



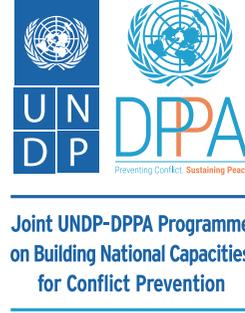
LEAVE NO ONE BEHIND

PEACE AND CONFLICT ANALYSIS:
THROUGH THE EYES OF THOSE AT RISK OF BEING LEFT BEHIND



KENYA
MARCH 2022





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FOREWORD

Leaving no one behind (LNOB) is the cherished principle that sits right at the heart of the world's 2030 Sustainable Development Agenda. Simply put: societies whose development includes all their people are not just more egalitarian; they grow and prosper faster, stronger and more durably. Ensuring no one is left behind in the development process is thus an essential challenge of our times for all countries and all peoples.

Kenya has a very special, guiding relationship to the 2030 Agenda and the 17 Sustainable Goals (SDGs). Along with the Republic of Ireland, Kenya had the honour to co-chair the final intergovernmental negotiations for the landmark, unanimous adoption of the SDGs at the United Nations General Assembly in 2015.

It is all the more appropriate, therefore, that the Government of Kenya and the United Nations together have prepared this LNOB analysis of Kenya's ongoing and remarkable sustainable development journey. As UN Kenya begins preparation of its new Sustainable Development Cooperation Framework to support Kenya's government and people, gaining a granular picture of inclusion and the risk of those who might be left behind is all the more vital.

This LNOB study was led by the Peace and Development Team (PDT) in the Resident Coordinator's Office. The project was conceptualized and implemented in close collaboration with, and support of the Folke Bernadotte Academy (FBA). The UN in Kenya and FBA executed the research through close collaboration with the Ministry of Interior of the Government of Kenya, the Conflict Analysis Group (a multi-stakeholder group and a key component of Kenya's National Infrastructures for Peace) and the Institute for Development Studies (IDS) at the University of Nairobi. The collection and analysis

of data was led by Prof. Karuti Kanyinga and his team from the IDS. The peace and conflict analysis was led by the Conflict Analysis Group, co-chaired by the Ministry of Interior and SRIC, through consultations and interviews carried out in ten counties across Kenya, affording a precious additional voice to those at risk of being left behind.

UN Kenya is grateful to all the contributors to the report, but especially to the following colleagues. First, we must salute the unique contribution of Christian Altpeter of FBA. We would not have been able to conclude this complex process without Christian's personal commitment, engagement and accompaniment of the project. From UN Kenya, we recognize Rana Taha's inspiring leadership as Peace and Development Adviser, Prisca Kamungi's terrific engagement in the overall coordination of and substantive contributions to this complex process, Lara Horstmann for skillfully leading the data analytics side of the report, and last but not least Tabitha Karuna Sugumar and Yingyu Cao, our savvy and capable Data Science Graduates from Columbia University who provided insightful and unique contributions to the entire report. UNDP Kenya, our prized 'integrator' for the SDGs, provided continuous support to the various teams.

We are enormously grateful to the UN Kenya agencies, funds and programmes and their leaders who provided additional data, insights and analysis to support this analysis.

And most of all, we thank all the Kenyan women and men who contributed their time and wisdom to the multiple interviews and consultations that underpinned the research.

Stephen Jackson
UN Resident Coordinator - Kenya

EXECUTIVE SUMMARY

The Common Country Assessment (CCA) and the United Nations Sustainable Development Cooperation Framework were adopted as strategic planning tools for the UN system. The analytical frame of the CCA is directly linked to key elements of the programming principles in the Cooperation Framework Guidance and the implementation of the 2030 Agenda for Sustainable Development. This analytical frame delivers thematic analyses based on the principles of leaving no one behind (LNOB), human rights, gender equality & women's empowerment, sustainability & resilience, and accountability. To strengthen the incorporation of LNOB perspectives in the CCA process, the Peace and Development Unit (PDU) in the UN Resident Coordinator's Office Kenya and the Folke Bernadotte Academy (FBA) with support from the Conflict Analysis Group and the University of Nairobi, conducted a multilayered analysis of who is left behind or at risk of being left behind in Kenya. This analysis informs the peace and conflict dynamics from the perspective of the most marginalized, disenfranchised and disadvantaged communities in Kenya.

The evidence-based investigation examined deprivation across five factors identified in the LNOB framework i.e. discrimination, vulnerability to shocks, governance, socioeconomic status, and geography. These five factors

were used to identify specific LNOB groups. The LNOB analysis found that considering all assessable indicators, ten of the 47 counties are at risk of being left behind: Mandera, Wajir, Garissa, Turkana, West Pokot, Marsabit, Tana River, Isiolo, Kwale, and Kilifi. These counties have faced historical and economic marginalization and have the lowest human development indicators in the country. Thereafter, a Peace and Conflict Analysis (PCA) was carried out targeting those groups.

The assessment found that the risk of being left behind is closely linked to National Development Policies. At independence from colonial rule, the Government's blueprint for socio-economic development, planning and resource distribution favoured economic development in areas with arable land. Implementation of this blueprint led to systematic marginalization of Arid and Semi-Arid Lands (ASAL) and non-agriculture-based economies in Northern and North Eastern Kenya, Nyanza and Coast regions. Policies that require sustainable exploitation, management and conservation of the environment and natural resources have inadvertently led to the eviction of forest dwellers. While devolution, equalization and affirmative action programmes have made progress in reaching those furthest left behind, the interventions remain sub-optimal due to inefficiencies resulting from

Figure 6: LNOB groups identified through fieldwork

LNOB Groups By County

Nairobi: Elderly people living alone or caring for others, urban refugees, LGBTQIA community, Recently recognized groups due to legacy of exclusion – e.g. Nubi

Elgeyo Marakwet: Sengwer evicted from forest with contestation as to compensation.

Uasin Gishu: Ogieks – small gatherer population whose lifestyle has been ignored in policy/decision-making

Homa Bay: Suba community discriminated against by as well as Ugandan police forces

Narok: Small clans lack political voice, Ogiek at risk of eviction from Mau

Tharaka Nithi: Tharaka people experience discrimination due to associations with poverty, witchcraft, and underdevelopment. Region lacks access to infrastructure. 'Kabonokia' group that resists modern practices

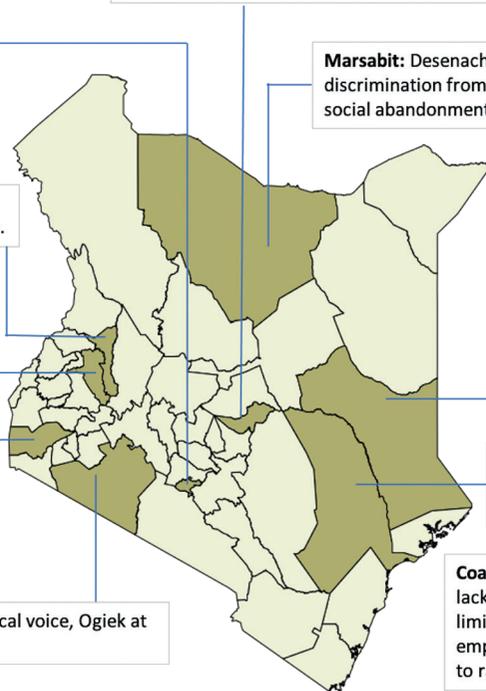
Marsabit: Desenach, El-molo – traditional religious group face discrimination from Muslims & Christians, widows suffer from social abandonment if they refuse husband's relative

Daadab: Kenyan host community that registered as refugees. With the repartition, they have no home to go to in Somalia and no status as Kenyans.

Garissa: Pastoralists affected by climate change, low road access

Tana River: Watta, Waliwana, Bajuni, Somali many but excluded, people displaced by flooding along River Tana

Coast area: Youth (particularly stateless) lack access to documentation (ID cards) limiting tertiary education & employment, and are more vulnerable to radicalization



practices of exclusion, corruption, nepotism, inter-group animosity and a lack of technical capacity in institutions.

