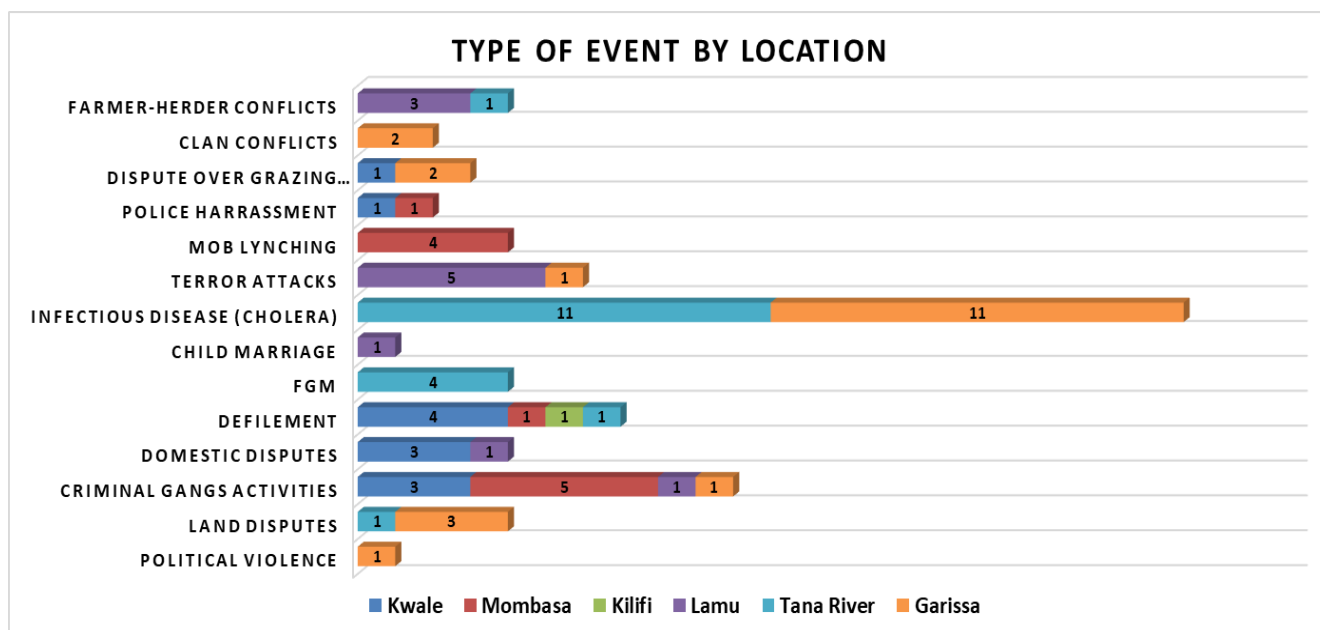


CONFLICT SNAPSHOT

FEBRUARY 3, 2023

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 in the post-election phase, 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 November 1 2022 and January 15 2023, Kenya's electoral context at the Coast and Garissa was marked by **heightened criminal gang activities (10)** in Mombasa, Garissa, Lamu and Kwale counties, **deaths resulting from a cholera outbreak (22)** in Tana River and Garissa counties, **child defilements (5)** in Kwale, Mombasa, Kilifi and Tana River counties, **Child marriage (1)** in Lamu county, **Land disputes (5)** in Garissa and Tana River counties, **domestic disputes (4)** in Kwale and Lamu counties, **Female Genital Mutilation**

(4) in Tana River county, **terror attacks (6)** in Lamu and Garissa counties, **Farmer-herder conflicts (3)** in Lamu county, **disputes over grazing land (3)** in Garissa and Kwale counties, **Clan conflicts (2)** in Garissa county, **mob lynching (4)** in Mombasa county and **political violence (1)** in Garissa county.

In a continuation to a long political process since the August 9 election, Hon. Martha Karua, The Azimio la Umoja One Kenya running mate in the August election, filed¹ a petition alongside Muslims for Human Rights at the East African Court of Justice in Arusha, Tanzania seeking to overturn President William Ruto's election.

