

National Cohesion and Integration Commission

Annual Report 2012 - 2013





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15/05/2014

Hon. Joseph Ole Lenku
Cabinet Secretary
Ministry of Interior and Coordination of National Government
Harambee House, Harambee Avenue
P.O. Box 30510-00100
NAIROBI

Dear Sir,

RE: SUBMISSION OF THE 2012/2013 NCIC ANNUAL REPORT

Pursuant to the National Cohesion and Integration Act 2008, I have the pleasure of submitting to you the Annual Report of the National Cohesion and Integration Commission (NCIC) for the year 2012/2013. The Cabinet Secretary is required under section 41(4) of the Act to relay the Annual Report of the Commission before the National Assembly within 30 days of its receipt, with any comments which the Cabinet Secretary considers necessary.

Yours faithfully,



Hassan S. Mohamed, OGW
COMMISSION SECRETARY

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ABBREVIATIONS AND ACRONYMS

ASK	-	Agricultural Society of Kenya
CBOs	-	Community Based Organisations
CCK	-	Communication Commission of Kenya
CSOs	-	Civil Society Organizations
DfID	-	Department for International Development
DPCs	-	District Peace Committees
DPP	-	Director of Public Prosecutions
FBA	-	Folke Bernadotte Academy
FBOs	-	Faith Based Organisations
GIZ	-	The Deutsche Gesellschaft für Internationale Zusammenarbeit
IDPs	-	Internally Displaced Persons
IEBC	-	Independent Electoral and Boundaries Commission
IEC	-	Information, Education and Communication
IJR	-	Institute of Justice and Reconciliation (IJR)
KRA	-	Key Result Area
M & E	-	Monitoring and Evaluation
NCI Act	-	National Cohesion and Integration Act, no. 12 of 2008
NCIC	-	National Cohesion and Integration Commission
NGOs	-	Non Governmental Organisations
NPS	-	National Police Service
NSC	-	National Steering Committee on Peace building and Conflict Management
OCPDs	-	Officers Commanding Police Divisions
OCSs	-	Officers in Charge of Stations
SMS	-	Short Message Service
SIDA	-	Swedish International Development Agency
TOTs	-	Training of Trainers
UNDP	-	United Nations Development Programme



Foreword

The NCIC was established under the National Cohesion and Integration Act (No.12 of 2008). Since its operationalization, the Commission has carried out a number of programmatic activities to achieve its mandate in six Key Result Areas as outlined in the Commission's strategic plan. The period under review for this annual report was a watershed moment for the Commission as this was the year that the country had its first general election since the 2007/8 political impasse.

To this end, a large number of the Commission's activities in the period under review worked towards the consolidation of peace efforts ahead of the March 2013 General Elections while still addressing the overall mandate of the Commission to further Kenyan's understanding and acceptance of issues of tolerance and non-discrimination. This is the fourth Annual Report of the National Cohesion and Integration Commission (NCIC). The report covers the Commission's activities from 1st July 2012 to the year ended in June 2013. The period under review saw a number of activities that provided strong advocacy messaging ahead of the 2013 General Elections. Through the UWIANO Platform for Peace, as well as through an intensive media campaign, the Commission engaged a wide range of Kenyans with messages promoting the importance of peaceful coexistence. The Commission also carried out trainings for key stakeholders within security agencies and equipped them on tracking and prosecuting of hate speech through police trainings which saw the training of over Four hundred (400) officers.

The 2013 General Election was largely peaceful and showed the renewed hope that Kenyans have moved on since the unfortunate events of the 2007/8 general elections. However, the challenges in promoting constitutionalism and greater cohesion in the country are still alive. Consequently, the Commissions activities in the follow up to the elections have and will continue to address these. The Commission has continued to hold a number of county forums to engage citizens on issues of devolution and access to county recourses for all Kenyans. The Commission has also carried out research on the use of coded language and carried out an audit of public universities.

The period under review saw the establishment of the Reconciliation and Integration department, within the Commission in light of the winding up of the Truth Justice and Reconciliation Commission (TJRC). Based on the recommendations made in the TJRC report, NCIC will take a large role in co-ordinating efforts towards reconciliation particularly within the new devolved system of governance which will shape a number of programmatic activities and interventions moving forward.

We would like to recognise the work of all our partners from community based organisations, civil society, government institutions, donors and the general public

who continue to work with the Commission in realizing its mandate and look forward to strengthening these partnerships moving forward. Lastly, we thank the NCIC Commissioners for their guidance and support and the staff for working tirelessly towards the implementation of the Commission's programmes and activities.

I wish to reiterate the Commission's zeal to continue putting in place strategies that will nurture the national identity of the Kenyan people while providing systematic peace building and reconciliation structures that will inspire communities towards the realization of national values rather than individualistic tribal affiliations.

The Commission urges all Kenyans to undertake the collective responsibility of building "A Peaceful, United, Harmonious and Integrated Kenyan Society".

God bless Kenya.

A handwritten signature in dark ink, consisting of several loops and a long horizontal stroke extending to the right.

**MR. HASSAN S. MOHAMED, OGW
COMMISSION SECRETARY**

Statement from the Chairman

The 2012 / 2013 financial year coincided with the country's first General Elections that was held under Kenya's new Constitution. While the Commission continued with its core mandate of facilitating and promoting a cohesive and integrated society, it initiated a number of activities that were geared at ensuring that the 2013 general elections were free, fair and peaceful.

Since no institution could single-handedly ensure peaceful election in the country, the Commission continued to develop and maintain partnerships with key institutions in order to realise the common goal of free, fair and peaceful elections. The UWIANO Platform for Peace that was successful during the 2010 national referendum was revamped. It brought on board new partners such as the Independent Electoral and Boundaries Commission (IEBC) as well as the UN Women. Through this platform, the Commission attained a significant milestone towards the promotion of peaceful elections. In addition, the Kenya Kwanza campaign was used to galvanize public support and individual responsibility to maintain peace ahead of the general elections.

Hate Speech and incitement to violence played a key role in the violence after the 2007 election in Kenya. The Commission therefore strengthened mechanisms to mitigate the negative effects of hate speech especially in political rallies. Police officers from across the country were trained to identify and collect evidence on hate speech. With the prevalence of hate speech on various social media platforms, the Commission set up cyber-monitoring department in order to curb this new manifestation of hate speech.

The 2013 elections heralded the adoption of a new governance system through the establishment of county governments. While these devolved units, which were yearned for by the Kenyan populace as a remedy to perceived past injustices poses great opportunities, they also pose a potential threat to national cohesion. If not well managed, the devolved units may simply morph into ethnic enclaves with minority communities in the various counties undergoing discrimination in one way or another. It is therefore vital that we as a country do not devolve the bad habits that were prevalent at the national level to the devolved governments.

The Commission in the period under review established a reconciliation department that is tasked with promoting the reconciliation agenda in the country after the winding up of the Truth Justice and Reconciliation Commission (TJRC).

In conclusion, the Commission reiterates that as a nation we must be vigilant and endure that the devolved units do not turn into ethnic enclaves.



MZALENDO N. KIBUNJIA, PhD, EBS
COMMISSION CHAIRMAN

Executive Summary

The later part of 2012 was characterized by anxiety over the heightened anxiety across the Country as a result of the much anticipated March 2013 General Elections. There were many structural conflict drivers such as continuing reliance on ethnicity, competition for land and resources, resettlement of internally displaced people (IDPs), poverty and youth unemployment. Majority of these challenges which were the underlying causes for the 2007- 2008 post election violence (PEV) still remain unresolved and may be cynically used by some politicians to whip up support¹. Furthermore, ethnic campaigning and horse-trading as alliances formed – by leading politicians – continued to deepen the socio-political divide. The shambolic political party nominations also heightened disputes thereby bringing on the fore the changing trends and patterns in Kenya's politics:- the unpreparedness of the political parties to manage their own nominations; the weak capacity for conflict resolution and dispute settlement within the political parties; as well as lack of internal party democracy². Devolution, for all its benefits, introduced new conflict dynamics, as competition between groups for power and resources controlled at county level becomes fiercer. The recurrence of the ethnic conflicts together with incitements posed challenges to the conflict and integration reduction initiatives. All these challenges are surmountable, especially given the remarkable determination of most Kenyans to avoid a repeat of 2007-2008 PEV.

The 2013 General Elections in Kenya occurred in March 4th, which marked another watershed in Kenya's history. The election was the first to be conducted under the new constitution by the Independent Electoral and Boundaries Commission (IEBC). Coming within two years after the historic 2010 referendum, the 2013 elections provided the country with a barometer for measuring how far the country had come from the calamitous of 2007 elections that triggered unprecedented violence in Kenya's history.

This report is in fulfilment of the requirement of Section 41 of the NCI Act, on annual reports. The annual report covers Commission's activities for four quarters, commencing from July 2012 to June 2013. The report contains, a description of the activities of the Commission, information relating to complaints to the Commission, investigations by the Commission and reports by the Commission on the results of investigations. The report also contains the financial statements of the Commission, and any other information relating to its functions. Furthermore, the report highlights the state of implementation of cohesion and integration in Kenya. The report also includes the achievements, challenges, impediments and lessons learned within the period under review and makes recommendations to address those challenges.

To undertake its mandate, NCIC had organized itself into five departments. These were Civic Education and Advocacy; Reconciliation and Integration; Complaints, Legal and

1. Kenya's 2013 Elections, Crisis Group Africa Report N°197, 17 January 2013, pg. ii

2. Consolidating the Peace Process and Establishing Foundations for a Peaceful Political Transition in Kenya: An Electoral Violence Reduction Initiative Progress Report, November 2012 – February 2013.



Enforcement; Research, Policy and Planning and Finance and Administration. Each department was convened by a Commissioner, and a head of department who oversaw the implementation of the Commissions' works. The Commission worked in partnership with relevant agencies, public institutions, state and non-state actors, development partners and the people of Kenya on various implementation issues that focused towards the realization of its six Key Results Areas (KRAs).

The report has four sections. The first section summarizes the structure, mandate and programmes of the Commission, and includes a brief on the cohesion and integration programmes. The second section presents an overview of the Commission's work. It focuses on NCICs programmes and activities as guided by its six KRAs. The section outlines achievements accomplished by the Commission as a result of the activities undertaken within the period under review. Section three of the report highlights the challenges with recommendations on how to address the emerging issues. Finally, the fourth section gives an overview of the financial status for the financial year 2012/2013. A brief on the profiles of the NCIC Commissioners has also been provided.



Structure, Mandate and Programmes of NCIC

1.1 Establishment of NCIC

The National Cohesion and Integration Commission (NCIC) is one of the Agenda 4 reform commissions. The essence for the Commission was acknowledged during the signing of the National Accord and Reconciliation Agreement following the 2007 post-election violence and subsequent political negotiations. NCIC was borne out of the realisation that long lasting peace, sustainable development and harmonious coexistence among Kenyans requires deliberate normative, institutional and attitudinal processes of constructing nationhood, national cohesion and integration.

NCIC is a statutory body established under the National Cohesion and Integration Act No.12 of 2008. The Commission is mandated to facilitate and promote equality of opportunity, good relations, harmony and peaceful coexistence between persons of different ethnic, colour, religious and racial backgrounds in Kenya and to advice the government thereof. This encompasses analysis of root causes that fuel disputes and conflicts amongst citizens of different ethnicities and to propose remedies to the government and other concerned parties.

1.2 The Structure of NCIC

NCIC became operational in September 2009 with the appointment of nine

(9) Commissioners through a Gazette Notice No. 9883 by his Excellency President Mwai Kibaki.

The Commission consists of:

i. Commissioners

- A Chairperson nominated by the President from among nine (9) Commissioners nominated by the National Assembly.
- Eight Commissioners nominated by the National Assembly and appointed by the President, and
- Three Ex-officio members namely:
 - a) The Chairperson of the Kenya National Commission on Human Rights
 - b) The Chairperson of the National Gender and Equality Commission
 - c) The Chairperson of the Commission on Administrative Justice (Office of the Ombudsman).

ii. Secretariat

The secretariat is composed of the Commission Secretary who is the Chief Executive Officer, and other members of staff. At the close of this period, there were Eight Four (84) members of staff under various employment terms. The Commission also had active internship and attachment programmes.



1.3 Mandate and Powers of NCIC

The object and purpose for which the Commission is established is to facilitate and promote equality of opportunity, good relations, harmony and peaceful co-existence between persons of the different ethnic and racial communities of Kenya, and to advise the Government on all aspects thereof.

Specifically, the Commission shall:

- a) Promote the elimination of all forms of discrimination on the basis of ethnicity or race;
- b) Discourage persons, institutions, political parties and associations from advocating or promoting discrimination or discriminatory practices on the ground of ethnicity or race;
- c) Promote tolerance, understanding and acceptance of diversity in all aspects of national life and encourage full participation by all ethnic communities in the social, economic, cultural and political life of other communities;
- d) Plan, supervise, co-ordinate and promote educational and training programmes to create awareness, support and advancement of peace and harmony among ethnic communities and racial groups;
- e) Promote respect for religious, cultural, linguistic and other forms of diversity in a plural society;
- f) Promote equal access and enjoyment by persons of all ethnic communities and racial groups to public or other services and facilities provided by the Government;
- g) Promote arbitration, conciliation, mediation and similar forms of dispute resolution mechanisms in order to secure and enhance ethnic and racial harmony and peace;
- h) Investigate complaints of ethnic or racial discrimination and make recommendations to the Attorney- General, the Human Rights Commission or any other relevant authority on the remedial measures to be taken where such complaints are valid;
- i) Investigate on its own accord or on request from any institution, office, or person any issue affecting ethnic and racial relations;
- j) Identify and analyze factors inhibiting the attainment of harmonious relations between ethnic communities, particularly barriers to the participation of any ethnic community in social, economic, commercial, financial, cultural and political endeavours, and recommend to the Government and any other relevant public or private body how these factors should be overcome;
- k) Determine strategic priorities in all the socio- economic, political and development policies of the

- Government impacting on ethnic relations and advise on their implementation;
- l) Recommend to the Government criteria for deciding whether any public office or officer has committed acts of discrimination on the ground of ethnicity or race;
 - m) Monitor and review all legislation and all administrative acts relating to or having implications for ethnic or race relations and equal opportunities and, from time to time, prepare and submit to the Government proposals for revision of such legislation and administrative acts;
 - n) Initiate, lobby for and advocate for policy, legal or administrative reforms on issues affecting ethnic relations;
 - o) Monitor and make recommendations to the Government and other relevant public and private sector bodies on factors inhibiting the development of harmonious relations between ethnic groups and on barriers to the participation of all ethnic groups in the social, economic, commercial, financial, cultural and political life of the people;
 - p) Undertake research and studies and make recommendations to the Government on any issue relating to ethnic affairs including whether ethnic relations are improving;
 - q) Make recommendations on penalties to be imposed on any person for any breach of the provisions of the constitution or of any law dealing with ethnicity;
 - r) Monitor and report to the National Assembly the status and success of implementation of its recommendations;
 - s) Issue notice directing persons or institutions involved in actions or conduct amounting to violations of human rights on the basis of ethnicity or race to stop such actions or conduct within a given period; and
 - t) Do all other acts and things as may be necessary to facilitate the efficient discharge of its functions.