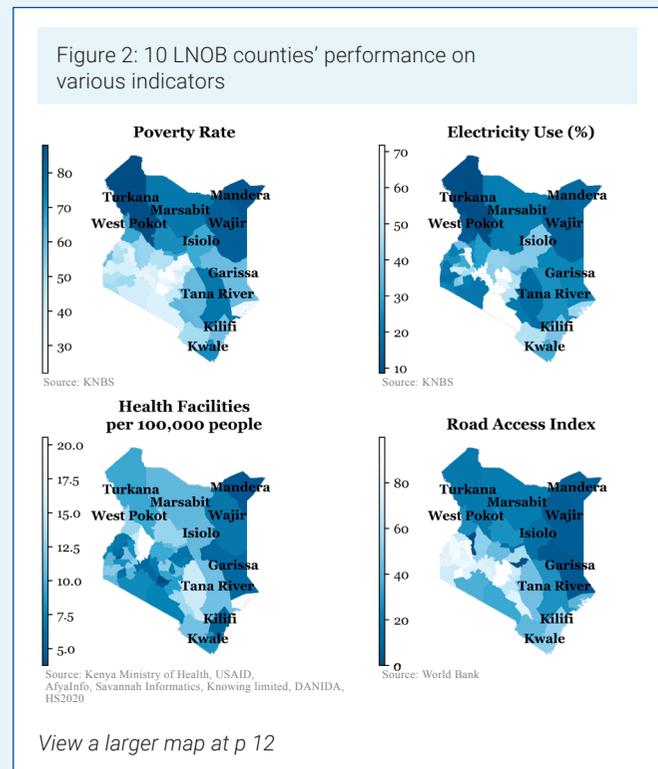
High levels of inequality in society can obscure the presence of groups at risk of being left behind in counties that appear to be doing well. By various metrics, Nairobi, Mombasa, Kiambu, Garissa, Nyeri, Tana River, Kilifi, Kwale, and Lamu Counties have higher levels of inequality compared to the national average. This reveals a lack of shared prosperity. Data shows prominent governance challenges in Nairobi, Nakuru, Narok, TransNzoia and Busia, which are not necessarily left behind according to other indicators. These counties are ethnically heterogeneous.

Small ethnic groups, sub-ethnic groups and clans face discrimination and lack political representation due to their low numbers. The Ogiek, Dorobo, El-Molo, Sengwer, Yaaku, Watta, Sanye, Bajuni, Burji and 'corner groups' in Northern Kenya are often ignored by large communities in governance and political processes. Stateless groups, including those recently recognized and registered as Kenyan citizens (Nubians, Shona, Makonde) have faced legal barriers to access public services. In all counties, there are sections of the population that are at risk of being left behind regardless of their ethnic identity. Sub-categories of women (teenage mothers, infertile or childless women, unmarried mothers, widows), members of the LGBTQIA community (lesbians, gays, bisexual, transgender, queer, intersex and asexual), people with albinism, persons living with HIV and people living with disabilities (PWDs) face everyday exclusion, violence and/or stigma.

Members of the LGBTQIA community and commercial sex workers, in particular, face harassment and attacks by members of the public and law enforcement agencies whilst having weak laws and institutions to

protect them. Young women are largely excluded from political processes and the labour force. Orphaned and vulnerable children (OVC) face multiple barriers, including child labour and sexual exploitation. FGM is highest in most rural areas with poor infrastructure and the least access to basic goods and services. Low levels of education, limited livelihood opportunities, conflict, displacements, and gender inequalities including early and forced marriages have been linked to harmful social and cultural practices contributing to human trafficking.

While numerically small groups were found to suffer a lack of political voice and representation, some large



Council of elders FGD meeting in Tana River County

communities are at risk of being left behind due to a lack of access to identity documents or because they are labelled 'outsiders' or 'guests' in areas where they reside. Access to documentation has been particularly difficult for youth in North Eastern Kenya and Coastal areas. Because of a lack of documentation, access to education and/or employment opportunities is limited, which increases their vulnerability to radicalization. Refugees living outside designated camps, PWDs working in the informal sector and members of hunter-gatherer communities experience discrimination, violence and arbitrary eviction.

People living in poverty in North and North Eastern Kenya face a heightened risk of recurrent resource-based conflicts and terrorism. Unemployed youth are at higher risk of human trafficking and recruitment into terrorist networks. Poor youth in urban informal settlements are at risk of political violence and human rights violations. The COVID-19 pandemic has caused severe socio-economic impacts particularly among the poor in urban informal settlements, where people already face inadequate social services and excessive use of force by security agencies. Groups living in arid and semi-arid areas (ASALs) and regions susceptible to flooding are most vulnerable to shocks and risks related to climate change, including intercommunal conflicts and resource-based conflicts in Northern Kenya (the Frontier Counties Development Council).

The current assessment found that groups that are left behind or at risk of being left behind reflect structural violence in Kenya. These groups are not the main protagonists in violent conflicts and political contestations between large communities. They are excluded from political settlements that shape the

distribution of power and resources. Often, they bear the brunt of the absence of laws, limited access to services and infrastructure and the negative impacts of development projects.

The assessment revealed a critical lack of an overarching UN framework to operationalize the LNOB concept to assess and monitor LNOB groups as well as related UN and national policies. There is also a lack of a robust approach to ensure recognition of LNOB perspectives that will inform UN internal programming. Further, there are massive LNOB data gaps – at both UN and national partners' level. Hence, the following key recommendations were made:

- UNCT with support from RCO to develop a clear, human rights-based, gender and conflict-sensitive framework to identify LNOB groups and operationalize the LNOB concept for Kenya.
- UNCT to develop a strategic plan with clearly defined goals and benchmarks that result in the achievement of the SDG promise of LNOB, including mainstreaming LNOB considerations in developing programming and responses, like the COVID-19 response.
- All agencies to conduct an internal assessment of inclusiveness and geographic distribution of programming activities in recognition of the findings of this analysis, taking into consideration the groups and counties identified as left behind or at risk of being left behind in this report.
- UN agencies and partners to adopt an LNOB perspective to inform programming, including identification of beneficiary groups and areas of operation to reach those furthest left behind as a strategy to accelerate the achievement of their strategic and development goals and to build inclusive societies.



Key informant interview with the Deputy county Secretary in Garissa County



INTRODUCTION

The determination to Leave No One Behind (LNOB) is inscribed at the heart of the United Nations Sustainable Development Agenda 2030, which member states solemnly and unanimously adopted in 2015. As co-chair (together with Ireland) of the final intergovernmental negotiations of Agenda 2030, Kenya has a very particular devotion to LNOB.

This assessment aims to identify LNOB groups in Kenya, generate insights into the factors that contribute to their marginalization and understand the intersectional risks and vulnerabilities that impact the lives of those most left behind or at risk of being left behind. The goal is to bring their voices to the center of the CCA process in order to enable, increase and mainstream LNOB-sensitive programming. Based on the catalytic effect of the UN Secretary-General's Data Strategy, the study draws on a hybrid model of qualitative and quantitative methodologies, and provides data-informed insights to advise the design of programs, policies and practices in compliance with central UN principles, including a Human Rights-Based Approach and Do No Harm.

This LNOB analysis hopes to contribute to a holistic, in-depth strengthening of the ability of the UN, the Kenyan Government and stakeholders to act and leave no one behind. By providing concrete, evidence-informed examples of groups, communities and counties, the assessment aims to inform equity-based policymaking towards the 2030 Agenda goals and inclusive SDG implementation, and COVID-19 response and recovery. As a prerequisite of a thorough CCA conflict analysis,

the analysis contributes to the adoption of an integrated LNOB approach to peace and conflict analyses, including how LNOB groups are affected by conflict and peace dynamics, tensions and violence. The LNOB analysis was based on the five-factor framework of the UN Sustainable Development Group's draft operational guide on LNOB.¹ The framework's five factors are: discrimination, vulnerability to shocks, governance, socioeconomic status, and geography. Those groups and individuals furthest left behind will be either those who are facing multiple or compounding forms of deprivation, disadvantage or discrimination in line with these factors or those who suffer from the most extreme forms of deprivation, disadvantage or discrimination in one or more of these areas.



Youth take part in an FGD, Katunga Location – Tharaka Nithi County

¹ <https://unsdg.un.org/sites/default/files/Interim-Draft-Operational-Guide-on-LNOB-for-UNCTs.pdf>

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The LNOB analysis relied on quantitative data sets from the Kenya National Bureau of Statistics (KNBS) to identify counties and groups at risk of being left behind and those furthest left behind. The Peace and Conflict Analysis was conducted among the identified groups in 13 counties left behind and experiencing recurrent violent conflict.² By seeking out groups that are normally not consulted in expert conflict analyses, this assessment aims to ensure that UN programming is inclusive, guided by Do-No-Harm and conflict sensitivity principles designed to address the needs and concerns of those furthest left behind.

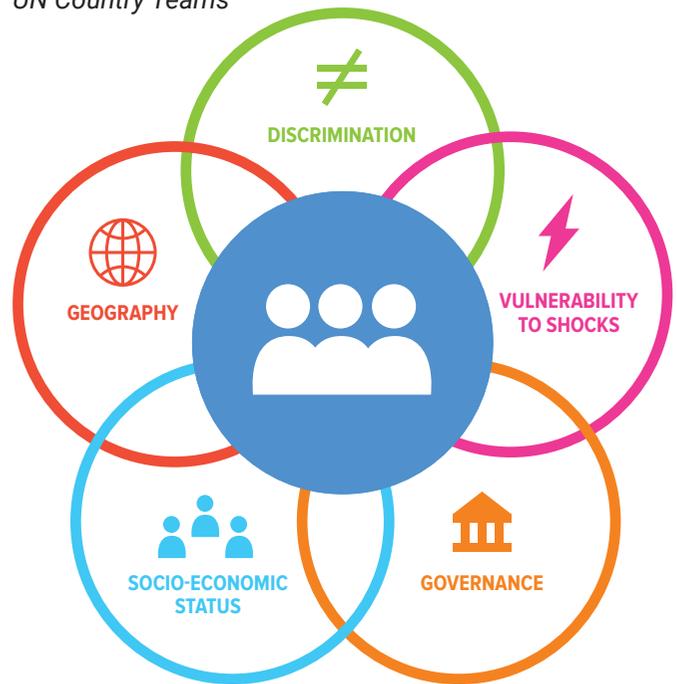
The analysis examines the intersection of identity and vulnerability, the relationship between policies and the risk of being left behind at different levels, and the links between being left behind and violent conflict.