In addition, on November 15, 4 petitions seeking the removal of four commissioners of the Independent Electoral and Boundaries Commission (IEBC) were presented to the National Assembly² on grounds of violation of the constitution, gross misconduct and incompetence. The Justice and Legal Affairs Committee later recommended their ejection from the IEBC³, to which the President later suspended⁴ and formed a tribunal to investigate them. However, the opposition accused the president of being behind the move to oust the officials, accusing him of being on a revenge mission against persons who questioned his victory and seeking to capture the electoral commission to smooth the path for his re-election in 2027.

"There is due process and natural justice, things aren't just done at the whims of the executive. The rule of law must prevail and not your jungle laws that you want to institute so as to subjugate Kenyans to a conveyor belt system of elections come 2027. We shall not relent." Raila wrote on Twitter in response to President' Ruto tweet criticising Raila describing him as one of the "lords of impunity, who destroyed oversight institutions during the last administration" , November 25, 2022

"The injustice being inflicted on the 4 IEBC commissioners, if it proceeds as currently conceived, will mark the beginning of a massive push back against Ruto and those who think like him, by the people of Kenya. We will openly and robustly lead that push back." Hon. Raila wrote on twitter, November 24, 2022

¹ The Star, [Karua moves to East African Court to challenge Ruto win](#), November 3, 2022

² People's Daily, [4 petitions seeking ouster of 4 'rebel' IEBC commissioners presented to National Assembly](#) Tuesday, November 15th, 2022

³ The Kenya Times, [JLAC Committee Recommends Ejection of Cherera Four](#), December 5, 2022

⁴ The Citizen Digital, [President Ruto Suspends 'Cherera 4' IEBC Commissioners](#), December 2, 2022

Hon. Raila later announced that he would lead major national rallies in December to defend the four besieged commissioners in Nairobi and other regions of Mombasa, Nakuru, Kisumu and Kakamega. A series of rallies have since been held from December 7th, dubbed public consultations with the people of Kenya to brainstorm on the direction the country is taking.

“On December 7th, at Kamukunji grounds in Nairobi, we'll launch public consultations with the people of Kenya to brainstorm on the direction the country is taking. We will return to the same venue on December 12th, to continue with these consultations on the state of our Nation.” Hon Raila wrote on twitter,

A legislator affiliated to the United Democratic Alliance (UDA) party has proposed a plan to scrap the two-term-presidential term and set the age limit for contesting for the same seat at 75 arguing that it denies performing leaders an opportunity to further develop the nation⁵. However, UDA distanced itself from the remarks by the legislator on abolishing presidential term limits, calling his plans 'a product of a fertile imagination'.

In the coastal counties and Garissa, **an upsurge of criminal activities by juvenile gangs** continue to manifest particularly in Mombasa county. On 1st November 2022, three people sustained severe machete injuries after an attack by armed gangs in Mtopanga, Mshomoroni and Junda in Kisauni, Mombasa county⁶. On 5th November 2022, a woman was attacked at lights, Kisauni, sustaining serious machete injuries that necessitated an ear grafting. On 17th November 2022, 10 male students from a local high school in Likoni, Mombasa were arrested after engaging in a fight with students from three other local high schools in Likoni, reportedly resulting from school rivalry. In Kwale county, two machete wielding suspects dressed in military uniform were arrested on December 27th by security officers in Kombani area. On 14th January 2023, a conflict arose between machete wielding youth gangs in Bongwe village in Kwale county who manned an illegal road block and stole from the public. No one was reported injured in this incident. On 12th January, armed youths from Kilolapwa village attacked Ibiza market forcefully grabbing goods on sale, injuring those who resisted them. In Garissa county, a woman succumbed to injuries after being attacked by knives wielding thugs on December 27th 2022.

On 22nd, 29th November, 1st and 7th December, 4 male youths were **lynched** by an irate public in Kisauni, Mombasa county, on suspicion of being criminals.

⁵ The Citizen Digital, [Fafi MP Salah Yakub Wants Presidential Term Limit Removed, Age Reduced To 75](#), November 2022

⁶ The Citizen Digital, [Watu watatu wajeruhiwa vibaya kwa kukatwa mapanga Kisauni](#), November 2, 2022

Community reporting of suspects to security officers was observed as **low** in all counties out of fear of revenge attacks. Parents of criminal youths have also been accused of aiding them from being arrested making arrests, convictions and rehabilitations difficult.