1.4 Vision, Mission and Strategy

NCIC envisions "A Peaceful, United, Harmonious and Integrated Kenyan Society". Our mission is to facilitate and promote a Kenyan society whose values are harmonious and non-discriminatory for peaceful co-existence and integration.

The Commission's mandate is presently being realised through the implementation of the following six Key Result Areas.

1. Increased knowledge and transitional practise on national reconciliation, cohesion and integration;
2. Elimination of all forms of discrimination based on ethnic,

racial, religious and social origin in Kenya;

3. Strengthening good governance and implementation of the Constitution of Kenya, 2010 through emphasis on equitable access to public resources;
4. Promoting research and monitoring of the status and trends of national peace and stability and advising the relevant state agencies;
5. Facilitate operationalization of laws, policies, and practises that counter ethnic, racial and religious tensions; and
6. Continuous Organizational growth and development.

1.5 The Principles and Values of NCIC

NCIC's cardinal principle is zero tolerance towards discrimination. The core values are:

- i. Independence from the executive, judiciary and legislature;
- ii. Objectivity in dealing with issues around discrimination;
- iii. High levels of integrity within the Commission;
- iv. Open doors policy to all and sundry;
- v. Affirmative action around the vulnerable and minority;
- vi. Inclusivity of all forms of diversity;
- vii. High degree of accountability and transparency; and
- viii. Tolerance to varied opinions, beliefs and aspirations.

1.6 Departments of NCIC

NCIC's programme activities for the year 2012/2013 were designed to augment peace building in the country ahead of the elections by focusing on strengthening national cohesion and integration. The Commission's mandate and KRAs are realized through departments which are guided by committees convened by commissioners. The following are the five departments in the Commission:

i. Finance and Administration Department

This Department is the administrative arm of NCIC. It provides administrative coordination in the prudent management of finance, human resource, procurement and physical assets of the organization. The Department is composed of the following divisions / units: Finance and Accounts, Human Resource and Administration, Procurement, Information Communication Technology and Internal Audit.

ii. Civic Education and Advocacy Department

The Commission's Civic Education and Advocacy Department (CEAD) spearheads initiatives aimed at policy influence and advocacy, public education and awareness, capacity development and outreach. The Department also facilitates the communications and information sharing with the public. The Department facilitates the planning, supervision, co-ordination and promotion of educational and training programmes

to create public awareness, and support the advancement of peace and harmony among ethnic communities and racial groups. The department directly implements activities on the ground but in a number of cases facilitates partners to implement activities on behalf of the Commission.

iii. Research, Policy and Planning Department

Research, Policy and Planning Department collects, collates and synthesizes information on various issues of interest to the Commission. In addition, the department seeks to translate theory into practice through policy development, planning and implementation. The department works as a reservoir of information to the other departments and also collaborates with researchers and analysts in academic and research institutions to develop frontier tools, models and to carry out high quality research to further the understanding of cohesion building, conflict management and equal opportunities in Kenya. This way, the Research Department contributes to the foundation of cohesion and equal opportunity policy decisions in the Country.

iv. Legal, Complaints, and Enforcement Department

The core mandate of the department is to, among others, receive and investigate complaints on the offences of hate speech, ethnic or racial contempt. The department has been spearheading the fight against all forms of discrimination by making periodic recommendations on the penalties to be imposed on any person(s) found

to be in breach of the provisions of the constitution and the NCI Act and has played a key role in monitoring and reporting on the progress, status and success of the implementation of the recommendations. Through the enforcement mechanism, the department issues compliance and cessation notices to individuals and institutions found to be violating the law by discrimination on the basis of ethnicity. The department also makes recommendation for prosecution of persons found in breach of the laws on hate speech, ethnic and racial contempt to the office the Director of Public Prosecution (DPP).

v. Reconciliation and Integration Department

The department was established to sustain and promote the national peace and reconciliation agenda. The department uses communication, advocacy, outreach, dialogue, peace building and reconciliation tools to promote active public participation in governance, conflict management, peace building, reconciliation and behavioural change.

1.7 Budget and Funding

The Commission was allocated Two Hundred Forty Six Million, Sixty Seven Thousand Two Hundred shillings (Kshs. 246,067,200) during the financial year 2012 /2013. During the same financial year an additional funding of Two Hundred Million shillings (Kshs. 200,000,000) was disbursed through the supplementary estimates to aid in promoting peaceful elections and political transition. Thus the total



funding received from government amounted to Four Hundred and Forty Six Million, Sixty Seven Thousand, Two Hundred shillings (Kshs. 446,067,200).

The Commission maintained proper books of accounts with management ensuring preparation and fair presentation of financial statements in accordance with international financial reporting standards and enforced appropriate financial controls.

1.8 Partnerships and Collaborations

To bridge the financial gap due to limited funding from the Exchequer, the Commission solicited for programme support for some of its programmes from the donor community in line with Section 26 2(c) and Section 37 (c) of the National Cohesion and Integration Act.

In the period under review, the Commission's donor partners were: the British Department for International Development (DFID), United Nations Development Programme (UNDP), The Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) (formerly GTZ), Swedish International Development Agency (SIDA), Embassy of Norway, National Democratic Institute (NDI), Kenya and the United States Agency for International Development (USAID). Other partners who supported the Commission, especially in reconciliation and integration were the Institute of Justice and Reconciliation (IJR), South Africa and the Folke Bernadotte Academy (FBA), Sweden. Most of the donor funding was channelled through UNDP and SIDA.

THEMATIC AREA ONE

2.1 INCREASING KNOWLEDGE AND TRANSFORMATIONAL PRACTICE ON NATIONAL RECONCILIATION, COHESION AND INTEGRATION

During the period under review, the Commission initiated programmes and activities to influence the public on matter of positive ethnicity, nationhood and inclusivity. The Commission was able to engage, interact and exchange ideas with the public and create awareness about the Commission's mandate. The interactions opened an opportunity for dialogue on key tenets of non-discrimination on the basis of ethnicity, race, religion and social origin to achieve reconciliation, cohesion and integration. The capacity of key actors to apply principles of national reconciliation, cohesion and integration was enhanced to upscale the awareness on peaceful co-existence.

As espoused in Sections 25 (2)(d) of the NCI Act, the Commission was able to plan, supervise, co-ordinate and promote educational and training programmes to create public awareness, support and advancement of peace and harmony among ethnic communities and racial groups. The Commission established the processes to sensitize the public on matters of positive ethnicity, nationhood and inclusivity through advocacy on national reconciliation, cohesion and integration. The Commission partnered with various strategic partners to nurture values and practices that would go a long way in promoting respect for

diversity and a national identity.

To facilitate knowledge increase and transitional practice on national reconciliation, cohesion and integration, the Commission undertook a number of programmes during the period under review. These included:

1. UWIANO Platform Reloaded for March 4th 2013 General Elections

In the lead-up to the 2010 national constitutional referendum, the Commission partnered with the National Steering Committee on Peace Building and Conflict Management (NSC), PeaceNet Kenya and UNDP to establish a Platform for Peace, dubbed UWIANO. The UWIANO Platform for Peace is a conflict prevention strategy that provides space for a wide range of partners, actors and stakeholders to build synergy and leverage their efforts for the prevention of violence and conflict in general.

In the run up to the General Elections, the platform brought new strategic players on board including the Independent Electoral and Boundaries Commission (IEBC) and the UN Women. The platform established and trained County based mediators on mediation to enhance national and county capacity for mediation during the electioneering period. The objective of the training was to equip the trainees with practical mediation skills and knowledge in order to enhance county teams' capacity to respond to conflicts



in their respective counties. Ninety Seven participants (73 male, 24 female) drawn from Forty counties benefitted from the training. The platform partners rolled out massive media campaigns for fair, peaceful and credible election. This involved regular media briefings through press conferences, issuing of press statements and engaging with editors on a continuous basis. During the elections, UWIANO had a strong presence at the National Tallying Centre where information was received on potential conflict situations throughout the country and carried out rapid response through its networks.

2. Supporting Educational Co-curricular activities such as Drama and Music festivals

The Commission identified co-curricular activities as important forums for mainstreaming national cohesion and integration issues within the education sector. The NCIC thus focused on the wide range of local opportunities provided by co-curricular activities, among other avenues that bring together teachers and students from different backgrounds. Actors (students and Teachers of different backgrounds and religious orientations) in the Education sector are progressively being incorporated in advancing national integration and cohesion through co-curricular

activities like sports, music and drama festivals. The NCIC had previously trained two hundred and thirty drama teachers/instructors from the academic fraternity and took 131 among them to a one week exposure visit in Rwanda exposing them to themes and principles related to cohesion, integration, peace building and reconciliation.

The Commission was the thematic sponsor of both the 53rd and the 54th Annual Kenya Schools and Colleges National Drama Festivals held in 2012 and 2013 respectively.

In all these festivals, the Commission managed to influence the mainstreaming of the cohesion agenda and serious advocacy on the promotion of national cohesion and integration.

Sponsorship of the Drama and Music festivals worked well in entrenching the messaging of cohesion and integration throughout the local, regional and national competitions. The training influenced the choice of the theme of the 2012 National Drama Festival of "National Cohesion,



Students performing a play during the National Drama Festivals, in Mombasa

Integration and Reconciliation" and the 2013 theme of *"Performance for National Healing and Reconciliation,"* both of which were consistent with the Commission's mandate of fostering peace and cohesion. The trained teachers subsequently developed creative scripts most of which focused on different aspects of cohesion and integration for competition. Through the festivals, the Commission was able to sensitize festivals participants (students, teachers and parents) and the general public on its mandate, achievements and challenges.

3. Participation in Agricultural Society of Kenya (ASK) shows

The Agricultural Society of Kenya (ASK) shows are a suitable platform for showcasing the NCICs activities as they present opportunity for Commission to interact and exchange ideas with



A member of staff explaining the Commission work at an ASK show

the public. The shows provide an important outreach platform that enables the NCIC to interact with Kenyans and create awareness about the Commission and its mandate. The interaction also encourages free and open dialogue between the public

and the Commission on the discourses of ethnicity, race, nationhood, and related issues. This in effect enhances NCIC's effectiveness in execution of its mandate with regard to creating public awareness, and increasing accessibility and visibility of the Commission.

As part of the advocacy strategy, the Commission participated in the Mombasa, Kisumu and Nairobi ASK shows. The Commission staffs used this opportunity to respond to questions from members of the public and generally engage with them on the work and mandate of the commission. The shows have been used as a suitable platform for explaining to the public the work of the Commission; including the successes, challenges and way forward. NCIC Commissioners have been attending these ASK shows to interact and engage with members of the public. The engagement with hundreds of Kenyans through the week with a diverse constituency provided a good platform for advocacy.

4. Road to Cohesion

The Commission in conjunction with Nation Television (NTV) organized and facilitated a Road to Cohesion programme dubbed "Cohesion Quest" on the issue of ethnic tensions in selected regions of the country. The shows were held between June and August 2012 and led to an hour long show broadcast on NTV. Some 13 TV talk-shows in the "Cohesion Quest" programme were



held in Nyanza, Kitui, Mombasa, Nyeri, Garissa, Eldoret, Nakuru and Isiolo, among other regions. The main purpose of the shows was to provide a platform for communities to candidly discuss the causes of conflicts and recommend possible solutions for peaceful co-existence. Through the shows, Kenyans were made to understand the issues facing various communities in other regions of the country.

The Commission also used the opportunity to communicate its mandate as well as experiences.

The Cohesion Quest television programme was filmed and aired discussions of panellists consisting of community representatives and audiences representing the range of the different communities. The shows received national viewership and initiated conversation on the issues facing a range of communities countrywide. The TV shows were one of the ways in which NCIC strengthened diversity while ensuring the different ethno-cultural dispositions and values were appreciated.

5. The 2013 General Elections Media Advocacy Peace Campaign

The NCIC played a key role in ensuring a peaceful election in 2013. Through media advocacy campaigns, the Commission rallied Kenyans to embrace peace and tolerance. The Commission spearheaded campaigns aimed at promoting good citizenship and peaceful co-

existence among various communities. One of the advocacy campaigns was in the form of road shows with a key message of "Peaceful Elections and Beyond: Peaceful Co-Existence Among all Kenyan Communities." The road shows were conducted in five regions, namely, Rift Valley, Nyanza, Western, Coast and Central Kenya.

The Commission contracted two media companies to amplify the campaign. The Royal Media Services Company was contracted to execute the road shows in the Rift Valley, Western, Nyanza and Coast regions using Chamgei FM (Kalenjin), Mulembe FM (Wanga), Vuuka FM (Maragoli), Sulwe FM (Bukusu) and Bahari FM (Kiswahili) respectively. Mediamax Ltd was contracted to execute the same in Central and Central Eastern Regions through Kameme FM and Meru FM respectively.

The success of the campaign was evident in the fact that Kenyans came out in large numbers and stayed calm on long queues to vote peacefully, and thereafter patiently waited for the final tallying and announcement of the presidential results by the IEBC. After the presidential results were contested in court, peace and patience prevailed



A section of NCIC Commissioners and other guest during one of the road show Campaign

as the Supreme Court deliberated on the matter and delivered its ruling. The advocacy carried out by the Commission and other institutions collectively played a critical role in ensuring events of 2007 were not repeated. The collective will of Kenyans to embrace peace was a result of months of concerted efforts by the NCIC and other bodies to reach out, to inform and to educate the public on the key values that are requisite for a peaceful and cohesive society.