What do we mean by 'leaving no one behind'?

The United Nations approach to "leaving no one behind" not only entails reaching the poorest of the poor, but also seeks to combat discrimination and rising inequalities within and amongst countries, and their root causes. The determination to leave no one behind (LNOB) is inscribed at the heart of the United Nations Sustainable Development Agenda 2030, which Member States solemnly and unanimously adopted in 2015. As a Co-chair (together with Ireland) of the final intergovernmental negotiations Agenda 2030, Kenya has a very particular devotion to LNOB. Leaving no one behind means moving beyond assessing average and aggregate progress, towards ensuring progress for all population groups at a disaggregated level. This will require disaggregating data to identify who is being excluded or discriminated against, how and why, as well as who is experiencing multiple and intersecting forms of

discrimination and inequalities. This will entail identifying unjust, avoidable or extreme inequalities in outcome and opportunities, and patterns of discrimination in law, policies and practices. This will also entail addressing patterns of exclusion, structural constraints and unequal power relations that produce and reproduce inequalities over generations, and moving towards both formal and substantive equality for all groups in society. This will require supporting legal, policy, institutional and other measures to promote equality and reverse the trend of rising inequalities. This will also require free, active and meaningful participation of all stakeholders, particularly the most marginalised, in review and follow-up processes for ensuring accountability, recourse and remedies to all.

Leaving No One Behind. A UNSDG Operational Guide for UN Country Teams



FGD meeting in Migori town, Migori County. Conversation about peace and security with the youth

² Homa Bay, Migori, Tana River, Elgeiyo Marakwet, Uasin Gishu, Samburu, Garissa, Marsabit, Narok, Bomet, Tharaka Nithi, Turkana and Nairobi



METHODOLOGY AND DATA

The University of Nairobi and the UN Peace and Development Unit Data Analytics Team conducted an LNOB analysis between September 2020 and April 2021.

Results from the LNOB analysis informed the Peace and Conflict Analysis, conducted in 2021 by the Conflict Analysis Group, a committee of the National Steering Committee on Peacebuilding and Conflict Management that brings together the Ministry of Interior, independent commissions, academic institutions, peacebuilding CSOs and peace committees, which make up the national architecture for peace. The Peace and Conflict Analysis was undertaken in 13 counties, which were identified using the following criteria: (i) appearing in

all the indicators of the LNOB factors (discrimination, vulnerability to shocks, governance, socioeconomic status, and geography); (ii) geographical distribution of groups left behind; (iii) experience of ongoing or longstanding conflicts, and (iv) little prior conflict assessment based on existing literature. Focus Group Discussions (FGDs) with members of communities left behind and representatives of the Government, CSOs and peace structures provided additional insights.

To operationalize the assessment of the five LNOB factors, an indicator matrix was created to allow for comparative analysis of the factors based on available data.³

SOCIOECONOMIC STATUS

- Gini coefficient
- Poverty rate
- Food security
- Received antenatal care from skilled provider
- No schooling (%)
- Men with at least secondary education (%)
- Women with at least secondary education (%)
- Relative Wealth Index (RWI)
- Variation in RWI

GEOGRAPHY

- Electricity use (%)
- Mobile phone ownership (%)
- Road access index (RAI)
- Internet use (%)
- Health facilities per 100,000 people
- Health facilities per 10,000 sqm
- ICU beds per 100,000 people

GOVERNANCE

- Believes Government is highly corrupt (%)
- Fund allocation per capita
- Magistrate courts per 100,000 people

³ Data sources included: UNCT, KNBS, World Bank, Kenya National Treasury, UNDP, UN Women, Famine Early Warning System, Facebook Data for Good, Kenya Ministry of Health, USAID, AfyalInfo, Savannah Informatics, Knowing Limited, DANIDA, HS2020, Transparency International, State of the Judiciary and the Administration of Justice, UNICEF, IOM, OHCHR, and Regional office for Africa

Gaps in data availability restricted quantitative methods to focus on socioeconomic status, geography, and governance factors. A lack of disaggregated data limited the identification of left-behind groups at the county level. These counties were selected using multi-objective optimization based on simple ratio analysis (MOORA⁴), which involved scaling selected indicators, aggregating those scaled values, and ranking counties by the resulting number. Data gaps, lack of disaggregated data, and inconsistent data collection across all factors were the most prevalent challenges to conducting a comprehensive quantitative LNOB analysis for Kenya.

After identifying LNOB counties according to the available data, qualitative methods were used to identify specific LNOB groups within those counties and inform the conflict analysis. Primary data collection through interviews of focus groups and consultations led by the Conflict Analysis Group, and a survey of UNCT agencies on their use of LNOB frameworks complemented findings from the quantitative analysis. A total of 123 Key Informant Interviews (KIIs) and 29 Focus Group Discussions (FGDs) involving at least 290 people were held with members of groups left behind or at risk of

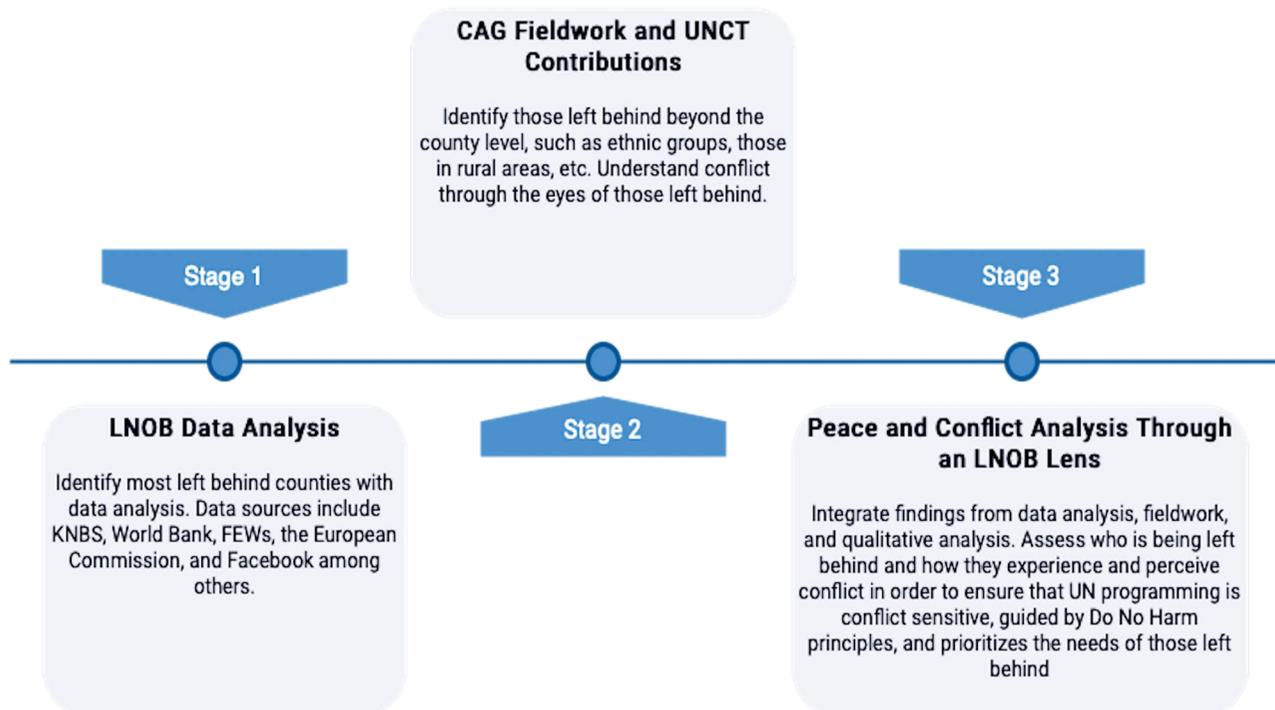
being left behind. The 290 people included national and county government administrative officers, civil society organizations (CSOs), security agencies, religious leaders and peace structures including peace committees, grazing committees, community policing committees, and community elders. Of those interviewed, 48% were women and 52% were men. The qualitative information was analyzed through thematic content analysis.