In response to the upsurge of criminal activities, security officers in Mombasa who conducted door to door searches in Utange on November 29th were accused of **high handedness and harassment** targeting school going children. In Kwale county, security officers were **accused of targeting bodaboda riders** after arresting 12 of them at the Kenyaloma stage, further fueling divisions.

In Tana River county, since the onset of cholera disease on 17th November, **548 cases** have been reported in Madogo, Mororo and Bura areas, leaving at least **11 people dead** as of 12th January 2023⁷. However, locals say the death toll may be higher as more have died at home, attributed to cultural beliefs of using traditional herbs to cure the disease while only rushing their sick ones when it is too little too late. In Garissa county, index cases were reported in October 23 in Hagadera and Dagahaley refugee camps and has since risen to **1724 cases** while **11 people succumbed** to the disease as of January 14th 2023⁸.

In the wake of school closures, **child defilements** rose significantly, including two cases of sodomy in Kwale county and 5 cases of defilements reported in Kwale, Mombasa, Tana River and Kilifi counties. All of the reported cases are still under investigation. Further to this, four cases of **Female Genital Mutilation** were reported in Kasarani area, Hola Tana River county on December 19th 2022. Two women were charged in court, one of them being the mother to the victims on charges of aiding and abetting FGM. In Lamu county, Mavuno area, a 14 year old was rescued from a planned **child marriage** to a 51 year old on 10th January 2023. Domestic disputes, manifesting as **intimate partner violence**, were observed during the December period in Kwale and Lamu counties.

In Lamu county, several **terror attacks** were reported in the wake of the new year. On 26th December, an attack was recorded at Ziwa la Taa area in Witu, Lamu county that resulted in the death of two people. On 28th December, approximately 10 armed militia disguised as army soldiers laid a road block at Witu forest, successfully stopping four vehicles before security officers on patrol arrived prompting a shoot out. One motorcycle was burnt while one foreigner was abducted during the incident but later rescued. This prompted the government to remove all roadblocks on the Garsen-Witu-Mokowe road and increase patrols. On December 30th, exchange of heavy fire was reported in Pandanguo after an army car was attacked. On January 5th, two houses were razed down at Ziwa la Ngombe. In

⁷ Kenya Broadcasting Corporation, [Cholera death toll in Tana River hits eleven](#), January 12, 2023

⁸ Kenya News Agency, [Garissa On High Alert Over Resurgence Of Cholera Outbreak](#), January 14, 2023

Garissa county, suspected militia attacked a convoy of Kenya National Highway Authority (KeNHA) engineers on routine assessment of the LAPSET road on January 11th with improvised explosive devices, killing four people.

Campaigns for the **by-elections** in Garissa county, scheduled for January 5th, turned violent after one of the main contestants in the Garissa by-election vehicle was **sprayed with bullets** on December 27th 2022. No casualties were reported in this incident.

Farmer-herder conflicts persist in Lamu county, aggravated by the ongoing drought situation in the country. Invasion of farms by herds of animals was reported on 7th November in Mavuno (Lamu), on 26th December in Witho (Lamu), 30th December in Majengo (Tana River) and 5th January in Mavuno (Lamu).

Land conflicts stemming from lack of proper ownership in Ifitin, Garissa county are evolving to take an inter-clanism conflict dynamic as two clans clashed on 5th January in Bula Hagar Madena Ward, resulting in the death of one person and several injuries.

Risks and Opportunity Analysis

In the current context, the upsurge of criminal gang activities has resulted in community violence, referred to as 'community justice' in street terms, witnessed by the several mob lynching incidents reported in Mombasa county, targeting suspected gang members in their quest to supplement justice.

In Kwale, Mombasa, Lamu and Tana River counties, a silent conflict involving children persists. Several incidents of violence against children have been observed, yet only one successful prosecution has been recorded. Harmful cultural norms as well as the culture of silence, especially where violence is perpetrated by close kins, have been observed as impediments to addressing these conflicts.

Recommendations

Based on the trends observed, there is a need to focus on enhancing public trust in security and justice systems to effectively address crimes, as well as address barriers to community reporting of suspects.

Child protection awareness, services and response needs to be enhanced at the community level, targeting local government authorities and community influencers through capacity building sessions for protection against physical abuse, sexual abuse and neglect.



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