6. Sensitisation of Political Parties officials

Political parties in Kenya are institutions that provide candidates with the platform to voice their aspirations to various elective offices. They offer a medium for aspirants to express themselves to the voters in the quest to getting elected. Nevertheless, the political parties' processes have at times been characterized by cut-throat competition for nominations, outright bias, absence of a level playing field and mischief. Against this backdrop, the Commission in partnership with National Democratic Institute (NDI) and IEBC held a two-day workshop from 2nd to 3rd July 2012 in Naivasha for top national officials of

political parties to sensitize them on hate speech and its implications clearly spelt out in the NCI Act No. 12 of 2008. The outcome of the retreat was sensitization of political party officials on the need to include issues of hate speech in their policies and campaign strategies as well as inculcating equal opportunities for all aspiring candidates and members ahead of the general elections.

7. Country-wide billboards to promote positive ethnicity

To advance levels of awareness on cohesion and integration, NCIC mounted billboards with cohesion messages in major towns in Kenya. These included Malindi, Garissa, Nakuru, Mombasa, Eldoret and along major highways in-and-out of Nairobi. The messages focused on the first paragraph of the national anthem. In addition, the message provided the Commission's SMS toll free number 15666 to the public to receive information from the larger public on threats of peace in the country. An increase of messages from the SMS 15666 text number was notably observed in the month of January through February 2013, and especially in the areas where the billboards had been mounted.



Uganda Road, Eldoret



Thika Road, Nairobi



Amani Buxton Malindi



Garissa Town

8. Sponsorship of Cultural Events and Festivals

The NCIC identified cultural events and festivals as important forums for exploring challenging cohesion and integration issues. The NCIC thus focused on the wide range of local opportunities provided by cultural events that bring together people from different backgrounds. In this regard, the Commission sponsored and took part in the following cultural events and festivals:

i. Samosa Festival

Between the 23rd and 28th of September 2012, the Commission co-sponsored and participated in the Samosa Festival. The festival was a cultural platform which blended culture, music, poetry, art and drama to convey messages related to cohesion and integration within Kenyan society. The festival showcased productions and events from Africa, the East and the West through activities which depict the intermingling of cultures to promote cohesion through the arts.

The commission had a chance to engage with a range of Kenyans on from different religious, ethnic and racial backgrounds and share on the work of our mandate.

ii. Lake Turkana Annual Cultural Festival

For the two years running, the NCIC has been a co-sponsor of the Lake Turkana cultural festival held at Loiyangalani area near Lake Turkana. The region is prone to inter-ethnic and inter-clans conflicts over pasture, livestock, and other cultural, economic and political issues. The region suffers from challenges arising from insecurity, famine, conflict, environmental challenges and lack of infrastructure. The residents often consider themselves marginalised due to lack of essential social and economic infrastructure. The Commission therefore targeted this region specifically to build trust and understanding among members of the local communities and inculcate the values of peaceful co-existence.



Presentation by members of the Borana community during the 2013 Lake Turkana Cultural Festival

The Lake Turkana cultural festival sought to promote an environment that helps to overcome stereotypes, create mutual understanding of the different cultures and promote peaceful coexistence amongst the diverse communities in the area. It advocates the shared and eco-friendly use of natural resources, while supporting economic growth. Beyond the presentation of cultural dances and traditions of the participating communities, the festival also focused on economic development as a way of fostering lasting peace and harmony. For instance, the festivals held between the 24th and 26th of May 2013, featured unique performances and demonstrations from ten (10) ethnic communities that live in the Lake Turkana region. These included the El Molo, Rendille, Samburu, Turkana, Dassanach, Gabra, Borana, Konso, Wata and Burji.

These communities had an opportunity to showcase the richness of their culture and diversity through song, dance, home visits and museum tours.

9. Capacity Building to Address Negative Ethnicity Project

The Commission in collaboration with PACT Kenya rolled out a Capacity Building programme to address negative ethnicity. The joint project began in August 2011 and ended in October 2012. The main objective of the project was to build capacity amongst youth to promote peace. The project was also aimed at enhancing the capacity of NCIC staff through training on monitoring and evaluation (M & E). Trainings were carried out successfully in Garissa, Kericho, Kirinyaga and Meru counties during the period under review. The project



managed to train at least Two Hundred and Eighty (280) youths. The project facilitated trainings for youth groups and peace building networks that helped to disseminate peace messages within their networks.

10. County Public Debates

The Commission in collaboration with the Peace and Security for Development (PSD) Network supported by the Danish Government under its Kenya Governance Support Program (KGSP) was to conduct County Public Debates in the six (6) Counties of the Coast Region. The objectives of the County Public Debates were to open discussions on the roles and opportunities under devolved governance within the county. The debates were held in Kilifi, Lamu and Mombasa Counties. Through the PSD Network/NCIC/DANIDA partnership, the Commission facilitated open forums discussions that focused on issues that propagate ethnic tensions affecting peaceful co-existence more so when it comes to access to resources and the issue of identity. The forums also sought for potential strategies from political aspirants on how they intended to build the new counties, once elected; and their proposed strategies that would promote inclusion and peaceful co-existence. The Commission also used the forums as a platform to encourage political aspirants to

refrain from using inciting language particularly during the campaigns for the March 2013 General Elections.

11. County Community Engagement Forums

NCIC made a deliberate effort to come up with strategies and interventions to engage with communities in promoting and sustaining peaceful coexistence and integration of communities in the newly established counties. The Commission thus started to engage community members drawn from selected counties across the country in forums dubbed "County Community Engagement Forum". The forums were aimed at enhancing citizen engagement with their leaders and provide a platform for dialogue to discuss amicably matters affecting the County in particular and the nation at large. Participants in these forums comprised of Government officers, political leaders and community members such as local leaders, elders, women, youth, and religious leaders. The



H.E. Mohamed Guleid, Isiolo County Deputy Governor, addressing participants during the County Community Engagement forum held in Isiolo town. Seated next to him are Isiolo North Member of Parliament, Hon. Samal; NCIC Chairman, Dr. Mzalendo Kibunjia; Hon. Tiya Galgalo, Isiolo County Women representative; and Mr. Robert M. Wanyama, the Isiolo County Commissioner



A section of participants attending the County Community Engagement forum held in Isiolo County on 5th June, 2013

major themes discussed include issues of reconciliation and healing, unity, diversity in employment and equitable resource allocation and management, and the role of the citizenry in engaging with County Governments to ensure inclusiveness.

The first phase of the county community engagement forums was conducted in Tharaka-Nithi, Migori and Kilifi Counties between 22nd and 26th April, 2013. The second phases of the forums were rolled out from 15th to 17th of May, 2013 in Murang'a, Kiambu, Kisumu, Siaya, Trans Nzoia, Nyandarua, Uasin Gishu and Nakuru counties. A similar forum was also held in Isiolo on 5th June, 2013. Through these forums, the Commission was able to successfully document good practice and gaps in the implementation of the devolved government, in relation to appreciation of diversity and promotion of inclusivity. In addition, measures that can encourage cohesion and integration across the countries as the nation moves

to the new dispensation on a devolved government were shared.

12. IJR/FBA/NCIC PROJECT

The Commission partnered with, Folke Bernadotte Academy (FBA), based in Stockholm, Sweden, and the Institute for Justice and Reconciliation (IJR), based in Cape Town, South Africa in a three year project dubbed "Promoting National Cohesion and Reconciliation in Kenya". The project was supported by SIDA under the South African Strategy. The project drew upon the relative strengths, interests and capacities of the partnering institutions.

The overall objective of the project was to contribute to an enhanced and sustainable reconciliation process in Kenya. The project components included:

- 1) Policy Analysis and Influence: This will involve research and political



analysis to produce policy briefs on a range of issues vital to national cohesion, peace building and reconciliation.

- 2) **Capacity Building and Training:** This component intends to undertake a series of capacity and skills building programmes for key stakeholders focusing on strategies for addressing community reconciliation and promoting national cohesion in Kenya.

13. Capacity Building on Community Reconciliation Dialogue

NCIC in partnership with the Folke Bernadotte Academy (FBA) and the

Institute of Justice and Reconciliation (IJR) ran a tripartite project called “Community Reconciliation Dialogue Courses”. The Commission in partnership with FBA and IJR conducted a series of capacity and skills building programmes for key staff in the NCIC, Kenyan Government and the civil society. These courses focused on strategies for addressing community reconciliation and promoting national cohesion in Kenya. Trainings were carried out for Key Stakeholders in Government institutions, key Civil Society Organizations (CSOs), and individuals who can initiate reconciliation dialogues among communities in all the Counties in Kenya.

Under the NCIC/FBA/IJR tripartite project, the Commission further conducted successfully three (3) “Facilitation of



Participants in a Community Reconciliation Dialogue meeting facilitated by Muungano Village Youth Group, Nyamira County, sponsored by the NCIC/FBA/IJR Project

Reconciliation Dialogues Courses". The courses targeted key CSOs, Faith Based Organizations (FBOs), community representatives and individuals from all the forty seven counties in Kenya. The Facilitation of Reconciliation Dialogues Courses were aimed at building the capacity of individuals and CSOs to initiate and sustain local reconciliation dialogues in communities. As a result of the facilitation courses, a core group of approximately 90 individuals formed a network of reconciliation practitioners with a specific focus on inter/intra-community reconciliation.

The NCIC/FBA/IJR tripartite project

further supported Community Reconciliation Dialogues of some twelve (12) alumni of the facilitation courses by awarding them Kenya shillings One hundred and fifty thousand each. The aim of the award was to encourage dialogue within and between communities to promote reconciliation. The award also aimed to provide the alumni with an avenue to use the skills gained from the courses and document different communities' ways of conducting dialogues for reconciliation. So far, consultative meetings that aim to get the right stakeholders to the dialogue forums have been held in Kisumu, Tana River, Nyamira, Nairobi and Laikipia Counties



2.2 THE ELIMINATION OF ALL FORMS OF DISCRIMINATION ON THE BASIS OF ETHNIC, RACE, RELIGIOUS AND SOCIAL ORIGIN IN KENYA

N CIC acknowledges the existence of many ethnic groups in Kenya that require inclusion in decision making in all matters of governance and leadership despite their different cultural practices. The Commission underscores the presence of a society in which all persons are respected irrespective of their ethnic, racial, religious and social origin. Consequently, the NCIC has been spearheading the development of policies and laws that pursue equality amongst all Kenyans. Systematic intervention at policy level ensures that adoption of practices and procedures in public service delivery are not seen as discriminatory and also provide opportunity to eliminate discriminatory practices that counter national unity and foster a feeling of nationalism. The Commission sought to increase enjoyment of rights and privileges by all ethnic and social origins, racial and religious groups of the country and increase enforcement of ethnic (race, religion, social origin) based discrimination laws, policies and practices by state agencies.

During the period under review, the Commission spearheaded the following programmes meant to eliminate of all forms of discrimination on ethnic, racial, religious and social origin in Kenya:

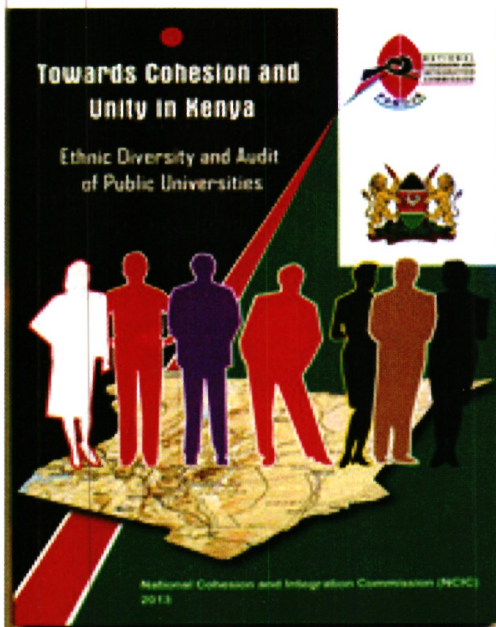
1. Ethnic Diversity and Audit of Public Universities

Following the Ethnic Diversity and Audit of the Civil Service carried out by the Commission during the 2011/2012 financial year, NCIC conducted yet

another Ethnic Diversity Audit of public universities and constituent colleges. This Ethnic Diversity Audit of public universities was based on an analysis of the data that was submitted to NCIC by the universities and constituent colleges on their employees and their ethnic affiliation. The employees through the universities and constituent colleges were provided with forms to fill for self-identification on ethnic affiliation as required by the law. The audit not only opened discussions on the ethnic imbalance in higher learning institutions but also acted as a spring board to for researchers to unravel the underlying causes of these inequalities. The Study helped the Ministry of Higher Education, Science and Technology to make policy statements on monitoring and gradual balancing requirements in consultation with all public universities. The study exposed skewed dominance of the six largest communities in the country's public universities.

The diversity audit in the universities highlighted the fact that negative ethnicity in public universities, which has been a major concern to the parliament and the Ministry of Higher Education Science and Technology, may be taking root in the universities and constituent colleges. Based on these findings, a workshop was convened by NCIC and the Minister for the former Ministry of Higher Education Science and Technology and was attended by several stakeholders 16th March, 2012 in Naivasha. The workshop resolved on the need to comply with relevant articles of the Kenya Constitution 2010 and in particular with the Article 27 on discrimination and ethnicity as well as Section 7 of the laws under the NCI Act, 2008. It was also concluded that the university councils can help in addressing this situation to

enable the minority communities feel part and parcel of the Kenyan society. In encouraging equal opportunity employment, the communities can be included in all levels, senior or otherwise. In addition, the workshop encouraged universities to develop policy guidelines to guide recruitment in line with University Act. Future audit reports will highlight the progress made by each institution on this subject.



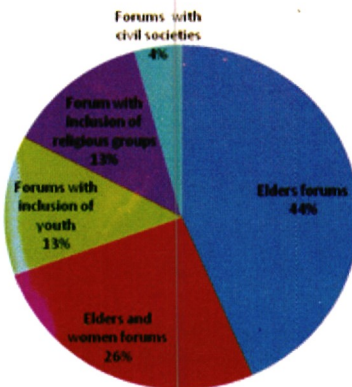
2. Conflict Management and Resolution in different Counties

Conflicts in Kenya have been cyclic, often vicious and leading to loss of life and livelihood. During the period under review, the NCIC engaged in activities meant to establish the root causes of ethnic and clan conflicts in different parts of the country so as to come up with workable mechanisms to manage them. Apart from using contemporary conflict resolution mechanisms, NCIC has

been working to strengthen Alternative Dispute Resolution (ADR) systems by working with elders, community social and political leaders, local community based organisations and government institutions in a multi-pronged approach to entrench values of cohesion.