Youth take part in an FGD, Katunga Location - Tharaka Nithi County

Figure 1: LNOB and Conflict Analysis Workflow

Peace and Conflict Analysis Through the Eyes of Those Left Behind: Our Workflow



⁴ Aytaç Adalı, E., Tuş Işık, A. The multi-objective decision making methods based on MULTIMOORA and MOOSRA for the laptop selection problem. J Ind Eng Int 13, 229–237 (2017). <https://doi.org/10.1007/s40092-016-0175-5>



KEY FINDINGS

LEAVE NO ONE BEHIND ANALYSIS

The hybrid methodology of quantitative and qualitative techniques revealed the following findings in relation to data:

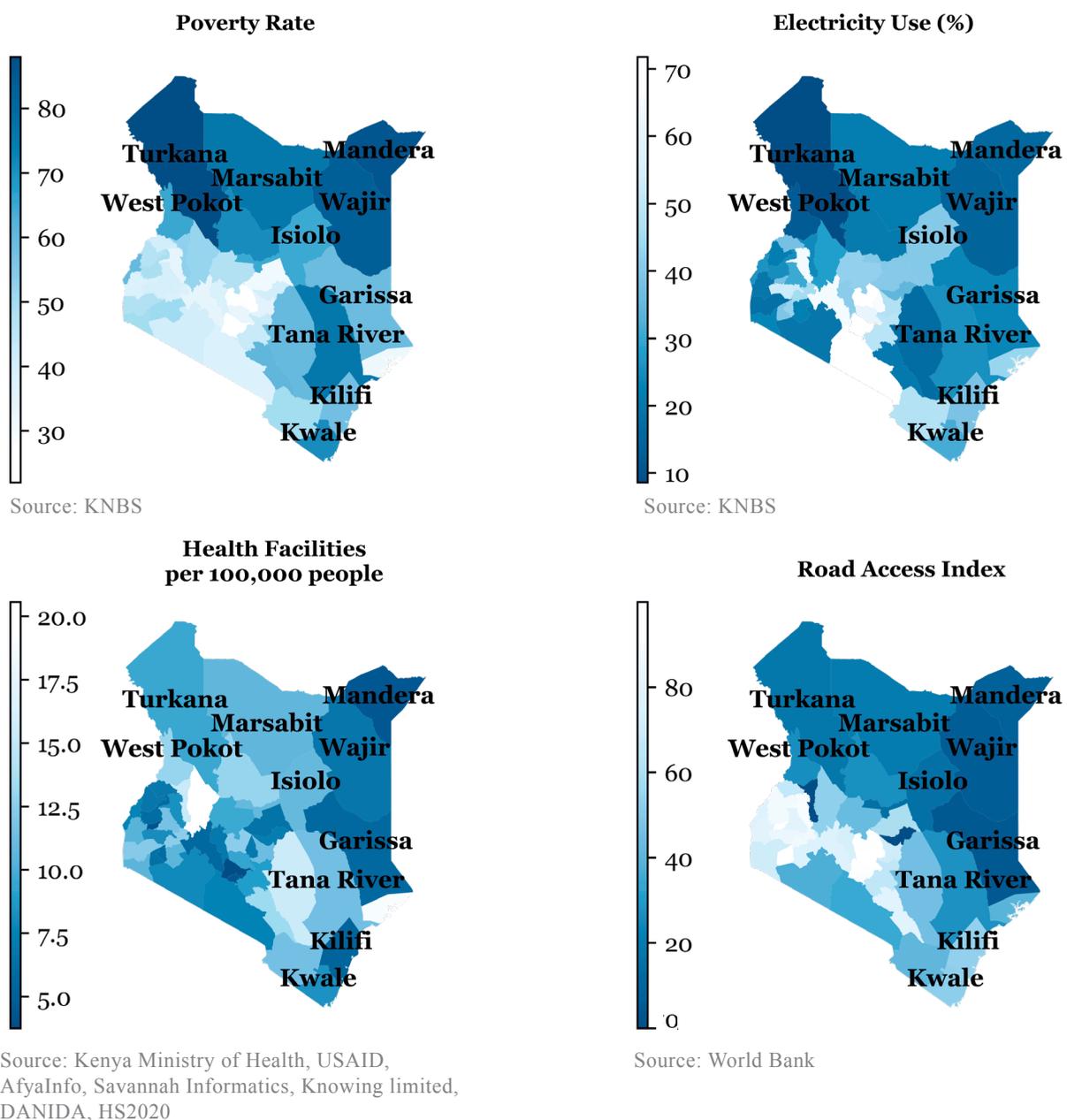
- i.** A survey conducted by the Peace and Development Team showed a lack of coherence in the way UN agencies assess LNOB groups due to the absence of a clear framework to operationalize LNOB. Such a framework, including clear guidelines for core data and analytics, would allow for more thorough assessments of LNOB groups and their relative vulnerabilities and allow for more targeted programming.
- ii.** Lack of common and clearly defined taxonomies and definitions of LNOB, incl. for data and benchmarks, within the UNCT obstructs comparability of LNOB analyses and target groups (who is left behind furthest, which groups need to be prioritized, level of urgency of vulnerability).
- iii.** Lack of data visibility, availability, accessibility, interoperability and inconsistencies in the collection of baseline data relevant for LNOB were identified as main challenges.
- iv.** Inconsistent frequency in data collection and varying degrees of disaggregation of data from agencies and national partners decrease comparability and pose a significant challenge to conducting data-informed LNOB analyses (e.g., GDP data from 2017, poverty rate from 2013, Gini coefficient from 2005).
- v.** Although some agencies, as well as national partners (e.g. KNBS), have rich data on LNOB indicators, data is not always accessible. Data that is shared or published in PDF or other formats hinder rapid, further use of data.
- vi.** KNBS census data remains essential for the UN as a source for LNOB analyses; however, UNCT's engagement with KNBS and other external partners lacks standardization and is often dependent on individually established relationships rather than systematized institutional relations.

On the risk of being left behind, the study found that concerning the five factors (discrimination, vulnerability to shocks, governance, socioeconomic status, and geography), the ten furthest left behind counties are **Garissa, Isiolo, Kilifi, Kwale, Mandera, Marsabit, Tana River, Turkana, Wajir and West Pokot**.⁶ These counties score poorly across multiple indicators and experience impediments to accessing Government and public services, have relatively weak governance structures and adverse climate change impacts. A majority of these counties are in North and Northeastern Kenya, which has faced historical marginalization. However, due to lack of data across several indicators, it was difficult

to undertake more nuanced investigations – such as understanding what groups were struggling in counties with high levels of inequality, or investigating beyond broad categorizations.

Investigating the relationship between indicators helps in understanding precisely how leave no one behind factors intersect. For example, correlation analysis found that counties with high poverty rates tend to have a larger percentage of the population without schooling, less electricity use, low cellphone ownership, internet use, and women with at least secondary level education.

Figure 2: 10 LNOB counties' performance on various indicators



⁶ Mandera, Wajir, Garissa, Turkana, West Pokot, Marsabit, Tana River, Isiolo, Kwale, Kilifi

Governance challenges are prominent where people face disadvantages due to ineffective, unjust, unaccountable, unresponsive institutions, or inequitable laws, little political representation, and weak policies. These are prominent in counties that are not necessarily left behind, including Nairobi, Nakuru, Narok, TransNzoia and Busia. Counties where a large proportion of the population believe there is high corruption were found to have more cellphone ownership, lower levels of poverty, and a smaller proportion of the population that never attended school.

At the same time, counties with high usage of electricity also have more cellphone ownership and internet use, and a larger percentage of women who achieve at least secondary education. Qualitative analysis indicated patterns between geography and gender discrimination. For instance, Female Genital Mutilation (FGM) is highest in most rural areas with the least access to basic goods and services and infrastructure. Low levels of education, limited livelihood opportunities, conflict, displacements, and gender inequalities including early and forced marriages have been linked to harmful social and cultural practices.

