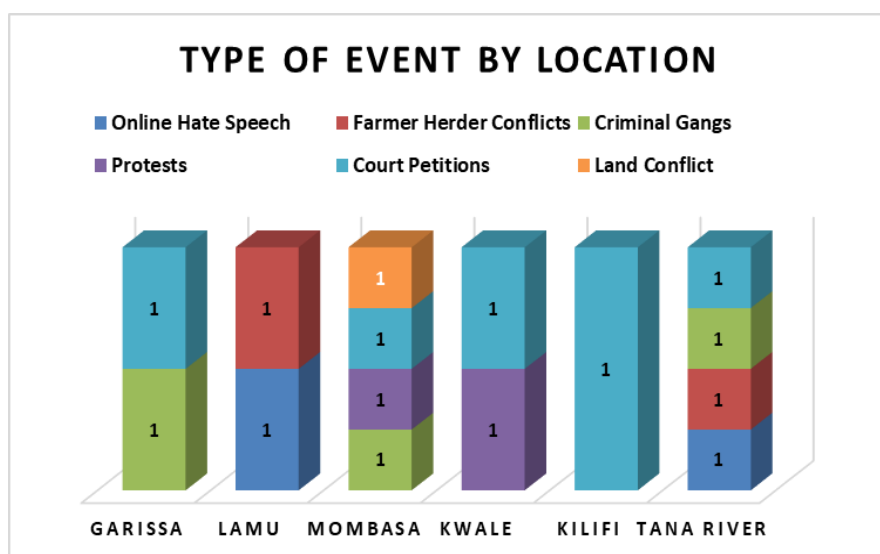


## CONFLICT SNAPSHOT

SEPTEMBER 26, 2022

### Conflict Evolution

Search for Common Ground (Search) in collaboration with the Human Rights Agenda (HURIA), Muslims for Human Rights (MUHURI), Kiunga Youth Bunge Initiative (KYBI), Tana River Peace, Reconciliation and Development (TRPRD) and Ijara Women for Peace has established an Early Warning and Early Response (EWER) system through embedded community observation and social media listening, with the aim to harness the shared information between communities, civil society organisations, and government authorities to identify and address imminent threats to peaceful elections, particularly looking at conflict trends, drivers and locations that could potentially trigger or experience violence. Social media listening monitors online conversations, with a focus on Facebook and TikTok, to track hate speech and misinformation trends and how these could potentially affect conflicts offline.



Between September 9 and September 24, 2022, Kenya's electoral context at the Coast and Garissa was marked by **petitions challenging gubernatorial elections** in Kwale, Garissa, Mombasa, Tana River and Kilifi counties, **criminal gangs' heightened activities** in Mombasa, Garissa and

Tana River counties, **farmer-herder conflicts** in Lamu and Tana River counties, **land Conflict** in Mombasa, **protests** challenging nominations to the County Assemblies in Mombasa and Kwale counties and **online hate speech** arising from the County Assembly Speakers elections in Lamu and Tana River counties.

Nationally, Hon. William Ruto was sworn in as Kenya's 5th president on September 13, after narrowly winning the August 9 election, in a pomp filled ceremony and cheery crowd as outgoing president Kenyatta and his successor shook hands in a peaceful transfer of power.

Hon. Raila Odinga turned down the invitation to attend the president's inauguration ceremony, charging in a statement that the election body did not conduct a "free and fair" poll. Further to this, in his first public speech since the supreme court verdict, he angrily hit out at the judiciary terming the institution as rogue<sup>1</sup>.

*"Shame on the judiciary of this country [...] If they become rogue, we have power as people of this country to reform them. We can lead a one million march and send them back home [...] Why should the people of this country wake up early to vote and get their time wasted? The IEBC is another rogue institution."*  
**Mr. Odinga, September 16, 2022**

Raila Odinga's running mate, Hon. Martha Karua, maintained that she is not in agreement with the Supreme Court judgement, saying she is pondering taking her grievances to the East African Court of Justice to seek further interpretation of the supreme court's ruling<sup>2</sup>.