During the period under review, the Commission organised and facilitated a series of county level initiatives in various regions targeting different ethnic groups. The Commission managed to conduct peace building and conflict resolution dialogues targeting county elders, women leaders, religious leaders, provincial administration, civil societies and peace committees. 44% of the community peace initiatives were elders' forums, 26% were Elders and women leader's forums. Forums with inclusion of youth and religious leaders were both at 13% while those with civil society were 4%. As a result strategic interventions to reduce inter-ethnic conflict were addressed.

Community peace forums/dialogues



The following are examples of NCIC's facilitated peace and reconciliation initiatives:



i) The Meru and Isiolo County Peace Processes.

Meru County has witnessed violent land conflict between the Tharaka and Tigania clans of the Ameru ethnic group. The dispute had occasioned loss of lives, displacements, disruption of economic activities, while stoking enmity between the clans. Cognizant of this fact, the NCIC facilitated a number of peace initiatives in this region.

a) Land and Boundary Disputes between Tharaka and Tigania clans

The Commission partnered with the Supreme Council of Muslims of Kenya (SUPKEM) and Njuri Ncheke Council of Elders to amicably solve the land and boundary conflict. Over three hundred persons drawn from Tharaka South, Tharaka North, Imenti South, Imenti North, Imenti Central, Buuri, Tigania East, Tigania West, Igembe South, and Igembe North districts were engaged in multi-day long deliberations. The meeting were also attended by members of the Provincial Administration and the Kenya Police Service.

Since land was identified as a main cause of rivalry among the communities, a Task Force was formed and follow-up done with the relevant institutions on land adjudication. A declaration which was dubbed "Gatithine Declaration" was signed by representatives of the communities. The Declaration has been credited with solving the land and the boundary disputes amicably.

b) Disputes amongst the Mbeere ethnic group.

The Commission facilitated Mbeere Council of Elders (Ngome) knowledgeable on traditions and customs of the Mbeere ethnic group, to transmit their knowledge and experiences amongst the youth for harmonious living. The different Mbeere clans were divided along clan lines due to politics and as a result they were politically marginalized in the county. A documentary capturing the memories and experiences of the elders in traditional conflict resolution was produced during the retreat and was handy during the community education tours and subsequent meeting with the professionals and members of parliament of the larger Mbeere ethnic group.

c) Joint Meru and Isiolo County Forum

There has been simmering tension between the residents of Buuri and Isiolo districts over myriad accusation and counter-accusation between the two neighbours over the sharing of water from the river upstream. The residents of Isiolo County accused the Ameru ethnic group who live upstream of deliberately diverting to their farms water for irrigation thus denying the communities that live downstream water for their domestic use. The former, who are mainly farmers and of Imenti ethnic origin, accuse their counterpart who are pastoralists of Borana, Samburu and Somali ethnic origin of stealing their livestock and letting their livestock and particularly the camels to destroy their crops.

The forums provided space for the participants to dialogue on key issues affecting their relationship. The Kenya Police Reservists (now referred to as National Police Reservists) were deployed along the common borders and this improved security. The Members of Ameru ethnic group agreed to stop illegal obstruction of water along the rivers and also clear all current illegal obstruction. The Elders from the Ameru and Boran ethnic group pledged to report criminal activities to the lawful authority having jurisdiction over the matter.

ii) Mandera County Peace and Reconciliation Dialogues

Following months of violent conflict between Garre and Degodia clans of Somali ethnic group, the NCIC in partnership with Inter Religious Council of Kenya (IRCK) carried out a peace and reconciliation mission in Mandera between 30th May and 3rd June 2013. The Mandera clan conflict had left scores dead, hundreds of civilians displaced

and wrecked property worth millions of shillings. Mediation efforts by the District Peace Committees and the Mandera Mediation Council had made little progress in ending the deadly clan feud. The objective of the intervention was to understand the conflict issues, actors, dynamics and possible solutions to the conflict. Competition over resources especially land and political power exacerbated by clan superiority complex was the major cause of the conflict. The conflict had cross border dimension, with the alleged involvement of the clan militias based in the neighbouring country. Reckless, loose and bellicose rhetoric by all sides had inflamed passion and polarized the communities.

In order to end the hostilities, the Commission recommended for a comprehensive cross border peace process, effective disarmament exercise and continued dialogue on peace, reconciliation, cohesion and integration by relevant stakeholders to restore



Community and political leaders from the North Eastern Region address a press conference in Red Court hotel, Nairobi after a meeting facilitated by the NCIC.



sanity. In the long-term, the Commission recommended for a mechanism to be put in place to ensure that political positions and political power is distributed equitably through a fair democratic process and where possible affirmative measures should be taken to ensure minorities are given an opportunity in the County Governance as provided for in the Constitution of the Republic of Kenya.

The recommendations arising from the Community Peace and Reconciliation Dialogues in Mandera County were used to engage community and political leaders from the Garreh and Degodia clans in Nairobi. After several days of meeting the leaders from the two communities, they signed a peace agreement that eventually helped in easing the hostilities and laid a framework for future comprehensive dialogue to get to the root cause of the clan feuds.

iii) Nakuru County Peace Process

Nakuru County, due to a myriad of issues ranging from historical land disputes and fight for political dominance, has been a conflict hot spot and one of the most volatile regions in the country. The county is multi-ethnic region, and has often experienced conflict flare-ups, with the 2007 post-election violence being the most vicious ever experienced in the region. In the run-up to the 2013 General Election, the NCIC, aware of the dynamics and the complexity of the local politics and other emotive issues in Nakuru, set camp in the area for seventeen months. Nakuru, in all essence, was going to provide a litmus test for the Commission, which, through elaborate trainings and meetings, had started engaging the local people and their leadership as part of

confidence building to embrace peace and cohesion.

The process to have the Nakuru Peace Accord, started when NCIC conducted conflict mapping prior to the 2010 referendum, and established that the key players of violence. The Commission in partnership with the National Steering Committee on Peace building and Conflict Management (NSC) engaged the elders of the Agikuyu and Kalenjin ethnic groups, the main antagonist and also the majority inhabitants, in an interethnic peace and reconciliation process. The peace process later brought on board elders of other ethnic groups (Luo, Kamba, Maasai, Kisii, Luhya etc), religious, women and youth leaders to ensure local ownership of the peace process and sustained and full implementation of the community peace agreement. The Peace Process was supported by the Centre for Humanitarian Dialogue (HD Centre) who provided critical technical support in the development of the peace agreement document and the implementation plan. After 14 month engagements froth with challenges, the Nakuru County Community Peace Agreement was signed on 19th August, 2012.

iv) Mathare and Korogocho Peace Processes

The Commission facilitated peace processes in Mathare and Korogocho informal settlements (slums) within the Nairobi County.

In Mathare, apart from security concerns, ethnic tensions and conflicts in the area have been recurrent phenomena in Mathare informal settlement particularly in the run up to General Elections

and aftermath. The conflict is often politically instigated. It is against this background that the NCIC in partnership with Chemichemi Ya Ukweli, members of Provincial Administration and local community leadership organized Public Peace Forum, titled “Community Peace Dialogue Forum”. The forum was aimed at mapping and profiling conflict and documenting community’s views in order to facilitate community-lead process for peaceful and harmonious coexistence. The forum provided space for the communities and the leaders to do conflict mapping and analysis of their area and make recommendations to key actors in the conflict.

The Commission in partnership with the Nairobi Provincial Administration, the Kenya Police Service, City Council of Nairobi and Kenya National Focal Points on Small Arms and Light sought to enhance safety and security in Korogocho, one of the Nairobi County’s informal settlements ahead of the March 4, General Election. The initiative targeted the youth as potential agents of change in the community. The initiative reinforced the importance of local level peace building mechanisms for peaceful coexistence. It sent a strong message to the residents that they have responsibility of ensuring safety in their neighbourhoods for peace and prosperity. The residents embraced community policing, to identify and deal with issues that could fuel crime in their area.

v) Bungoma / Mt. Elgon Peace Meeting

Conflicts around the Mt. Elgon and Bungoma areas have been rooted

in land, historical injustices, identity issues and political divides. The social, political and economic environments have been dominated by highly divisive clans, communities and issues revolving around IDPs resettlement. It is in light of this NCIC that engaged the residents in holding several peace meetings and forums. These forums resulted in the formation of cohesion committees and peace structures at the grassroots level in order to promote peaceful coexistence and ethnic tolerance.

vi) Tana River County Peace and Reconciliation Initiatives

Following the Tana River County conflict and revenge attacks involving Orma and Pokomo communities between August and September 2012, the NCIC spearheaded measures to end the hostilities, paving way for inter-community engagement. Interventions involved dialogue meetings facilitated by NCIC and other government agencies and the Kenya Red Cross. The efforts were reinforced by efforts of political leaders in the region, religious groups and a caucus of traditional leaders from Pokomo, Orma, Wardei, Munyoyaya, Wailuana and Watta.

The inter-community engagement culminated in consultations at the local level with the communities that opened up channels for reconciliation and the return of Internally Displaced Persons (IDPs). In turn, a rare show of reconciliation between the Pokomo and Orma elders was held at a rally in Lamu that also saw the elders vow to convince youths from both communities to speed up the peace process.



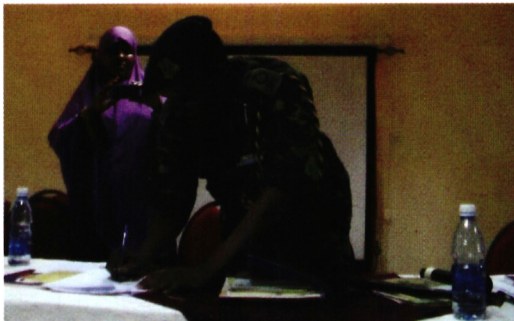
vii) Garissa County Peace Initiative

NCIC facilitated several peace forums in Garissa County with the local stakeholders to foster peaceful co-existence and unity among all the communities living in Garissa County as a result of reports on increased unrest between various communities in the county. The forums brought together local religious and clan leaders; representatives from women, youth and persons with disabilities, officers from the provincial administration as well as the security agencies in the county. After a series of meetings, a peace resolution was signed among the various representatives from the 7 Districts in Garissa County binding the local leaders, Provincial Administration, Christian and Muslim religious leaders, women leaders and youth in promoting peaceful coexistence in the county.

viii) Mombasa County Peace Initiatives

The Commission engaged respected religious leaders from Muslim and Christian community during the Unity and Cohesion Workshop for Coastal Communities held at Kenya Ports Authority Sports Club, Mbaraki Mombasa, on 6th October 2012.

The meeting helped reconcile and inspired participants to change negative attitudes and transform their world views towards one another. The religious leaders called upon the Mombasa Republican Council to embrace non-violent methods in their disputes with the government and called for peaceful and credible March 4, 2013 General Election.



Mr. Mohammed Khalif a local facilitator addressing the forum (top left), a representative from the district signing the peace accord (top right), Mr. Noor Gabow, N.E Deputy Provincial Police Officer signing the peace accord (bottom left), Dr. Kibunja, NCIC Chair receiving the signed peace accord (bottom right).

ix) Rose Farm Resettlement Scheme Mediation Meeting

The Government, through the Ministry of Lands and the Ministry of Special Programmes planned to resettle eight hundred Internally Displaced Persons (IDPs) on a 2,400 acre Rose Farm, in Narok County. This plan was rejected by the Maasai leaders because of the unresolved land ownership dispute currently in the courts. In the dispute, the Maasai leaders claimed the parcel of land was their ancestral land while the Government claimed it legally bought the land hence its decision to resettle

the IDPS. Following this stalemate, the NCIC organized a mediation meeting with the Narok and Njoro District leaders on the Rose farm resettlement scheme in November 2012. The meeting provided a platform for residents of Narok County to address issues around the land and sort solutions they thought would be useful. The mediation meeting resolved, among other issues, the Government to suspend all settlement on the land until the matter was determined by the court.



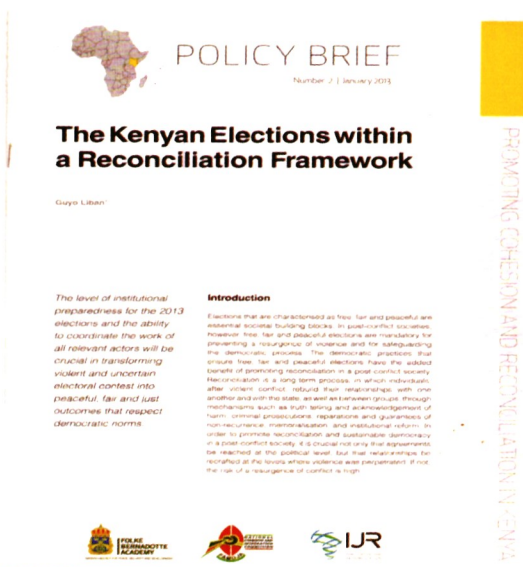
2.3 STRENGTHENING GOOD GOVERNANCE IN THE IMPLEMENTATION OF THE NEW CONSTITUTION THROUGH EMPHASIS ON EQUITABLE ACCESS TO PUBLIC RESOURCES

The new governance system under the Constitution if not accurately implemented can easily further disintegrate the country along ethnic lines. Balancing the need to emphasize professionalism and good leadership vis-a-vis promoting actual and participation by all offers the opportunity to forge a united, harmonious and prosperous Kenyan society. NCIC sought to enhance the capacity of key actors to apply principles of national reconciliation cohesion and integration through identification, campaigning and lobbying for fair and inclusive electoral processes at the county and national levels. Under this thematic area, the Commission facilitated the following activities:



1. Policy briefs on Reconciliation

With support from SIDA and in partnership with Folke Bernadotte Academy and the Institute for Justice and Reconciliation, the Commission developed and disseminated Policy Briefs to promoting cohesion and integration in Kenya. The policy briefs published during the period under review were "Reconciling Kenya; Opportunities for Constructing a Peaceful and Socially Cohesive Nation" and "The Kenyan Elections within a Reconciliation Framework" which provided an analysis of the electoral process on the general elections.



2. Engagement of NCIC Goodwill Ambassadors

During the 2011/2012 period, NCIC had nominated Cohesion and Integration Goodwill Ambassadors to give impetus to the promotion of cohesion, integration and peaceful coexistence. The peace ambassadors were expected to inspire broad, positive and committed action in support of the Commission's mandate and priorities as provided for in the National Cohesion and Integration Act, 2008.