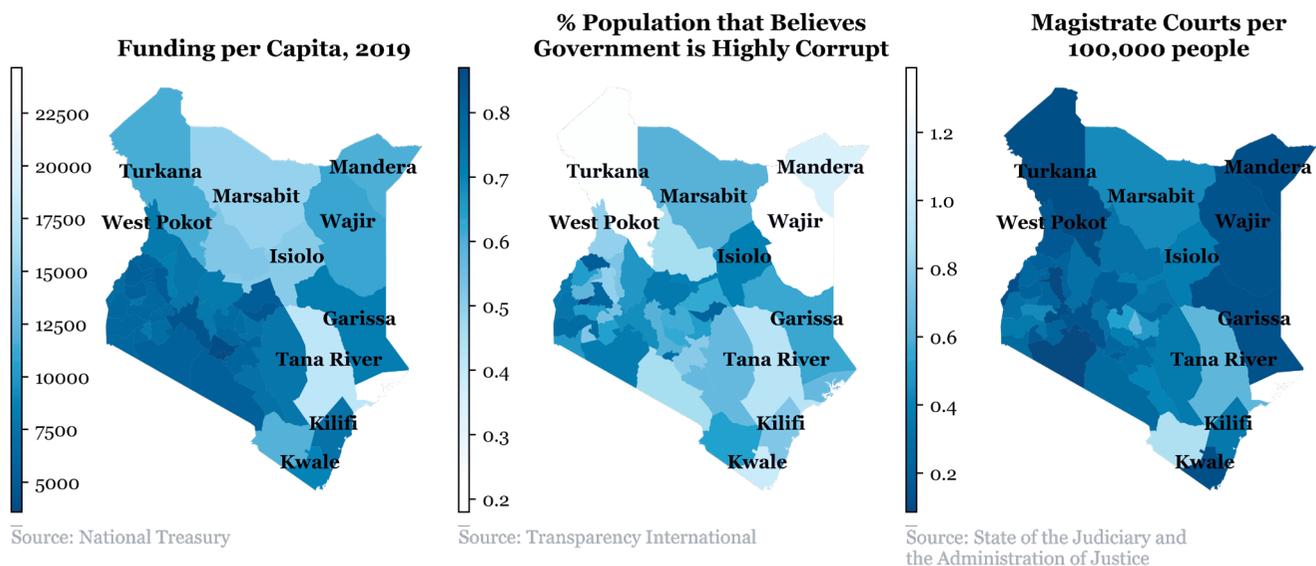
High levels of inequality obscure the presence of groups at risk of being left behind within counties that appear to be doing well, notably groups living in urban informal settlements in counties that are not classified as left behind. The Gini coefficient, a measurement of wealth distribution, indicates that Tana River, Kwale, Kilifi, and Lamu have higher levels of inequality than the national average. Moreover, the variation in relative wealth index (RWI),⁷ a granular measurement of wealth constructed via machine learning, indicates that the most unequal counties are Mombasa, Nairobi, Kiambu, Garissa, and Nyeri. These counties may warrant further analysis.

Beyond the county level, small ethnic groups, sub-ethnic groups and clans risk being left behind. The Ogiek, Dorobo, El-Molo, Sengwer, Yaaku, Watta, Sanye, Bajuni, Burji and 'corner groups' in Northern Kenya are too few and often overlooked in governance and political processes. Stateless groups, including those recently recognized and registered as Kenyan citizens such as Nubians, Shona and Makonde have faced legal



One of the key informants interviewed in Lokichar, Turkana County.

Figure 3: 10 LNOB counties and governance indicators



⁷ <https://dataforgood.fb.com/tools/relative-wealth-index/>

barriers to access services. There are also some large communities at risk of being left behind due to lack of access to identity documents or because they are labelled 'outsiders' or 'guests' and excluded in areas where they reside.

In all counties, there are sections of the population that are at risk of being left behind regardless of their ethnic identity. Sub-categories of women, especially teenage mothers, widows, single heads of households and those living with HIV or disability (PWDs) face exclusion, violence and/or stigma based on their gender and social status. Women are generally excluded from political processes and the labour force due to stereotypes about their status and capacity, as well as relatively low educational attainment and experience. Orphaned and vulnerable children (OVC) face multiple barriers, including child labour and sexual exploitation. Refugees living outside designated camps are at risk of human rights violations. PWDs working in the informal sector and members of indigenous (hunter-gatherer) communities experience discrimination, arbitrary eviction and displacement, often without clear mechanisms to respond to their specific challenges. Unemployed youth are at a higher risk of human trafficking and recruitment into terrorist networks, while poor youth in urban informal settlements are at risk of political violence and human rights violations.

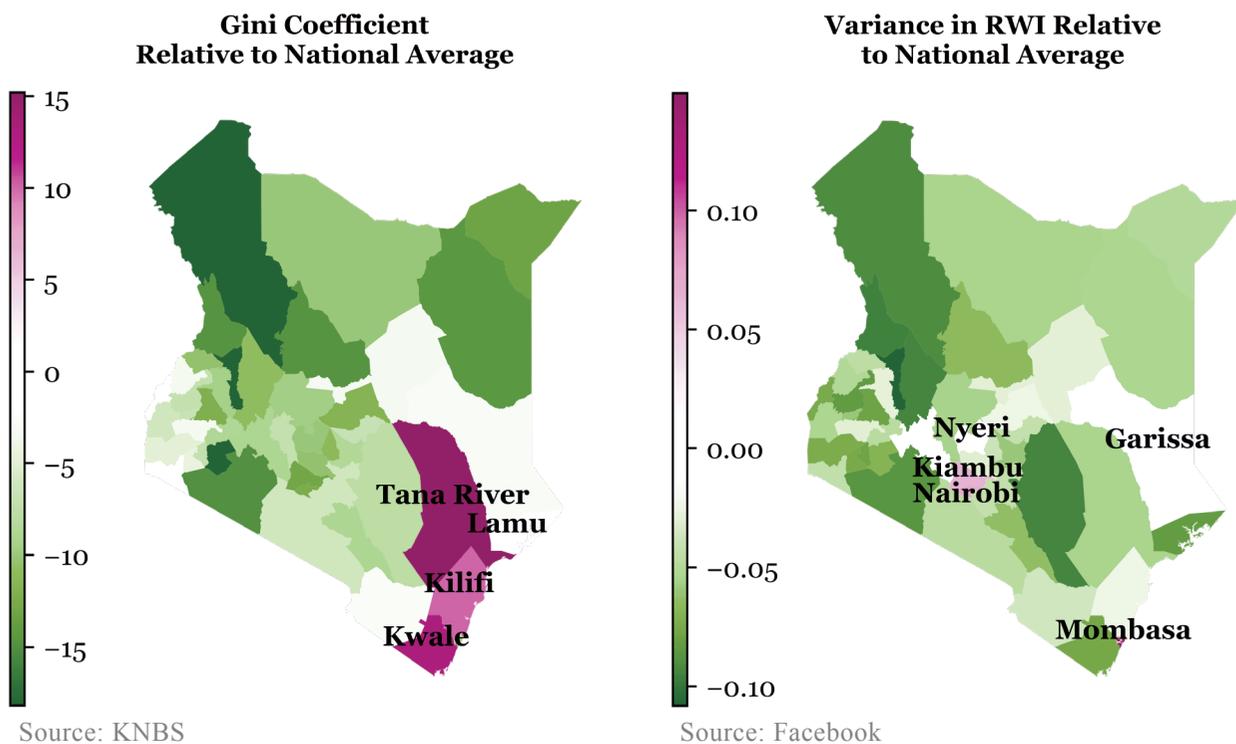
Groups living in arid and semi-arid areas (ASALs) and regions susceptible to flooding are most vulnerable to shocks. Seasonal flooding causes repeat displacement

along large rivers (e.g. in Tana River, Busia Counties), while drought cycles trigger inter-communal resource-based conflicts in Northern Kenya (the FDC counties). Recurrent shocks erode resilience as communities struggle to recover from the loss of livelihoods. The COVID-19 pandemic has had severe socio-economic impacts particularly among the poor in urban informal settlements, where people also face inadequate social services and incidents of excessive use of force by security forces.

Available data indicates there is no significant correlation between being left behind and being more violent. While recurrent resource-based environmental conflicts are common in some counties, which also report a higher incidence of terrorist attacks, this does not imply that groups that are left behind are more likely to engage in violence. For instance, while there is a high number of fatalities from direct violence along the Turkana-West Pokot border, a violent attack by an outlawed gang in Nyeri County, which is not left behind, may be just as fatal.

Devolution is viewed positively due to improved public participation and access to public services and resources. However, it has also intensified some instances of intra-group competition for political power and introduced new conflict dynamics. These conflict dynamics include insider-outsider tensions, hardening of administrative boundaries between counties, restricting access to formerly shared spaces, increase in the value of land and disputes over development projects. Competition

Figure 4: Inequality indicators and most unequal counties

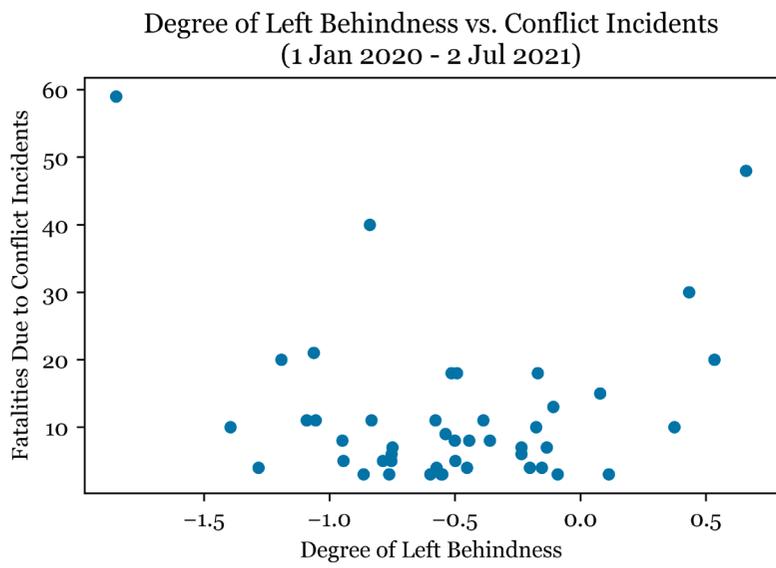


for elective positions and job opportunities have fueled identity-based polarization at lower levels. The result has been nepotism and manipulation of traditional peacebuilding structures to advance political objectives. Numerically small groups with little bargaining power have been pushed further to the margins.

