org/sites/default/files/PW101-Elections-and-Violent-Conflict-in-Kenya-Making-Prevention-Stick.pdf; Cho, S Y et al, 2015.