NCIC's Goodwill Ambassadors included former decorated military officers, businessmen, athletes, scholars and media personalities. As a result the Goodwill Ambassadors spearheaded the role of promoting the Commission's campaign "Kenya Kwanza" to deliver on peaceful general elections.

Significant engagement by the goodwill ambassadors included participating in various peace events. For instance, Father Dolan ran a campaign titled "Piga Kura Sio Mtu" in Mombasa and had the messaging printed on boda boda vests and banners which were distributed widely through various activities in February and March, 2013 leading up to the general elections. Mr. Adam Hussein organized a Kibera Peace Initiative.

The initiative was a unique grass root driven efforts initiated by the Kenya Nubian Council of Elders and incorporated the Lang'ata District Peace Structure, Muslims, Christians and virtually all Kibra residents. On 23rd February, 2013 the Commission took part in the flagging off of a peace caravan in Kibra with the District Commissioner and members of the community.

On the 16th of February 2013, NCIC collaborated with Zarina Patel through the Kenya Asian Forum in a forum which was organized for the South Asian community in Nairobi. The purpose was to discuss the process leading up to the General Election and to emphasize the importance of voting, and voting wisely.

The Kenya Asian Forum organized for print and radio messaging through the Star newspaper and East FM at regular intervals up to 4th March, 2013. Emmy Kosgei, a Kenyan musician, on February 2013 performed in a peace concert in Nakuru that brought together local residents that also specifically targeted the youth.



In December 2013, Julie Gichuru was among the Goodwill Ambassadors including Tegla Lorupe who participated in a country wide peace road show. Ms. Gichuru together with NCIC commissioners flagged off the road show from the Royal Media office, as well as hosted a talk show on Citizen Television on peaceful election.



Ms. Jullie Gichuru (right) NCIC's Goodwill Ambassador, together with Commissioner Fatuma Mohamed (left) flagging off the road show campaign outside the Royal Media offices

The main task for the NCIC was therefore to enlighten Kenyans about the diversity expressed in the stereotypes and their perceptions and emphasize the need to acknowledge the inevitable existence of various socio-cultural and economic orientations among Kenyan communities – none of which is superior whatsoever to any other.

2. Psychological Effects of Ethnic Violence to Victims

Kenya has had a history of ethnic violence over the last decade, especially during General Elections. In particular, the 2007/8 episode left both professionals and lay people alike dismayed at the human and infrastructural destruction the country endured. The Commission, charged with the mandate of promoting ethnic cohesion, currently has no system in place to cater for the post-traumatic health of the victims of violence and a long term aim of enhancing cohesion. The Commission therefore undertook a study that sought to determine the psychological effects of ethnic violence on the victims with a view to establishing linkages of such effects with cohesion.

This study attempted to establish the likelihood and reasons for revenge and retaliatory hatred between conflicting ethnic groups. As a result, the Commission has not only made trauma counselling a substantive part of its community reconciliation and conflict management efforts, but it has also reserved one module on the same in the Reconciliation Manual that is being developed.

3. Nationwide Stakeholder Mapping

The Commission sought to establish key peace building and cohesion stakeholders by way of undertaking a mapping exercise across the 47 Counties of Kenya. The exercise whose main objective was to enable the Commission to establish which stakeholder does what, where, and with whom, was conducted between June and August 2012. The stakeholders mapping exercise was aimed at establishing an effective network of key peace and cohesion building agents across the country. These networks of peace-building agents would in effect help the Commission to offer better services to Kenyans through networking opportunities, creating synergies and maximising on efforts of various cohesion and integration actors who will provide proxy presence in all Counties of Kenya.

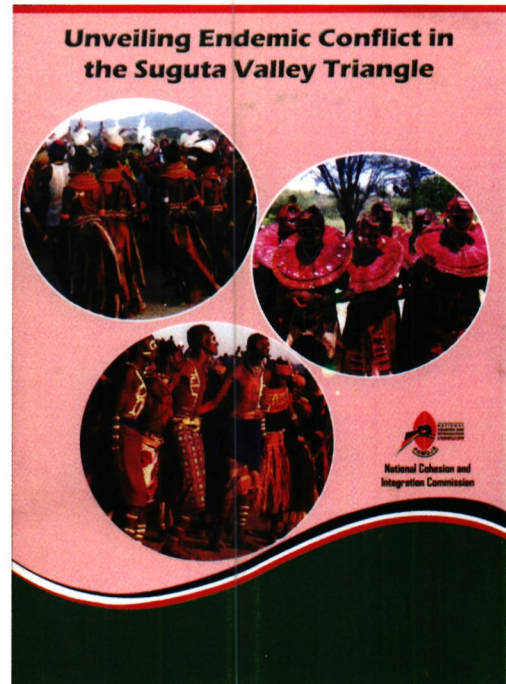
The mapping exercise identified various categories of stakeholders ranging from International NGOs, national NGOs, CBOs, the private sector, religious organizations, and public sector/state organs such as Peace Committees, and District Security committees. The exercise revealed that the stakeholders are involved in different aspects of cohesion and integration initiatives across Kenya and many operate as localized, stand-alone, disjointed entities. Similarly, a number of existing networks have tended to be accessible only to its members and only focused on a limited aspect of their founders' mandates. Using the stakeholder information, the Commission could proactively engage with the different levels of stakeholders, strengthen existing networks while organizing local level stakeholders to

work together to forestall any simmering conflicts from resulting in politically motivated conflicts.

4. Unveiling the Endemic Conflict in the Suguta Valley Triangle

Pastoral communities have had long standing conflicts not only in Kenya but also in other parts of the world. This study highlights the prevalent conflicts in Suguta (Baragoi) Valley which consists of Samburu, Turkana, West Pokot, Laikipia, and Baringo Counties. It critically analyses and offers solutions for strengthening established peace initiatives in this part of the country with the purpose of enabling cohesion and integration of communities in the region for sustainable development.

Having commenced with a desk study that reviewed of literature on the conflicts in the triangle, a primary corroboration of data was undertaken in June 2013 drawing thirty five members from the five counties. These included the business community, the physically challenged, religious leaders, government representatives as well as youth and women representatives. All the five county commissioners were present in the forum. The one day engagement did not only emphasize the dynamic nature of conflict under the devolved government dispensation but also provided the strategies for addressing the endemic conflict pictured by the study. This engagement established relations between NCIC and the communities in the counties while bridging the gap between research, policy and practice. In fact, the county commissioner of Turkana County invited the Commission to address the conflict between the Turkana and the Pokot at the Border of the two counties.



It was recommended that the Commission should embrace new approaches of brokering peace between the two communities as mainstream approaches seem ineffective.

5. National Cohesion Index

Having been created in 2008 following the realization that the Kenyan social fabric has deteriorated, the NCIC has in the past four years undertaken several activities within and between communities and the government to improve the level of cohesion and integration amongst communities. However, it is extremely difficult to understand whether the level of cohesion is improving and to identify the areas where more effort should be concentrated to reinforce cohesion and integration. On the other hand, the Head of State is required by the Constitution in Article 132 (1c) to report, in an address to





Dr. Mzalendo Kibunjia, the Commission Chairman explaining the objects of the National Cohesion Index to the Participants of the Cohesion Index Workshop

the nation, on all the measures taken and the progress achieved in the realisation of the national values, referred to in Article 10 of the same constitution.

The purpose of this study was to initiate a multi-year collaborative effort that galvanizes the development of a national Report on the status of cohesion. Specifically, the study sought to compile a cohesion index by use of advanced econometric techniques; apply this index in a pilot study in Kenya; and develop a national report on the status of cohesion in Kenya.

The literature review underscored the fluidity of social cohesion and derived debates on whether it is measurable, thereby an index or a barometer.

These debates were reinforced at a workshop where stakeholders from South Africa, Rwanda and Cyprus shared about their experiences in developing cohesion indices. This informed the mode of approach that Kenya could use to develop its cohesion measuring tool.

As a result of the engagement in the workshop and the literature review, six different dimensions of measuring economic, political and socio-cultural factors were identified i.e. Inclusion, equality, legitimacy, participation, recognition and belonging. Factor analysis was used in creating and refining indicators which are thereafter combined to produce an overall indicator of social cohesion. The development of a national cohesion index is a process and would be continued in the subsequent year.

2.5 FACILITATE THE OPERATIONALIZATION OF LAWS, POLICIES AND PRACTICES THAT COUNTER ETHNIC, RACIAL AND RELIGIOUS TENSIONS

One of the key mandates of the NCIC has been to institutionalise, ensure compliance and create mechanism for complaints and for relevant action for crimes on hate speech and discrimination along ethnic, religious and racial grounds. Although the Commission does not have prosecutorial powers under the NCI Act, the Commission has been instrumental in

investigating cases and complaints that fall under its mandate and handing over these cases to the office of the Director of Public Prosecutions (DPP). The NCIC has therefore worked hard to remove administrative and legal impediments by analysing laws and policies to ensure full realisation of rights by all Kenyans, and encouraging the ratification and implementation of international human rights conventions.

To provide a supportive and stable administrative and legal framework that promotes the mutually reinforcing relationship between democracy, development and all human rights and fundamental freedoms, the Commission carried out the following activities:

1. Capacity building of stakeholders on the NCI Act

The Commission, provided capacity building initiatives that involved



Training of senior police officers on hate speech enforcement, November 2012

partnership building and trainings to NCIC staff, police investigators, prosecutors from Department of Public Prosecution, Administrative personnel, political aspirants, journalists, media and community elders on the NCI Act in different fora. These were aimed to raise awareness on the dangers of hate speech and inflammatory language, potential consequences and all existing legal and administrative frameworks applicable. The workshops provided avenues for the Commission to build consensus and commitment by the various stakeholders on how to proactively address deterrence to national cohesion and integration.



2. Monitoring of hate speech in Political Rallies

Reports produced by the Kriegler and Waki Commissions set up to investigate the causes of the post-election violence identified politicians as the main perpetrator of hate speech and incitement on ethnic and racial grounds during political rallies, funerals, and other social gatherings. Premised on this, the Commission embarked on country wide monitoring on all major political rallies.

The Commission adopted three pronged system of monitoring as follows:

i. Monitoring by the police officers.

The Commission trained 290 police officers from all counties on the laws of hate speech; the investigations of the same, handling of evidence more particularly electronic evidence and the prosecution of the offences under the NCI Act. Further, the training entailed the use monitoring equipment and preservation of the evidence. The trained officers were deployed to monitor political rallies and social gatherings during the electioneering period.

ii. Cohesion monitors

The Commission employed 106 cohesion monitors; two per county with larger counties having more than two, to monitor the conduct of politicians during the campaign period. The monitors were equipped with camcorders and voice recorders to collect evidence. Their duties consisted of attending private and public

gatherings and reporting the findings of these meetings to the Commission.

iii. NCIC staff

The Commission dispatched teams to monitor all political rallies attended by presidential candidates. The Commission monitored the conduct of the General Elections across the country.

The outcome of the country wide monitoring on all major rallies was that the monitoring by police officers led to the arrest and prosecution of Ten (10) cases in contravention of the provisions of the NCI Act. The 106 cohesion monitors recruited submitted weekly incident reports for seven months totalling to 2968 reports. After careful analysis of the reports, 11 cases on hate speech were identified and are currently on going. The Commission visited and covered political rallies in the areas identified as hotspots and where there was a likelihood of incitements.

3. Monitoring Hate Speech on Social Media

Ahead of the 2013 General Election, the Commission set up a cyber-crime unit to monitor hate speech and incitements especially through the social media. The team focused on FM stations, including vernacular and blogs mostly used to spread ethnic hatred. The unit identified various open source sites which were propagating hate speech and made recommendation for closure to the CCK. Since the establishment of the unit, two (2) cases have been taken to court, five (5) cases have been recommended for prosecution and six (6) cases are pending

investigations. Fifty (50) open source social media web sites and more than two hundred (200) individuals in the open source social media web sites are being monitored for offences of hate speech contrary to section 13 and 62 of the NCI Act.

4. Curbing the spread of Hate Speech using cellular phones

A team of different Government officials including CCK was set up to work in tandem with the NCIC and NSC to monitor hate speech and incitement on social media. The Commission also operationalized an SMS short code 15666 on February 2013. Out of approximately 1,200 messages received, 220 were received before the election date, which were primarily on reports of inflammatory and incitement messages directed to specific ethnic groups. NCIC escalated these messages to relevant authorities; mainly Kenya Police to enhance security in the specific areas reported. In the period during and after elections, approximately 85% were actual alerts while 15% were incident reports. The SMS platform provided NCIC and the public a channel of sharing information in order to minimize hate speech. The cohesion monitors were especially opportune the verification of claims/complaints that were received from the specific counties they represented.

5. Training on Hate Speech

NCIC equipped police officers with the necessary investigative skills in handling hate speech cases under the NCI Act. Consequently through support from various actors, 1,200 police officers were

trained in a series of six (6) trainings for police investigators, prosecutors from the DPP and administrative personnel in Machakos, Malindi, Mwingi, Nyeri, Nairobi and Nakuru. The team was provided and trained



NCIC Chairman Dr. Kibunjia over voice recorders to the Inspector General of Police Mr. Mathew Iteere during police training by NCIC on monitoring hate speech monitoring.

DAILY NATION
Thursday January 31, 2013

ELECTION 'C

VIOLENCE | Experts to help pursue culprits

Tool to track hate messages unveiled

Technology will depend on the public to report hate message cases via mobile phone SMS

BY FRED MUKINDA
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AND ZADOCK ANGIRA
zang@dailynationmedia.com

Police will monitor electoral offences using a computer and mobile phone technology unveiled yesterday.

The new technology would depend on the public to report hate speech cases via mobile phone text message.

The messages would be directed to a central database linked to the police headquarters, the Independent Electoral and Boundaries Commission and the National Cohesion and Integration Commission.

Besides electoral-related offences including hate speech, the new technology would also be used to report corruption, traffic offences and gender violence.

"The application enables any person to report a crime to the police by simply sending an SMS. It would be received at the police headquarters and would also trigger an e-mail notification to the relevant commission," National Police Service Commission chairman Johnson Karuhki said in Nairobi yesterday.

Mr Karuhki said the commission is negotiating with mobile phone operators to be assigned the number 999999, prefixed with any of the first four digits associated with each provider.

Police
Team to monitor social networks

Police will monitor social media sites for hate speech and incitement to violence. The team will be headed by the Inspector General of Police Mr. Mathew Iteere. The team will also include officers from the Kenya Police, the Independent Electoral and Boundaries Commission and the National Cohesion and Integration Commission.