While policy interventions such as equalization and affirmative action have made progress in reaching those furthest left behind, the interventions remain sub-optimal due to inefficiencies resulting from practices of exclusion, corruption, inter- and intra-group tension and lack of capacity to sustain peace. Lack of trust between the people and security forces remains an important barrier reinforced by lack of redress for human rights violations during past violence, disarmament operations, evictions from gazetted lands, and management of public protests. Of the five factors earlier mentioned, discrimination stands out as the most prevalent contributor to the risk of being left behind at the county level, where people often face bias and exclusion based on their identity.

- Overall, this assessment identified the following groups as left behind or at risk of being left behind:
- small ethnic groups and clans,
 - hunter-gatherer groups and forest dwellers,
 - LGBTQIA community,
 - single heads of households, especially widows and teenage mothers,
 - stateless persons without citizenship and/or identity documents,
 - elderly,
 - orphaned children,
 - displaced persons and refugees outside of camps,
 - unemployed youth without income,
 - people with albinism,
 - PWDs, especially in the informal sector

Figure 5: Relationship Between LNOB and Conflict



Source: ACLED, <https://acleddata.com>



Community leaders FGD participants in Tana River County

GOVERNMENT POLICIES AND THE RISK OF BEING LEFT BEHIND

Development of Policies and Plans

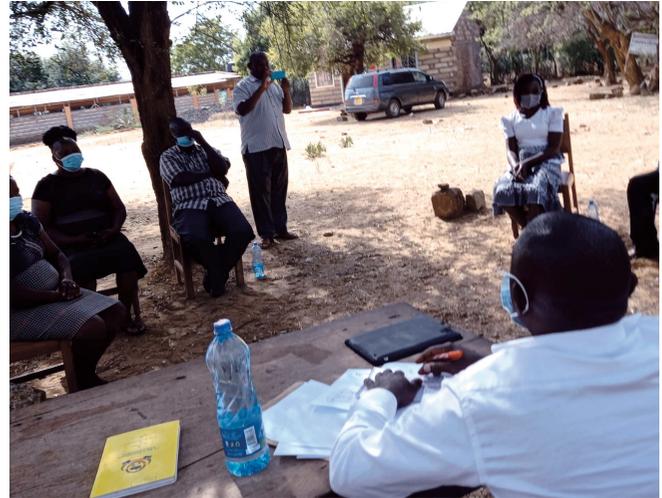
The risk of being left behind is closely linked to national development policies. A case in point is the Government's socio-economic development planning and resource distribution blueprint, the 1965 *Sessional Paper Number 10 on African Socialism and its Application to Planning in Kenya*. This blueprint prioritized agriculture and promoted formal and individual land ownership over the community land tenure system. The measures of this blueprint resulted in systematic marginalization of Arid and Semi-Arid Lands (ASAL) and non-agriculture-based economies in Northern and Northeastern Kenya, Nyanza and Coast regions. A 2012 survey on regional development imbalances found that while 93% of adult women in Northeastern Kenya had no education at all, only 3% of adult women in the former White Highlands such as Central Province had never been to school.⁸ Similarly, policies on the spatial organization of cities such as Nairobi perpetuate inadequate planning for social service delivery in urban informal settlements such as Kibera.

Environmental Protection Efforts and Development Projects

Constitutional and legal provisions that require the state to ensure sustainable exploitation, management, and conservation of the environment and natural resources have often informed actions leading to the eviction of indigenous hunter-gather groups from gazetted forests and water catchments. Enforcement of environmental protection policies has particularly affected forest dwellers such as the Ogiek, Dorobo and Sengwer whose culture and livelihoods depend on the exploitation of forest resources.

Those interviewed cited a lack of consideration for their unique needs. For example, in July 2020, Kenya Forest Service rangers demolished houses belonging to the Ogiek community in Marioshoni and Nessuit wards in Mau Forest. Contestation over land in the Eastern Mau forest has led to recurrent inter-community clashes between Narok and Nakuru Counties. Interestingly, the Ogiek and other small groups are not inter-communal main parties to the clashes, which are often fought between the larger communities, notably the Kikuyu, Kalenjin and Maasai.

Evictions to pave way for development projects on roads, railways and housing projects are common in urban informal settlements. For example, during the Covid lockdown of 2020, people in Ruai and Kariobangi North in Nairobi County were evicted from land earmarked for a sewerage treatment plant. In Samburu County, the



An FGD discussant giving his views on peace and security in Tharaka Nithi County

“The Government allowed people from other communities, to settle in a section of the forest degazetted in the 1990s. Some people took advantage of the land allocation programme to grab land. Some people extended deep inside the forest, where they cut trees to create farms or burn charcoal. Now the Government wants to evict everybody, even us, from the forest.”
– Interview with Ogiek leader, Narok County

creation of conservancies to protect wildlife was said to restrict access to water points, dry season grazing areas and migration routes among some pastoralists. While the Environment and Land Court halted some planned evictions, subsequent homelessness or livelihood disruption became a major challenge among poor people living in unplanned urban informal settlements without land tenure protection.

Lack of Laws and Criminalization

Lesbian, Gay, Bisexual, Transgender, Queer, Intersex and Asexual (LGBTQIA) persons in Kenya are not recognized under the Constitution. They face the risk of imprisonment for engaging in acts deemed taboo, illegal, socially and culturally repugnant and unacceptable. Members of this community face discrimination, social rejection and harassment, including public lynching and shaming. The law does not provide explicit protections against discrimination based on sexual orientation and gender identity. In fact, homosexuality is categorized as a felony and gross indecency under the Kenyan Penal

⁸ Friedrich Ebert Stiftung, Regional Disparities and Marginalisation in Kenya, 2012, <https://library.fes.de/pdf-files/bueros/kenia/09859.pdf>

Code. Adoption and marriage are prohibited for same-sex couples. Although there have been court rulings in favour of transgender rights, e.g. change of names appearing on legal documents, LGBTQIA persons are widely perceived as abnormal and treated with contempt in their communities. Politicians often call for their arrest or elimination for engaging in unnatural, 'un-African' acts. A number of NGOs are working to protect the LGBTQIA community in Kenya, with a focus on human rights violations by members of the public and the police. Gay refugees interviewed in Nairobi County noted that although they receive psychosocial support from CSOs, UNHCR and religious organizations, such support is not necessarily available to refugees living outside of camps:

“Most of us are jobless because many employers discriminate against us; when someone’s sexual orientation is known, a landlord will not lease out their houses to them. We have very few support systems, it is even worse for me as a refugee who is a homosexual.”

“Sex workers also face prejudice and heightened risks of violence (rape, sexual and physical abuse) with little or no protection from law and law enforcement. Lack of legal protection is also a challenge for stateless persons, especially those without legal documents. Risks for sex workers are also exacerbated by the risk of physical violence. Various models suggest that reducing violence could lower HIV infections among sex workers by approximately 25%, and a study has shown eliminating HIV transmission from sex work would reduce incidence by 66% in 20 years. Intersecting vulnerabilities heighten the risk of HIV. For example, groups who face stigma and discrimination are at an increased risk of contracting HIV

and face barriers to care – members of the LGBTQIA community, people who inject drugs, sex workers, and displaced people are particularly vulnerable as a result.

Stateless groups and those whose status has recently changed significantly due to official recognition and registration as Kenyan citizens, e.g. Nubians, Makonde, Shona etc., continue to face discrimination due to delays in the acquisition of legal identity documents. Although some Ugandans, Rwandese and Burundians have settled relatively well and often refer to their membership in the East African Community, they face exclusion and discrimination in residential areas because they are foreigners. In Mathare informal settlement of Nairobi County, there are recurrent clashes between Kenyans and ‘Baganda’, a group from Uganda, as the Kenyans allegedly attempted to expel the ‘Ugandans to go back to Uganda.’

Undocumented members of the Somali community face difficulty in acquiring legal documents due to the characterization of members of the community as foreigners or refugees. Interviews with Somalis in Nairobi and other study sites found that members of the community face discrimination and excessive official surveillance. They complained of unfair treatment and association with terrorist groups. Some were upset by what they saw as a double bind:

‘The system makes it difficult for us Somalis to get ID cards unless we are able to prove our ancestry for several generations, and punished for not possessing one! The police will ask for your ID and if you don’t produce one, you are labelled a criminal, harassed or forced to pay a bribe to be set free.’