*"Kwa vile koti ilisema tuko na hot air...hot air balloon inaweza nipeleka East Africa...I am actually considering whether to travel on a hot air balloon to the East African Court just to discuss that judgement. Hii si maono ya Azimio, now it's me as a Kenyan because also I'm entitled, as an individual, so it's something I'm considering."*  
**Martha Karua, September 10, 2022**

Sustained discontent with the supreme court decision and presidential election outcome continued to manifest online, with the Judiciary warning Kenyans of sponsored social media attacks on supreme court judges<sup>3</sup> through misinformation as a result of the September 5 ruling.

*"There has been an unfortunate trend of isolating individual judges and attributing the judgement to them. The Court has seven judges who are independent and highly respectful of each other as equals. A 'UNANIMOUS' judgement is a collective decision made by the Court and not by an individual,"*  
**Judiciary Statement, September 12, 2022**

In the coastal counties and Garissa, **petitions<sup>4</sup> challenging the governorship results** were filed in Garissa, Kwale, Kilifi and Mombasa counties. In Mombasa County, the petition was filed under a certificate of urgency to block Mr. Nassir from assuming office, alleging that Mr. Nassir benefited from a violation of the law when former Nairobi governor Mike Sonko was

<sup>1</sup> The Citizen, ['Shame on Judiciary', says Raila in first speech since Supreme Court verdict](#), September 16, 2022

<sup>2</sup> Citizen Digital, [Hesabu haziingiani martha karua says as she hints at heading to east african court](#), September 10, 2022

<sup>3</sup> Citizen Digital, [Judiciary Warns Of Sponsored Social Media Attacks On Supreme Court Judges](#), September 12, 2022

<sup>4</sup> Citizen Digital, [123 petitions filed by various candidates to challenge August elections](#), September 14, 2022

blocked from vying thereby denying voters a chance to pick Hon. Sonko as their leader. However, the High Court in Mombasa declined granting the conservatory orders hence the swearing in of Hon. Nassir proceeded as planned. In Kwale county, with the petition taken to court by the ODM gubernatorial aspirant, some residents, decrying marginalisation along tribal lines in the current administration allied to United Democratic Alliance (UDA), sworn to vote for the ODM gubernatorial candidate should the court nullify the gubernatorial results.

Nominations to the County Assemblies in Mombasa and Kwale counties has elicited **protests** alleging tribal favouritism and exclusion of vulnerable groups, particularly persons with special needs. The PWD special interest group in Kwale county derided under-representation in the county assembly, noting that no PWDs was in the nomination list of members.

*"Most nominations are just based on politics and parties are selecting the people loyal to them, leaving us behind. If that continues, who is going to fight for our rights?"* **John Mutiso, PWD Kwale, September 20, 2022**

In Mombasa County, the nomination of a youth from Lamu to the county assembly and lack of PWD representation caused dissatisfaction protests from the public, unsuccessfully objecting the nominations<sup>5</sup>.

In Tana River County, the election of the County Assembly speaker reignited ethnic and regional differences, manifesting in the form of **hate speech in online platforms**, alleging that the election favoured ethnic communities from the Tana Delta, who supposedly did not support the candidature of the current governor who hails from Galole. In social media posts trending online, this win was allegedly to be part of a bigger plan to impeach the current governor should the court petition fail, while communities from opposing political factions feel that they might be discriminated against in the service delivery after the elections.

*"The unity among the KIKOI Fraternity in the house has caused artificial earthquake in the devil's camp, at the same time it has sent shivers down the spine of the devil in particular. The UNITY has disturbed, devastated, frustrated, and raised the devil's hair to his tougher central part. I tell you the UNITY has crushed the blood curdling monster along with his Everest mountain by throwing him under the bus. But sincerely the UNITY was undeserved, unmerited, unworthy and was good for nothing because it arrived too late when the devil has gained ground, energy, velocity, magnitude, force, pace and dynamism. KIKOI Fraternity hesitated until when the devil has spread his muscles and achieved strength, power, firmness and toughness. Just imagine baselessly disagreeing and splitting 60k votes in a general election and allow the devil to penetrate in between then merely after almost two months agree over less than 20k votes [...]What would have happened to the devil if the UNITY had arrived way back before 2022 or even 2017???[...] But now uprooting the devil won't be a walk in the park [...]"* **Anonymous Social Media User,**