At the moment, reports can be sent to 072414475 which is being used for trials.

A typical message would contain the nature of incident and the specific area where it has occurred.

At the same time, National Steering Committee on Media Monitoring director Mary Ombara has raised the red flag over prevalence of hate speech and incitement in social media.

Ms Ombara said that although hate speech had reduced in the mainstream media, there was a worrying trend of its resurgence on social media sites.

"She, however, said the commission was monitoring the situation and would soon take some suspects to court."

"The NCIC is actively pursuing three bloggers of hate speech whose investigation files are almost complete. However, there is a 60 per cent decrease in political hate speech," she said.

She said they had brought on board experts to help track down the culprits.



on using recording equipment for hate speech monitoring. The trained police investigators have continued to work closely with NCIC and other focal points in various agencies, including Cohesion Monitors in the different counties and the Provincial Administration. The officers have continued to monitor hate speech and incendiary statements and vilification of other ethnic groups especially prior to, during and after the General Elections.

As a result of the Commission's effort, hate speech and racial and ethnic contempt issues have been addressed at the county and national levels due to the enhanced understanding of the elements that constitute the offence of hate speech as outlined in the NCI Act and the Constitution. In the year 2012 two Members of Parliament

were arraigned in court over hate speech charges. Six other members of parliament were under investigation on hate speech as a result of complains forwarded to the Commission by various institutions and members of the public. A section of leaders who faced hate speech charges have since pledged to promote national cohesion. For instance, a former Member of Parliament, who was also a Cabinet Minister had faced charges on hate speech in court. The said person was conciliated with his accusers and made to apologize to all Kenyans over his utterances. The member has since then become "a voice of reason" for the Coast region, especially in addressing the Mombasa Republican Council (MRC) issue that has created conflict among communities in the region. The purpose of the conciliation process was to foster the spirit of peace, forgiveness, good relations and tranquillity.

2.6 INSTITUTIONAL STRENGTHENING

The Commission acknowledges that human resource is key to achieving its mandate. NCICs efficiency therefore depends on the quality of employees it engages. To further enhance its capacity to deliver; the Commission focused on engaging competent, enlightened and motivated staff. It is the policy of NCIC therefore to attract, recruit and retain qualified personnel in terms of academic and professional qualification. The Commission has strived to ensure that it engages staff with the right competencies, skills, attitudes and experience; those who can be trained for effective work performance to achieve NCIC objectives.

During the period under review, NCIC undertook the following activities meant to strengthen the Commission's institutional capacity:

1. Recruitment

The Commission conducted recruitments to fill in gaps, both technical and non-technical to further strengthen its human resource capacity to achieve its deliverables. Recruitment of staff was carried out for a number of positions under different projects including DfID, SIDA and the IJR/FBA/NCIC partnership. Recruitment was also carried out under the Commission's different programmes. At the close of this period, there were Eight Four (84) memTms. The Commission had also an active internship and attachment programmes.

2. Establishment of the Reconciliation and Integration Department

The period under review saw the establishment of a new department within the Commission to engage more directly on the agenda of national healing

and reconciliation. The department was established in June 2012, to sustain and promote the integration and reconciliation agenda of the Commission. The department uses communication, advocacy, outreach, dialogue, peace building and reconciliation tools to promote active public participation in governance, conflict prevention, peace building, reconciliation and behavioural change.

3. Capacity building

Among the key reasons for capacity building were to increase expertise in the variety of roles that the commission can play in addressing its mission and achieving its mandate. A number of staff trainings were conducted for purposes of knowledge enhancement and improvement of different staff skills and capacities. Staff trainings were carried out for employees through continuous professional education. Others were done to improve on their working, leadership and management skills. During the same period, Commission staff from all the departments were trained on reconciliation under the IJR/FBA/NCIC partnership.



4. Development of the Commission's Strategic Direction and Strategic Plan

In carrying out its mandate, the Commission relies on its Strategic Plan. The first Strategic Plan Developed in 2010 and ended in 2013. The need to develop a new strategic plan for the Commission was therefore underscored. Given the dynamic nature of the country's social and political landscape, the Commission sought to craft a strategic direction for itself before developing a strategic plan.

The strategic direction of NCIC pointed to the following major roles that the Commission should play:

- i. Provide sector leadership and coordination
- ii. Entrench a Kenyan identity
- iii. Provide evidence based advice and technical assistance to national and county governments on the cohesion and integration challenges
- iv. Lead the process of mainstreaming cohesion and integration in national and devolved structures, policies and practices
- v. Lead the process of development, implementation and monitoring of the referral system for the national cohesion and integration
- vi. Contribute significantly to the elimination of all forms of discrimination (ethnic, racial, religious and social origin) in Kenya
- vii. Increase knowledge, understanding and application of transformational practices on National Reconciliation, Cohesion and Integration
- viii. Contribute significantly in strengthening good governance and ensuring full implementation of the Constitution of Kenya 2010 in issues touching on national cohesion and integration.

Within this background, the Commission's second Strategic Plan (July 2013 – June 2016) was developed. A participatory process involving the Commission staff, relevant government department and agencies, NGOs, universities and private sector actors was embraced. The Strategic Plan is intended to provide a development framework that will guide all the Commission's programmes. The Strategic Plan draws the road map of the Commission's programmes in the set time period.

5. Financial Reporting, Procedures and Systems Setup

As per the requirements of the NCI Act, Section 39; the Commission prepared its books of accounts and submitted them to the Kenya National Audit office within the prescribed timelines. The Commission strengthened its financial and procurement systems to enhance efficiency in its procedures and internal controls.

CHALLENGES AND RECOMMENDATIONS

3.1 CHALLENGES

For the effective and efficient delivery of services and the achievement of its mandate, the Commission requires a conducive working and operational environment. Key challenges include:-

1. Lack of optimal funding

Almost all the cohesion programmes and activities undertaken by the Commission embrace a direct approach strategy. This strategy requires the full and direct participation of individuals and communities as it offers better results in terms of outcomes and impact. However, the approach is often expensive. As a result of a multiplicity of these programmes, the Commission has faced huge financial constraints in their implementation and has most of the times been forced to only roll its programmes in certain areas. This has limited the efforts of the Commission to carry-out programmes at a nationwide level as mandated.

2. Absence of field / regional Offices

The Commission currently executes its mandate from its headquarters in Nairobi. It reaches the grassroots level through the various stakeholders with quasi structures at the districts and county levels. Lack of representation of the Commission

at the regional levels in the entire country and more especially in the areas that are prone to conflict hinders effective promotion of cohesion and integration. This challenge is due to a number of constraints including limited staff, lack of adequate funds and material resources. With the advent of a new governance structure established by the current Constitution, public Institutions are destined to deploy their staff to county governments. It is imperative therefore that the Commission should equally recruit and deploy officers to the regional levels to manage the national cohesion and integration mandate in the said jurisdictions.

3. Inadequate legal and policy environment

This has hampered leadership from NCIC and delayed streamlining of the NCI Act in most public and private sectors to reflect the spirit found in the Constitution of Kenya with respect to the Bill of Rights, devolved governance and national values. These three areas are crucial to the actualization of the objectives of the Commission as the national and counties' public institution have the mandate to ensure that the Bill of Rights is realized through provision of relevant services non-discriminarily.

4. **Hate speech in social media**

The media plays a crucial role in shaping conceptions of reality hence contribute in one way or another to the achievement of harmony and peaceful co-existence and/or lack of it. Kenyans are increasingly engaging in social media. The Commission has noted numerous instances where blogging has been used negatively with the intention to create or incite feeling of contempt, hatred and hostility on the basis of ethnicity and race, which are likely to undermine the peaceful co-existence among communities in Kenya. The propagation of hate speech more so in social media which crosses borders and brings into play different and at times conflicting regulatory provisions poses a real challenge to enforcers of hate speech laws.

5. **Deeply entrenched Negative Ethnicity**

Cultural attitudes and socialization of the Kenyan society have changed little in the post-independence period. Kenyans still maintain deep-rooted loyalties to their ethnic identities and this still influences economic, social and political organization and expression. This has led to ethnicization of politics and employment, and associated negative sentiments. The current ethnic tensions and conflicts in Kenya are the fodder for future violent conflicts and without studying, understanding and addressing the root causes of the conflicts there is every possibility

that violent ethnic conflict may recur on a larger and deadlier scale.

6. **Absence of a Common National Identity and Emergence of New Identities.**

National identity is a person's sense of belonging to the state or nation. It is a feeling that one shares with a group of people regardless of their citizenship status. This sense of belonging plays a very critical role in uniting fellow country men and women while at the same time appreciating diversity. The positive expression of one's national identity is patriotism which fosters national unity.

As a country, Kenya lacks a common national identity. In addition to this, the country still faces a challenge of what can be referred to as emerging identities based on different situations and circumstances. These emerging identities may have a negative effect on national unity.

7. **Heightened Political Activities**

The period under review was characterized by heightened anxiety across the Country as a result of the much anticipated March 2013 General Elections. There were many structural conflict drivers such as continuing reliance on ethnicity. Ethnic campaigning and horse-trading was evident as alliances – formed by leading politicians – continued to deepen the socio-political divide. The shambolic political

party nominations also heightened disputes thereby bringing to the fore the changing trends and patterns in Kenya's politics:- the unpreparedness of the political parties to manage their own nominations; the weak capacity for conflict resolution and dispute resolution mechanism within the political parties; as well as little internal party democracy.

8. End of Tenure for NCIC Commissioners

NCIC Commissioners were appointed in September 2009 and their term of office was to expire in 2012. However, their term was extended by one year, thus ending on 8th September, 2013. The uncertainty of whether their terms could be renewed further or not, caused anxiety within the Commission. The Commissioners found themselves in a fix between performing their duties and preparing for their departure thereby affecting their overall performance

3.2 RECOMMENDATIONS

The above mentioned challenges can be addressed through the following measures:-

1. Increased funding to the Commission

To enable the Commission to successfully develop effective strategies for enhancing ethnic relations and national cohesion, and implementation of peace, national

cohesion and reconciliation programmes; there is need to avail adequate funds. More funding would allow NCIC to fully undertake its programmes on a national and county level scale with less constraints. With increased financial allocation in the relevant areas of budgeting it would be possible to deal with the issues of technical trainings, technological advancement, communication and devolving to counties. The Commission requires sufficient human, material and financial resources to enable it carry out its mandate. The availability of adequate funds is intricately connected to the Commission's ability to effectively mitigate the possible outbreak of violence as well as support its programmatic work. There is need for continued support of funds to have a financially stable and fully capacitated Secretariat to support its activities.

2. Establishment of Field / County Offices

There is a need for the Commission to be restructured and decentralised to the regional level in order to effectively and efficiently fast-track its mandate. With the restructuring and the devolution of its functions, the Commission can effectively execute its mandate throughout the country by coordinating and impacting the same at lower levels.



3. Review of current legal and policy frameworks

i. There is need to review the NCI Act and align it with the Constitution.

For the NCI Act to be a more effective tool for promoting national cohesion and integration; there are a number of issues that need to be addressed. These include: (a) the need to review the Act to recognise and/or encompass other actors/institutions in national cohesion and integration processes, so as to maximise on synergies; (b) the need to review, re-align or rationalise institutions that are likely to overlap in their mandate to avoid duplication of functions; (c) need to extend the physical presence of the institutions to local levels for effective monitoring system; and (d) the need to update the Act based on the provisions of the current Constitution.

ii. Adoption and operationalization of the National Cohesion and Integration Policy

The Commission in conjunction with the then Ministry of Justice, National Cohesion and Constitutional Affairs developed the National Cohesion and Integration (NCI) Policy. The development of this policy was aimed at mainstreaming national Cohesion and integration in relevant government ministries, department and agencies. The policy was expected to enhance the consistency and efficiency with which the government and other stakeholders designed and implemented appropriate

interventions aimed at promoting national cohesion and integration. Having been approved by Cabinet, there is need for this policy to be adopted by Parliament as a sessional paper and its contents fully implemented.

iii. Establishment of a comprehensive referral mechanism

There is need to establish a comprehensive referral mechanism that would allow easy handing over of issues that are not covered by the mandate of NCI Act to other institutions and put in place measures to monitor the referral processes to their successful conclusion. This will ensure that the recommendations and advisories issued by the Commission are implemented to the letter; and the necessary feedback is relayed back to the Commission.

4. Rebranding the National Cohesion and Integration Commission

Though the Commission has engaged in programs and activities in the promotion of its mandate since inception, the lack of a brand has caused the general public to selectively perceive the commission as a "hate speech commission", ignoring other major tasks that it has been engaged in. The Commission therefore requires all the necessary publicity and visibility as it undertakes its mandate. Such publicity will enable the members of the public to be able to appreciate the work of the NCIC. Through rebranding, it will be able to inject into the public a

fresh perception on its mandate. With the increasing number of Commissions in the country and the inevitability of overlapping mandates, there is need to profile the Commission to an extent that the public can be able to distinguish NCIC from the other commissions. In addition, the Commission has over the days increased its visibility in the country but lacks a signature in the republic due to the numerous messages passed. There is need therefore to have a brand that stands out and clearly projects its object and mandate. The rebranding should enable members of the public to vividly conceptualize the work NCIC does.

5. Engaging in intense Capacity Building and Civic Education on National Cohesion and Integration at both the national and county level

The NCIC seeks to mainstream national cohesion and integration in all the country's development policies and strategies through capacity building to both the national and county government institutions - such as the Executive, Judiciary and Legislature - for enhancing peaceful coexistence in the counties. The role of leadership, and particularly transformative leadership, will be indispensable in enhancing national cohesion within the national and devolved system of governance.

6. Establishing effective national conflict prevention, management and reconciliation mechanisms.

The NCIC, in collaboration with other stakeholders, needs to strengthen reconciliation initiatives by strengthening

the peace and cohesion committees at County and Sub county levels; Create conflict monitoring systems; and strengthen the Alternative Dispute Resolution (ADR) mechanisms and practices, such as use of the institution of community elders to augment conflict management processes; The Commission intends to instill conflict management and reconciliation ethos among citizens; and conduct peace education with groups of influential opinion shapers in conflict environments, aimed at discouraging the use of force in solving disputes.