People living with HIV (PLHIV) are also a vulnerable group. In 2013, there were 1,590,000 PLHIV in Kenya. At a national level, 41% of PLHIV receive antiretroviral treatment. However, access to treatment is not evenly distributed across the country – in the North Eastern Province (Mandera, Wajir, and Garissa) antiretroviral treatment coverage is below 20%. Groups of concern concerning HIV risk include youth, pregnant women, people in urban informal settlements, members of the LGBTQIA community, displaced people, sex workers, and people who inject drugs. Young women (19-24) face higher rates of HIV prevalence than their male counterparts do. Approximately 37% of pregnant women living with HIV do not receive antiretroviral medicine. This is of particular concern because the treatment of pregnant women can prevent mother-child transmission. HIV prevalence is 4% higher in urban informal settlements (12%) than in formal settlements (8%), and migrants face both obstacles to healthcare and the risk of violence, which increases their vulnerability.

Politics of Belonging and Contested Access to Citizenship Rights

The Bill of Rights in the Constitution of Kenya provides that a citizen has the right to live and own property in any part of the country. However, there are locally defined criteria of belonging, defined by one's ethnicity and territorial or ancestral origins. The view that some members of a society do not belong to a given geographical region and therefore must be excluded from power or resource allocation has led to the marginalization and sometimes violence against migrants and 'outsiders', even when they are Kenyans. For instance, in Garissa, the study found that people who are not Cushites native to Northern Kenya are identified by their 'hard hair' (*nywele ngumu*) and subjected to exclusive practices in everyday life or targeted by terrorist groups. In the Coast region, 'people from upcountry' are similarly excluded and sometimes targeted in insider-outsider clashes and blamed for 'dominating the local economy'. In Homa Bay County, the Suba who are Bantu in a region dominated by Nilotes are perceived as foreigners and largely excluded in social and political life.

'They call us Ugandans or foreigners; they tell us to go back where we came from!'

While the politics of who belongs and who does not belong to a given geographical territory is common in multi-ethnic areas of the country and often politically deployed during competitive processes, notions of belonging also play out within the same group in reducing circles of inclusion. In this regard, clans and sub-clans are important at the county and ward level. In counties with more than one ethnic group or several large clans, e.g. Migori, Homa Bay, Marsabit or Garissa, members of small clans were said to be left out of political settlements and resource-sharing arrangements between the large



FGD meeting in Garissa County clans.

Numerically too Few To Matter

Small groups such as the Ogiek, El Molo, Watta and 'corner tribes' living in remote parts of the county are often too few to matter in contests for power and resources between large groups. They are at risk of being left behind on account of their small numbers, lack of voice and political representation. Often, they are excluded from negotiation processes and peacebuilding structures. According to interviews and FGDs with members of small Maasai clans in Narok County:

'The big clans decide everything; we have to choose which side to support. Sometimes, even 'foreigners' with bigger numbers have more say than us, we resist this trend but we are outnumbered!'

Similar trends were reported in Marsabit, Garissa where 'corner groups' are compelled to align with larger clans as a strategy to secure political reciprocity through appointment quotas or access to resources.

In all the study sites, small groups are ignored because they are either too few to warrant large investment to meet their specific needs or they reside in areas that are remote and isolated. For instance, the Ogieks and Dorobo groups that live in forests were ignored, considered backward, with nothing to offer due to their low literacy levels and slow uptake of modern technology. Although these groups have strong traditional systems and their elders wield much power within the group, they are often excluded from formal peace and security structures.

This is because their culture and practices are deemed incompatible with the views and interests of other groups. The El-Molo in Marsabit number only about one hundred and their strength and distinctiveness is increasingly eroded by inter-marriage and enculturation. According to an elder from the community:

'We are on the verge of extinction; even our own people don't want to be part of this community anymore. If we don't increase our numbers, this community will fizzle out and might never be remembered.'

Devolution has intensified the marginalization of small groups in some cases, due to the prevalence of coalition-building between large ethnic groups or clans. Intra-county political competition has also created tensions between groups that were hitherto peaceful and shared a common identity. In Tharaka Nithi County, study participants emphasized their distinctive and separate identity from the Meru, the group they were considered part of before the creation of the county from the defunct Meru District. In Samburu County,

conflictual inter-ethnic relations between Samburu and Turkana, Samburu and Pokot, Samburu and Rendille are compounded by the formation of alliances between large communities and competition between clans for elective positions within the county.

Political realignments and exclusion of rival coalitions and affiliate small groups from power and access to resources deepen the exclusion of minority clans without political weight to negotiate inclusion. In Marsabit, Garissa and Tana River, political competition between clans has created lower levels of political contestation and exclusion of ever-diminishing circles of identity.

'Here, people now want to know which clan, which family to decide if you are a member of the community or not! Small tribes like the Watta are excluded by all other groups.'

While there is strong correlation with the number of fatalities from direct violence, this is not unique to LNOB counties. e.g. Kapedo attacks are not any different from

Figure 6: LNOB groups identified through fieldwork

LNOB Groups By County

Nairobi: Elderly people living alone or caring for others, urban refugees, LGBTQIA community, Recently recognized groups due to legacy of exclusion – e.g. Nubi

Elgeyo Marakwet: Sengwer evicted from forest with contestation as to compensation.

Uasin Gishu: Ogieks – small gatherer population whose lifestyle has been ignored in policy/decision-making

Homa Bay: Suba community discriminated against by as well as Ugandan police forces

Narok: Small clans lack political voice, Ogiek at risk of eviction from Mau

Tharaka Nithi: Tharaka people experience discrimination due to associations with poverty, witchcraft, and underdevelopment. Region lacks access to infrastructure. 'Kabonokia' group that resists modern practices

Marsabit: Desenach, El-molo – traditional religious group face discrimination from Muslims & Christians, widows suffer from social abandonment if they refuse husband's relative

Daadab: Kenyan host community that registered as refugees. With the repartition, they have no home to go to in Somalia and no status as Kenyans.

Garissa: Pastoralists affected by climate change, low road access

Tana River: Watta, Waliwana, Bajuni, Somali many but excluded, people displaced by flooding along River Tana

Coast area: Youth (particularly stateless) lack access to documentation (ID cards) limiting tertiary education & employment, and are more vulnerable to radicalization

Mungiki forays in Central.

CONFLICT DYNAMICS

UNDERSTANDING OF CONFLICT

Study participants from groups at risk of being left behind described the conflicts they face in various ways: as the presence of differences between two or more groups, the failure to resolve differences amicably and negative outcomes including tension, violence and/or displacement. Some described conflict as:

*'lack of peace and insecurity' and 'fear of neighbours.'*⁸

In Tana River, people described conflict they experience as:

'the struggle between parties for a specific interest such as resources, misunderstanding or disagreement between parties, and the inability to accommodate or tolerate other parties' opinion.'

The lack of agreement was seen to be driven by perceptions of inadequacy, inferiority or superiority, or the struggle to maintain or change the status quo. In multi-ethnic counties such as Uasin Gishu and Kwale, groups described the conflict they face as:

'the struggle by locals and foreigners to control others, use of negative stereotypes and interference with one group's way of life.'

Across the study sites, study participants described their own group as peaceful and averse to conflict and saw 'others' and 'the Government' as the main source of conflict or tension. The LNOB groups perceived themselves to be 'bystanders' in conflicts between large groups, such as the Kikuyu and the Kalenjin in the Rift Valley or the large clans in Marsabit County. They observed that young people, notably young men, participate in political battles instigated by politicians and community elders, as well as in cattle raiding between ethnic groups and clans.⁹ However, they noted that small groups (especially those living in forests and water catchments areas, set aside for development projects such as dams), are the main victims of Government policies such as evictions. The Sengwer, for instance, complained that although the encroachment and damage to the forests were caused by members of large communities, *'the Government does not listen to us; it listens to the big groups.'* Noting

their relative political weakness and lack of voice due to their small numbers. The Sengwer described their struggle to resist eviction from Embobut Forest in Uasin Gishu, noting that their cultural and livelihood practices rhyme with the objectives of the Government to preserve forests and wetlands.

Groups noted that political struggles between or within ethnic groups are the main drivers of conflicts, with the likelihood of violence increasing during elections. Although LNOB groups are not the main parties to any conflict, they have observed that disputes over land ownership, boundaries and resource-related conflicts are connected. Examples include competition for water, pasture and other natural resources; territorial disputes; landlord and tenant conflicts; actions of criminal gangs and violent extremist groups; and domestic violence. Though widespread across LNOB communities, domestic violence was not considered a major conflict category by them. This reflects the persistence of negative attitudes towards violence against women.

It was noted that some interventions aimed at promoting inclusion and peaceful co-existence inadvertently exacerbate the exclusion of small groups and violent conflict between large groups. For instance, while devolution has catalyzed the development of areas furthest left behind, it has also increased contestation between large groups and the marginalization of small sub-ethnic groups and clans within counties. In Turkana, a participant noted, *'The Government had forgotten us until devolution and the oil exploration'*. In Marsabit, small groups are left out of bargains between large ethnic groups and clans that shape the distribution of power and resources.