<sup>5</sup> KTN, [Nomination concerns: PWDs say the have been excluded from lists](#), September 19, 2022

**Tana River**

*"If the petition fails we impeach the Governor. We have the speaker, the number in the county assembly and the senate. If there happens to be a rerun we form the IrrdidBaretuma government. Inawezekana!"*

**Anonymous Social media User, Tana River**

*"A very big mistake has been made in the speaker election and this is the beginning of the fall of the chanamaro supremacy and chest thumping"* **Anonymous social media user, Tana River**

Similar inciteful speech was observed in social media handles, particularly Facebook and Whatsapp platforms, in Lamu county over the election of county assembly speaker with allegations of bribery to the tune of two million shillings made against members of county assembly in order to affect a particular voting pattern.

*"Tunatahadharisha wale MCA mko tayari kusaliti wananchi kuchagua speaker fake juu mumepromisiwa 2 million, nyinyi ni wasaliti wa wanchi na tunawapiga darubini...mumetawaliwa na butere bado mapambano. 2027"* [In English: "We are warning those MCAs who are ready to betray the community in selecting a fake speaker because of a 2 million reward, you are betrayers, and we are observing you... you are still being controlled by butere, the struggle continues 2027"] **Anonymous social media user, Lamu**

*"Take this and digest for lamunians health. We won't allow GIRAFFE [nickname for one of the speaker contestants, ndlr], Timamy's close relative, to be Lamu county speaker [...] this is unacceptable [...] ethnic groups will form and the battle will be tough."* **Anonymous social media user, Lamu**

**Criminal juvenile gangs** in Mombasa have reportedly scaled up operations in Likoni area after the elections. Observations from the embedded observers indicated that the members of the juvenile gangs had scaled down attacks during the campaign period since there was a lot of campaign money going into their pockets but after the campaigns were over, the armed gangs resorted to attacking the residents so as to get money, resulting in residents preferring to be indoors as early as 7pm fearing for their security. In Tana River County, **house break-ins** have increased in the post-election period in Mikinduni area, Galole, where youth gangs have broken house walls (made of mud) to steal valuables as well as removed iron sheets from houses. In Garissa County, our embedded observers reported a rise of juvenile gangs in Waberi in the last three weeks, attacking residents in the market and from mosques in broad daylight.

**Land conflicts** persist in Mombasa County, as reported in Mwananzala, Mtopanga ward, Kisauni sub county, on September 17, where squatters led by a former member of county assembly aspirant **invaded a private land** on the premise that the land belongs to them, resulting in tension in the area.

As the drought situation in Tana River and Lamu counties continues to deteriorate after the failure of four consecutive rain seasons, **farmer-herder** conflicts have persisted, with two cases reported out of the traditionally drought fall back areas of Kone and Gwano in Tana River sub-county, resulting in machete injuries to one person and camels hacked to death. In Majembeni area, Lamu county, two people sustained injuries while wading off an invasion of animals on their farmland on September 24. The farmer-herder dividing line in Lamu is reportedly to have further widened, as some locals instigate the conflict by virtue of the elected MCA being from the pastoral community.

### Risks and Opportunity Analysis

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As communities in the coastal counties and Garissa return to near normalcy in the post-election phase, volatile pre-existing conflict dynamics such as ethnic divisions, resource-based conflicts and criminal gangs are resurfacing further polarising communities.

Appointments in the county governments have left some factions of the communities feeling discriminated against and marginalised, with allegations of tribalism and favouritism marring nominations processes.

### Recommendations

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In the present context, embedded observers have recommended multi-stakeholder engagement with a focus on inclusion of all the ethnic communities, including the marginalised groups, to ensure that appointments into public offices / county government have a true community representation and participation. Sustained peace dialogues are also critical even though the elections are over, to ensure that peace endures beyond the electioneering period. Key stakeholders to include in these dialogues include security operators like police, DCC, ACC, Chiefs, Nyumba Kumi leaders, youth, women and community members at the grassroot level. Finally, observers recommended peer to peer sensitization talks to curb the problem of youth involvement in crime and antisocial behaviours. This can be coupled up with Maskani visits where youth get to sit and talk with their fellow youth and understand their problems to jointly develop solutions.



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