7. Promotion of national identity and nationhood.

Kenya's rich diversity, to a large extent, has not been effectively managed to foster peace, national cohesion and integration. In order to promote identities that foster peaceful coexistence and a sense of common belonging in the county, the NCIC will stimulate conversation and discussion on what constitutes County and National Identities; Identify common values that are upheld across counties which promote peace and unity both at the county and national level; and sensitise all stakeholders (including individuals, teachers, religious leaders, the media) on the importance of national values; The Commission intends to Identify and use role models in promoting peace and /or national values; Recognise, reward and memorialise cohesion champions to foster peace and unity both at the county and national level; and develop and implement a rewards system for espousal of national values at various levels of society.



FINANCIAL STATEMENTS FOR THE YEAR ENDING 30TH JUNE 2013

ANNUAL REPORT AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2013

CORPORATE INFORMATION

Commissioners	Dr. Mzalendo Kibunja, EBS. Chairperson Ms. Milly Lwanga Vice Chairperson Ms. Jane Kiano Commissioner Ms. Alice Nderitu Commissioner Ms. Fatuma Mohamed Commissioner Rev. Lawrence Bomett Commissioner (Up to January 2013) Mr Halakhe Waqo Commissioner (Up to September, 2012) Dr. Ahmed Yassin Commissioner Mr. Samuel Tororei Chairperson, Kenya National Commission on Human Rights Ms. Winfred Lichuma Chairperson, National Gender and Equality Commission Mr. Otiende Amollo Chairman, Commission on Administrative Justice
Secretary	Hassan S. Mohamed, OGW.
Principal Place of Business	KMA Centre 6th Floor Mara Road, Upper Hill P. O. Box 7055 – 00100 Nairobi Kenya.
Auditors	Auditor General Kenya National Audit Office Anniversary Towers P.O. Box 30084 – 00100 Nairobi Kenya

Principal Bankers

Kenya Commercial Bank
Sarit Centre Branch, Nairobi

Standard Chartered Bank
Harambee Avenue Branch, Nairobi

National Bank of Kenya
Harambee Avenue Branch, Nairobi

REPORT OF THE SECRETARY

The Secretary presents the report together with the financial statements for the year ended 30 June 2013, which disclose the state of affairs of the Commission.

Incorporation

The Commission is a statutory body established under the National Cohesion and Integration Act (Act No. 12 of 2008), and is domiciled in Kenya.

Principal Activities

The object and purpose for which the Commission is established is to facilitate and promote equality of opportunity, good relations, harmony and peaceful co-existence between persons of different ethnic and racial communities of Kenya, and to advise the Government on all aspects thereof.

Results for the Year

The results of the year are set out on page 48.

Commissioners

The Commissioners who held office during the year are set out on page 44.

Auditors

The Auditors of the Commission for the year ended is the Auditor General in line with the Public Audit Act, 2003 and the National Cohesion and Integration Act, 2008. The Auditor of the Commission continues to be the Auditor General.

On Behalf of the Commission



Hassan Sheikh Mohamed, OGW
Secretary/Chief Executive Officer

STATEMENT OF COMMISSION RESPONSIBILITIES

The National Cohesion and Integration Act requires the Commission to cause to be prepared financial statements for each financial year that give a true and fair view of the state of affairs of the Commission as at the end of the financial year and of its operating results for that year. The Commission is also responsible for keeping proper accounting records which disclose, with reasonable accuracy, the financial position of the Commission in addition to safeguarding the assets of the Commission.

The Commission accepts responsibility for the financial statements, which have been prepared using appropriate accounting policies supported by reasonable and prudent judgments and estimates, in conformity with International Financial Reporting standards and the requirements of the Public Audit Act, 2003. The Commission is of the opinion that the financial statements give a true and fair view of the state of the financial affairs of the Commission as at 30 June 2013 and of its operating results for the year then ended. The Commission further accepts responsibility for the maintenance for accounting records which have been relied upon in the preparation of the financial statements, as well as on the adequacy of the systems of internal financial controls.

Nothing has come to the attention of the Commission to indicate that it will not remain a going concern for at least the next twelve months from the date of this statement.

Signed on behalf of the Commission by:



Hassan Sheikh Mohamed, OGW
Secretary/Chief Executive Officer



STATEMENT OF COMPREHENSIVE INCOME FOR THE YEAR ENDED 30 JUNE 2013

INCOME	Notes	2013 Kshs	2012 Kshs
Government of Kenya (GOK) Grants	2	446,067,200	235,000,000
Development Partner / Donor Support	3	180,545,325	92,952,156
Other Operating Income		<u>1,309,432</u>	-
Total Income		<u>627,921,957</u>	<u>327,952,156</u>
EXPENDITURE			
Administrative Expenses	4	109,360,006	80,010,435
Operating and Maintenance Expenses	5	272,631,594	93,643,867
Program / Project costs	6	161,290,251	68,867,027
Audit fees	7	1,044,000	1,044,000
Finance costs	8	59,750	17,064
Depreciation	9	<u>27,979,545</u>	<u>19,881,557</u>
Total Expenditure		<u>572,365,147</u>	<u>263,463,951</u>
Surplus / deficit for the year		<u>55,556,810</u>	<u>64,488,205</u>

**STATEMENT OF FINANCIAL POSITION
FOR THE YEAR ENDED 30 JUNE 2013**

	Notes	Kshs	Kshs
Assets			
Non current assets			
Property, plant & equipment	9	<u>109,943,498</u>	<u>76,204,151</u>
		<u>109,943,498</u>	<u>76,204,151</u>
Current assets			
Trade and other receivables	10	63,695,503	19,526,370
Cash and cash equivalents	11	<u>33,432,921</u>	<u>50,997,946</u>
		<u>97,128,424</u>	<u>70,524,315</u>
Total assets		<u>207,071,922</u>	<u>146,728,466</u>
Equity and liabilities			
Equity			
Capital fund		8,847,000	8,847,000
Accumulated fund		<u>187,063,977</u>	<u>131,507,166</u>
		<u>195,910,977</u>	<u>140,354,166</u>
Current liabilities			
Trade and other payables	12	<u>11,160,945</u>	<u>6,374,300</u>
Total equity and liabilities		<u>207,071,922</u>	<u>146,728,466</u>



**STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 30 JUNE 2013**

	Accumulated Fund	Capital Fund	Total
	Kshs	Kshs	Kshs
At 1st July 2011			
Accumulated Fund	67,018,961	-	67,018,961
Capital Fund	-	8,847,000	8,847,000
Net Profit for the Year	<u>64,488,205</u>	-	<u>64,488,205</u>
At 30th June 2012	<u>131,507,166</u>	<u>8,847,000</u>	<u>140,354,166</u>
At 1st July 2012			
Accumulated Fund	131,507,166	-	131,507,166
Capital Fund	-	8,847,000	8,847,000
Net Profit for the Year	<u>55,556,810</u>		<u>55,556,810</u>
At 30th June 2013	<u>187,063,976</u>	<u>8,847,000</u>	<u>195,910,976</u>

STATEMENT OF CASHFLOWS
FOR THE YEAR ENDED 30 JUNE 2013

	2013	2012
	Kshs	Kshs
Surplus for the year	55,556,810	64,488,205
Adjustments for:		
Depreciation	<u>27,979,545</u>	<u>19,881,557</u>
Operating surplus before working capital changes	83,536,355	84,369,762
Decrease in trade and other receivables	(44,169,134)	(10,190,295)
Increase in trade and other payables	<u>4,786,645</u>	<u>4,800,865</u>
Cash generated from operating activities	44,153,867	78,980,332
Cashflows from investing activities		
Purchase of property, plant & equipment	<u>(61,718,892)</u>	<u>(60,967,588)</u>
Net cash flows used in investing activities	(61,718,892)	(60,967,588)
Net Increase / Decrease in cash and cash equivalents	<u>(17,565,025)</u>	<u>18,012,745</u>
Cash & cash equivalent at the beginning of the period	<u>50,997,946</u>	<u>32,985,201</u>
Cash & cash equivalents at the end of the period	<u>33,432,921</u>	<u>50,997,946</u>



NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2013

1. Accounting policies

The principal accounting policies adopted in the preparation of these financial statements are set out below:

a) Basis of preparation

The financial statements are prepared in compliance with International Financial Reporting Standards under the historical cost convention, and are presented in the functional currency, Kenya Shillings (Shs). The preparation of financial statements as per IFRS also requires the use of estimates and assumptions and for management to exercise its judgement in the process of applying the accounting policies adopted by the commission. Although such estimates and assumptions are based on the commission's best knowledge of the information available, actual results may differ from the estimates.

b) Revenue recognition

The revenue constitutes all funds accruing to the Commission in form of releases from the Ministry, funds from development partners and other income which could arise from sale of any tender documents and disposal of assets if any.

c) Property, Plant and Equipment

All categories of property, plant and equipment are stated at historical cost less accumulated depreciation and accumulated impairment losses
Subsequent costs are included in the asset's carrying value only when it is probable that future economic benefits associated with the item will flow to the Commission and the cost of the item can be measured reliably. Repairs and maintenance is charged to the profit and loss account in the year to which it relates.

Depreciation is calculated using the reducing balance method to write down the cost of each asset to its residual value over its estimated useful life using the following annual rates.

	<u>Rate - %</u>
Motor vehicles	25
Furniture & Fittings	12.5
Computers, copiers & faxes	33.3

NOTES TO THE FINANCIAL STATEMENTS (Continued)

Property plant and equipment

The assets' residual values and useful lives are reviewed and adjusted if appropriate, at each year end.

Property, plant and equipment are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognized for the amount. The recoverable amount is higher of an asset's fair value less costs to sell and value in use.

Gains and losses on disposal of property, plant and equipment are determined by reference to their carrying amount and are taken into account in determining operating profit.

d) Retirement Benefits Obligation

The Commission and the employees contribute to the National Social Security Fund, a national defined contribution scheme. Contributions are determined by local statute and the company's contributions are charged to the profit and loss account in the year to which they relate.

e) Taxation

The Commission, being a non-trading entity is not subject to taxation. No tax is therefore provided in these accounts.

f) Receivables

Receivables are recognized initially at fair value and are subsequently measured at amortised cost using the effective interest method.

A provision for impairment is recognized in the profit and loss account in the year when recovery of the amount due as per the original terms is considered doubtful. The provision is based on the difference between the carrying amount and the present value of the expected cash flows, discounted at the effective interest rate.

Receivables not collectable are written off against the related provision. Subsequent recoveries of amounts previously written off are credited to the profit and loss account in the year of recovery



NOTES TO THE FINANCIAL STATEMENTS (Continued)

g) Cash and cash equivalents

Cash and cash equivalents include cash in hand, term and call deposits with banking institutions and other short-term highly liquid investments in money market instruments with maturities of three months or less from the date of acquisition net of bank overdrafts.

h) Comparatives

The Commission has had financial statements prepared for the Financial year 2012 / 2013. This has formed the basis of comparison with the last Financial year. The UN-women project did not receive additional funding thus the

2. Government of Kenya grants (GOK)

	2013	2012
	Kshs	Kshs
Authority to Incur Expenditure (AIE) net releases	<u>446,067,200</u>	<u>235,000,000</u>

By Permanent Secretary, MOJNC&CA – Nairobi

3. Development Partner / Donor Support

	2013	2012
	Kshs	Kshs
UNDP/UN Women	-	640,526
Uwiano Platform	20,000,000	-
UNDP / SIDA	148,455,130	86,747,494
IJR / FBA	<u>12,090,195</u>	<u>5,564,136</u>
	<u>180,545,325</u>	<u>92,952,156</u>

4. Administrative expenses	2013 Kshs	2012 Kshs
Basic Salaries- Permanent Employees	57,076,580	43,377,830
Personal Allowance- Paid as part of Salary	20,221,143	16,237,538
Personal Allowance- Paid as Reimbursements	500,000	173,082
Employer contribution to NSSF	144,200	91,800
Utilities Supplies & Services	66,416	1,229,046
Hospitality Supplies	14,462,622	8,904,020
Insurance Costs	12,743,281	9,044,738
Social Security Benefits	2,539,567	-
Increase in provision for bad debts	<u>1,606,198</u>	<u>952,382</u>
	<u>109,360,006</u>	<u>80,010,435</u>

NOTES TO THE FINANCIAL STATEMENTS (Continued)

5. **Operating and Maintenance expenses**

	2013 Kshs	2012 Kshs
Communication, Supplies & Services	6,573,151	1,267,685
Domestic Travel and subsistence and other transportation costs	30,969,992	21,775,938
Foreign Travel and Subsistence and other transportation costs	18,277,425	25,533,125
Printing, Advertising and Information Supplies & Services	143,832,679	6,583,367
Rentals of Produced Assets	27,843,146	16,974,569
Training Expenses	4,184,972	2,721,340
Specialised Material and supplies	138,200	710,735
Office & General Supplies & Services	9,487,060	5,481,593
Fuel Oil & Lubricants	9,638,499	8,275,398
Other operating expenses	6,346,480	812,108
Routine Maintenance -Vehicles & other transportation equipment	8,894,447	3,373,147
Routine Maintenance -Other assets	<u>6,445,544</u>	<u>134,863</u>
	<u>272,631,594</u>	<u>93,643,867</u>



6. Program Costs

	2013 Kshs	2012 Kshs
UN women	-	7,049,372
Uwiano Platform	9,464,048	3,344,848
IJR	6,319,036	-
UNDP/ SIDA	<u>145,507,167</u>	<u>58,472,807</u>
	<u>161,290,251</u>	<u>68,867,027</u>

7. Audit Fees

	2013 Kshs	2012 Kshs
Audit fees	<u>1,044,000</u>	<u>1,044,000</u>

8. Finance Costs

	2013 Kshs	2012 Kshs
Bank Charges	<u>59,750</u>	<u>17,064</u>

NOTES TO THE FINANCIAL STATEMENTS (Continued)

9. Property Plant and Equipment

	Motor Vehicles Kshs	Furniture and Fittings Kshs	Computers, Copiers & Faxes Kshs	Total Kshs
Cost				
1 July 2011	36,695,650	4,688,500	5,238,300	46,622,450
Additions	<u>24,740,007</u>	<u>33,288,231</u>	<u>2,939,350</u>	<u>60,967,588</u>
30 June 2012	61,435,657	37,976,731	8,177,650	107,590,038
Depreciation				
1 July 2011	<u>9,173,913</u>	<u>586,063</u>	<u>1,744,354</u>	<u>11,504,330</u>
Charge for the year	13,065,436	4,673,833	2,142,288	19,881,557
30 June 2012	<u>22,239,349</u>	<u>5,259,896</u>	<u>3,886,642</u>	<u>31,385,887</u>
Net book value 30 June 2012	39,196,308	32,716,835	4,291,008	76,204,151
Cost				
1 July 2012	61,435,657	37,976,731	8,177,650	107,590,038
Additions	31,520,870	25,356,733	4,841,288	61,718,892
30 June 2013	<u>92,956,527</u>	<u>63,333,464</u>	<u>13,018,938</u>	<u>169,308,930</u>
Depreciation				
1 July 2012	<u>22,239,349</u>	<u>5,259,896</u>	<u>3,886,642</u>	<u>31,385,887</u>
Charge for the year	17,679,295	7,259,196	3,041,055	27,979,545
30 June 2013	<u>39,918,644</u>	<u>12,519,092</u>	<u>6,927,697</u>	<u>59,365,432</u>
Net book value 30 June 2013	53,037,884	50,814,372	6,091,241	109,943,498

The Commission changed its principle place of business from Delta House, Westlands to KMA Plaza in Upper Hill during the 2011 / 2012 FY. The office partitioning and refurbishment that was anticipated to end by 30 June 2012 continued into the current financial year. The partitioning and refurbishment works for the year cost Kshs 15,637,736 out of which 90% payment has been done with the retention of 10% of the cost Kshs 1,589,872 being held to be paid after completion of the works.

This has been captured as Fittings and depreciated appropriately.



NOTES TO THE FINANCIAL STATEMENTS (Continued)

10. Trade and Other Receivables

	2013 Kshs	2012 Kshs
Rent KMA PLAZA	-	3,377,688
Deferred grant (UN Women)	-	640,526
Deferred grant GoK	54,681,600	-
Imprest debtors	9,034,075	14,008,156
Other debtors	633,644	-
Prepayment: Under Kenya Cultural Centre	-	1,500,000
SIDA Project officer	952,382	952,382
Provision for bad debts	<u>(1,606,198)</u>	<u>(952,382)</u>
	<u>63,965,503</u>	<u>19,526,370</u>

11. Cash and Cash Equivalents

The Commission's cash balances were as indicated by close of business on the 30 June 2012.

	2013 Kshs	2012 Kshs
Cash at Bank – Kenya commercial Bank	<u>(9,030,384)</u>	27,773,959
Cash at Bank – National Bank of Kenya	32,260,534	23,153,585
Cash at Bank – Standard Chartered	9,575,860	24,382
Cash in Hand	<u>626,910</u>	<u>46,020</u>
	<u>33,432,921</u>	<u>50,997,946</u>

12. Trade and Other Payables

	2013 Kshs	2012 Kshs
Belfast Engineering	1,589,872	3,130,655
Auditor General	1,044,000	1,044,000
Other creditors	<u>8,527,072</u>	<u>2,199,645</u>
	<u>11,160,945</u>	<u>6,374,300</u>

PROFILES OF NCIC COMMISSIONERS



Commissioner Mzalendo N. Kibunjia, PhD, EBS

Dr. Mzalendo N. Kibunjia is the Chairperson of the National Cohesion and Integration Commission in Kenya. He holds a PhD and MA in Anthropology from Rutgers, The State University, New Jersey USA and a BA in Archaeology & History from the University of Nairobi. He is a member of the Institute of Directors (IOD) Kenya, Board Member Tana and Athi River Development Authority (TARDA), Kenya Representative to UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, Chairperson and member of International Council of Monuments and Sites (ICOMOS) Kenya. Dr. Kibunjia was the Director, Sites & Monuments at the National Museums of Kenya and Team Leader and Consultant of the New Nairobi Museum and Athletics Kenya Museums respectively. He has rich experience in heritage, anthropology, language and was an external examiner in Kenyatta University, University of Nairobi, University of Dar es Salaam and Institute of African Studies. He has carried out several researches and has made various contributions in media production, publications, and presentations on various historical and anthropology issues. He was awarded Elder of Burning Spear in December 2010 for exemplary leadership.





**Commissioner
Milly Lwanga Odongo**

Commissioner Milly Lwanga Odongo, the Commission's vice chairperson is a Kenyan Lawyer with vast experience in International Human Rights Law. She was a member of the Task Force on Implementation of the Sexual Offences Act 2006, set up by the Attorney General to offer guidance in ensuring full implementation of the then new and progressive legislation that aimed to address sexual based gender violence. For thirteen years, Milly Lwanga has been actively involved in the protection of human rights, offering technical assistance to Civil Society Organizations. She was involved in advocacy work as a Strategist and Trainer and conducted research on the status of implementation of the Sexual Offences Act. She conducted an audit of the capacity of the Judiciary to contribute to the development agenda, particularly under Vision 2030. She also worked as a Program Officer for Africa with the Raoul Wallenberg Institute of Human Rights Sweden (RWI), as well as with UNHCR before her appointment as a Commissioner



**Commissioner
Dr. Ahmed Yassin**

Commissioner Dr. Ahmed Yassin joined NCIC from the National Museums of Kenya where he served as a Director at the Research Institute of Swahili Studies of Eastern Africa (RISSEA) as well as Director Human Resources and Administration. Dr. Ahmed has been the Chairman of the Muslims Education and Development Agenda Network (MEDAN), Board Member Kenya Marine and Fisheries Institute (KEMFRI), and Secretary, National Museums Education Trust (NMET). Dr. Yassin holds a PhD from School of Oriental and African Studies, University of London. His thesis was on Conflict and Conflict Resolution among the Swahili of Kenya. He has MA in Social Sciences/Development Administration from University of Birmingham UK and is a holder of Certified Public Secretaries (Kenya) Part Two. He has attended numerous project management courses



**Commissioner
Jane M. Kiano EBS**

Commissioner Jane M. Kiano was the Chairperson of the National Council of Women of Kenya, the Kenya Literature Bureau and Alliance Francaise, Kenya. She is also the Patron of the Maendeleo ya Wanawake Organization and Vice President of the Common Wealth League. She is also a Board member of Family Health Foundation of Kenya. Commissioner Kiano was for many years the chairperson of Maendeleo ya wanawake organisation. She has vast experience as a teacher.

She was awarded the Elder of the Burning Spear in 1979 as an outstanding woman leader, and the Golden Mercury International Award dubbed "Ad Personam for Productive Development and International Co-operation" in 1982 in Addis Ababa, Ethiopia. Commissioner Kiano was recognized as Kenya Woman of the Year, 1974. She has a passion for working with disadvantaged members of society and is a strong believer of gender equality



**Commissioner
Fatuma Mohamed**

Commissioner Fatuma Mohamed holds a Masters and Bachelors degree in Gender and Development studies from University of Nairobi. Her career objective is to contribute to a safer Kenya through the improvement of governance structures that are gender sensitive.

Commissioner Fatuma was the first National Vice Chairperson of the National Council of Women of Kenya and the founder of Women Advancement Initiative, an NGO that spearheads the empowerment of

marginalised women in education, business and politics and eradication of negative cultural practices in North Eastern Province. Commissioner Fatuma was instrumental in resolving several conflicts in Garissa and the rest of North Eastern Province as the Secretary of Garissa Women for Peace Initiative. The organisation was set up by local women in response to the gender consequences of community conflicts. She is also a successful business woman and banker





**Commissioner
Halakhe D. Waqo**

Commissioner Halakhe D. Waqo is currently a Ph.D student in Conflict Studies at the University of Nairobi. He holds a Master of Art in Sociology and Conflict studies and B.Ed (Arts) degrees from University of Nairobi and Kenyatta University respectively. He has experience in international development and humanitarian work spanning over 20 years. He is an expert in peace building and conflict management, community mobilization, policy advocacy, pastoral development, fundraising human resource development and management. Com. Waqo served as a Global Coordinator, World Initiative for Sustainable Pastoralism (WISP/IUCN), International Conflict and Emergencies Advisor – Eastern Africa, with ActionAid International, Horn of Africa Advisor for African Council for Religious Leaders, and Programme Coordinator for Kenya and Rwanda Programmes with Oxfam GB, among others. He also served as international representative of the Board of International Council for Voluntary Agencies (ICVA) – Geneva, Switzerland and on boards of a number of local and regional development organisations. He has undertaken a number of private consultancies including facilitating training on conflict sensitive programming for nongovernmental organizations responding to post election violence in Kenya and conducted civic education training. He is an innovative, team builder and a manager who is able to relate and create trust in all. Commissioner Halakhe D. Waqo left the Commission in January, 2013 to join the Ethics and Anti-Corruption Commission.



**Commissioner
Alice Nderitu**

Commissioner Alice Nderitu is a Transitional Justice Fellow of the International Justice and Reconciliation Institute. She spearheads work on information, education and communication at the Commission.

Prior to joining NCIC, Commissioner Nderitu was the regional Director of Education of Fahamu, a UK registered charity with a head office in Oxford and a presence in South Africa, Brazil, Kenya and Senegal. She headed a program that worked to build capacities by developing and delivering training courses in human rights and conflict prevention in collaboration with the University of Oxford, The United Nations University for Peace and the UN High Commissioner for Human Rights.

Commissioner Nderitu was also one of the pioneer staff at the Kenya National Commission on Human Rights (KNCHR) as program head of Human Rights Education, where she led the drafting of the first human rights education curriculum for public officers. Ms. Nderitu has also worked with the Prisons Department as Senior Superintendent of

Prisons working as the personal assistant to the Commissioner of Prisons as well as human rights liaison officer.

Commissioner Alice Nderitu has mediated in several community peace initiatives in Kenya, Zimbabwe and Ethiopia. She also worked in a program that integrated militia groups into mainstream society in Rwanda, and contributed to the review of education curriculums in South Africa to accommodate race, ethnic and social cohesion. She has trained doctors supporting health programs in Somalia, Military and Law Enforcement Peace Keeping officers at the Rwanda Military Academy and the International Peace Support training college in Kenya on human rights and conflict prevention.

Commissioner Alice Nderitu is a guest lecturer at the University of Pretoria's Centre for Human Rights. Most recently, she has facilitated sessions at the John F. Kennedy School of Government at Harvard University on the impact of Kenya's Peace Accord



on social cohesion. She holds degrees in the fields of Political Science and Peace and Conflict studies from the University

of Nairobi, as well as diplomas in human resource management, human rights, and public communication.



**Commissioner
Rev. Lawrence K. Bomett**

Commissioner Rev. Lawrence K. Bomett has a Master of Divinity from Trinity Evangelical Divinity School – Illinois USA, a Bachelor of Theology from Ontario Bible College, Canada and a Diploma in Radio Programming and Presenting from Radio Worldwide Training Unit, UK. He is the Founder and Executive Director of Africans Reaching Africa Ministry USA, UK and Africa. He was ordained as a Pastor of the Protestant

Church where he has been serving since 1984, and served as the Senior Chaplain/Lecturer of Egerton University from 1994 to 2004. He was nominated to the 'Who is Who' in American Universities and Colleges because of his participation and contribution to the welfare of the Seminary. Commissioner Rev. Lawrence K. Bomett left the Commission in September, 2012.



**Commission Secretary Hassan
Sheikh Mohamed, OGW**

Mr. Hassan Mohamed has been the Commission Secretary since June 2010. Before joining the Commission, Mr. Hassan served in the provincial administration, as an administrative officer in several parts of the country. He also worked with the National Steering Committee on Peace Building and Conflict Management as a Coordinator and the National Treasury as a budget officer. Mr. Hassan was once seconded to

IGAD where he served as Assistant Special Envoy to the Sudan peace process in Khartoum. He was awarded the Order of the Grand Warrior of Kenya (OGW) in 2009 for his role in peace building after the post election violence. Mr. Hassan holds an MA in Economic and Social Studies (Development Administration and Management) from University of Manchester UK.

EX-OFFICIO MEMBERS

NCIC's ex-officio members include the Chairperson, Kenya National Commission on Human

Rights, the Chairperson of the National Commission on Gender and Equality and the Chairperson of Commission for the Administration of Justice.



**Commissioner
Otiende Amollo**

Mr. Otiende Amollo is the Chairperson of the Commission for the Administration of Justice. He served in the Committee of Experts on Constitutional Review and as the Chairman of the Kenya Section of the International Commission of Jurists (I.C.J.). He has also served as the Secretary

to the East African Law Society, joint Secretary to the Government of Kenya Implementation Committee on the Report of the Task Force on HIV and AIDS. He is the Sub-Editor to the East African Lawyer magazine and a board member to 'Kituo Cha Sheria' a legal advice center.



SAMUEL K. TOROREI, D.Phil-Human Eco; Msc. HPF; B.Ed (Arts

Dr. Samuel K. Tororei is the Ag. Chairman, Kenya National Commission on Human Rights. Prior to his appointment as a Commissioner to the KNCHR, he was a Lecturer at Moi University and the Lead Consultant with Empowerment Resources Centre (ERDC). Dr. Tororei is a Human Ecologist and a Health Economist with a

D. Phil in Human Ecology (Moi University), an Msc in Health Planning and Financing (London School of Economics). He has long and wide experience and expertise in disability and Non-Governmental work; University teaching at all levels and played the role of policy negotiation and dialogue in the Constitution of Kenya Review Process





**Commissioner
Winfred Lichuma**

Commissioner Winfred Lichuma is the current Chairperson of the National Gender and Equality Commission (NGEC). Winfred is a lawyer of over 20 years standing. Previously she has served as a Commissioner at the Kenya National Commission on Human Rights and has been a legal adviser to the National Aids Control Council. She also has worked as a practising Advocate of the High Court of Kenya. Commissioner Winfred Lichuma began her career as a Magistrate of the High Court of Kenya, a position she held for ten years and served around the country, growing up the ranks to Senior Resident Magistrate. Winfred has a wide experience in gender mainstreaming and human rights promotions and programming.

PROFILES OF NCICS DEPARTMENTAL HEADS



**Dr. Benjamin Kituku, Director -
Finance, HR and Administration**



**Dr. Julius Jwan, Director -
Programmes and Technical Services**



**Ms. Sella King'oro, Ag. Asst. Director -
Research, Policy and Planning**



**Mr. Kilian Nyambu, Asst. Director -
Civic Education and Advocacy**




**Mr. Guyo Liban, Asst. Director -
Reconciliation and Integration**



**Mr. Kyalo Mwengi, Ag. Asst. Director -
Legal Complaints and Enforcement**





One People
One Nation
One Destiny



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