A section of FGD participants in Lodwar, Turkana County

⁸ FGD in Marsabit County

⁹ FGD in Garissa County

PATTERNS OF CONFLICT

The qualitative interviews and FGDs found that conflicts related to politics and competition for natural resources are recurrent and cyclic with higher risk during election periods. This was attributed to the political manipulation of identities to mobilize voting blocs. Incitement to violence against ethnic 'others' is common especially in cosmopolitan areas where contending parties label their rivals as 'outsiders'. In particular, small clans or sub-ethnic groups are expected to support bigger tribes in competitive processes. For example, the minority Suba in Homa Bay County is expected to support candidates from the majority Luo tribe. Should the Suba express unwillingness to support the majority Luo, they face violent reprisals such as burning of their homes and forced displacement. Similarly, in Uasin Gishu, where there is a large number of migrants, political deployment of a language of 'locals' and 'outsiders' or natives and 'guests' contribute to an enabling environment for conflict against perceived migrants during election periods. Here, the migrant Kikuyu, Luyha and Kisii groups face the recurrent risk of expulsion and disenfranchisement.

Narratives about the territorial origin and land ownership were used in electoral campaigns in Kibra constituency in Nairobi County, questioning the right of members of the Nubian community to participate in elections until they were recognized and registered as Kenyan citizens and allocated land. In cosmopolitan regions, political incitement to violence through hate speech and deployment of criminal gangs recurs during electoral cycles. Young unemployed people are particularly at risk

of political manipulation. They are recruited and paid to forcibly expel the outsiders, disrupt political forums, damage property or cause chaos and intimidation. Others demand 'protection fees' from minority sub-ethnic groups clans. Political incitement and criminal activity in the urban informal settlement and multi-ethnic areas hinder the sustainability of conflict prevention and cohesion efforts.

In arid and semi-arid (ASAL) counties such as Mandera, Garissa and Marsabit, the patterns of violence correlate with rainy seasons, extreme weather and heightened political activities. When there is drought, herds move in search of water and pasture, often overlapping territory of a different ethnic group, increasing the risk of violent clashes. Residents in ASAL areas also associate rainy seasons with a rise in terrorist attacks, as increased vegetation provides cover for the terrorists.

CONFLICT FACTORS

Historical grievances: Study participants highlighted the persistence of historical grievances and impunity for violence and past human rights abuses as the main driver of violence. Such grievances were seen to hinder inter-group reconciliation and trust in Government institutions, resulting in suspicion and cycles of revenge. In Marsabit County, recurrent reference to the 'Turbi Massacre' and alleged impunity for more recent killings was presented as the reason for high levels of ethnic polarization and intolerance between groups. People were said to be suspicious of peacebuilding interventions and likely to view local leaders and peace actors as invariably biased in favour of their own ethnic group.



In Homa Bay County, the Suba complained about historical marginalization and exclusion by the larger Luo community, and their efforts to assert their distinct identity in order to secure their territory, image, culture and well-being. In Tharaka Nithi County, the Tharaka people who live in the peripheral and drier parts of the county complained of systematic marginalization by the Meru.

Resource scarcity: The rush by communities to claim exclusive rights to resources within ascribed boundaries has compounded resource competition in counties with seasonal scarcity. In other places, land scarcity has spurred migration and encroachment on forests and other protected lands, resulting in conflict with forest-dwelling communities and conservation authorities. In Nakuru County, the Ogiek, a hunter-gatherer community, noted that other communities encroached on their land in the forest to cut trees for charcoal and to make way for farmland. The Maasai in Narok concur that persons destroying the Mau Forest are hiving off the land, which has become scarce in the densely populated parts of central Rift Valley.

Groups in ASAL areas such as Samburu and Isiolo Counties cited disputes over land ownership and resource use as main conflict factors, noting that this challenge has grown since the introduction of devolved governance. The creation of counties and sub-counties is said to have reinforced boundaries between groups residing across the administrative and electoral boundaries. Similarly, the establishment of conservancies to enhance rangeland management is said to put new barriers on traditional grazing routes and dry season grazing areas.

Small arms proliferation: In Marsabit and Mandera Counties, the proliferation of small arms and light weapons is a key driver of violence and tension between communities. Those interviewed noted that despite Government-led disarmament operations, communities are arming themselves with more sophisticated weapons. Persistent cattle raiding as a cultural practice and low impact of Government-led disarmament efforts are said to increase banditry and armed violence. In March 2021, the security forces deployed to Kapedo region of Turkana/West Pokot border were accused of violating the rights of the local population. The frequent clashes between the security forces and armed ethnic warriors have resulted in the deaths of civilians and security officers in Turkana, Baringo, West Pokot and Samburu Counties. The frequency of deaths and impunity for the violence has increasingly normalized the state of insecurity in this part of the country.

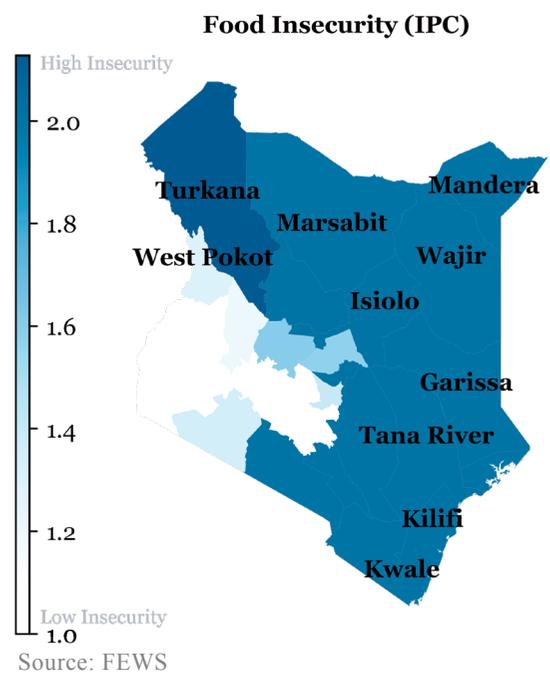
Cattle rustling: This violent practice is driven by seasonal competition to restock animals after losses incurred during the dry season and to support cultural rites such as dowry payments. Groups in Turkana, West Pokot and Samburu noted a pattern of raiding to trade in the stolen animals rather than re-stock for payment bride

price as earlier practiced. The rapid commercialization and politicization of the raids and the use of automatic weapons have led to a high number of killings, including women and children. Cattle rustling has also taken new dynamics due to links with highway robberies and banditry. Livestock raids tend to increase after droughts as a coping strategy in order to restock the herds depleted by lack of pasture and water. While cattle rustling is practiced mostly by men from rival communities, women and children from all groups are affected.

Sexual violence: In Marsabit and Samburu, respondents noted that women suffer abduction, rape and other forms of sexual violence, killing or maiming during cattle raids. Some women and girls who experience sexual assaults are oftentimes left to deal with unwanted pregnancies, separation or widowhood. This increases the incidence of HIV/AIDS, social stigma from their experiences, increased domestic violence and psychological trauma. Patterns of gender inequality and exclusion are prevalent in all the ASAL counties. For example, practices like Female Genital Mutilation (FGM) and early marriage continue despite Government efforts to curb the practices. This is said to be driven by historical socialization, entrenched patriarchy and low levels of education. Conversely, in Homa Bay County, arrests of those involved in FGM are said to cause tensions with those campaigning for the continuation of the cultural practice.

Contested Women's property rights: Widows are often dispossessed or denied their property rights. In Homa Bay County, it was said widows and unmarried women are denied inheritance rights or land ownership, as some cannot register for land without the identity card of a man. In Narok, women said land and animals belong to men and boys. In fact, there are cases of elderly women

Figure 7: 10 LNOB counties and food insecurity



who are displaced from home by their own sons.

Food insecurity and malnutrition: In ASAL areas, e.g. Turkana, and Marsabit, frequent drought cycles lead to the death of animals and widespread hunger malnutrition, particularly among children. Pastoralists who have lost all their livestock are said to have camped near the Kakuma refugee camp, where they provide domestic work to refugee households, such as drawing water, collecting firewood and cleaning. Acute malnutrition is common among children. The number of orphaned and vulnerable children is said to be high in Turkana South especially in the area bordering West Pokot where violent conflicts with high fatalities are frequent.

Youth radicalization: In Garissa and Tana River, respondents cited youth radicalization and recruitment into violent extremist organizations as emerging conflict dynamics, mostly driven by high youth unemployment and low prospects for viable livelihoods in the arid region. The perceived absence of state security agencies due to the historical marginalization of arid lands has perpetuated resentment against persons associated with the Government. In Garissa, attacks against 'nywele ngumu' or 'people from upcountry' by suspected terrorists and locals were said to be a tactic by the groups to create a sense of false solidarity among locals. This is an effective way to mobilize them and spur resentment against the Government that has marginalized ASALs since independence. Resentment against perceived discrimination of the Somali community through restricted access to Kenyan Identity documents was also seen to drive violence particularly against security officers and civil servants that are the face of the Government in the area.

Gender discrimination: In ASAL counties where pastoralist communities are the majority, women and youth are said to be excluded from decision-making processes and compelled to agree to polygamy and FGM. In Tana River, women from the Watta community are excluded from appointments and governance processes due to the perception that they have nothing to offer the majority of communities. PWDs are considered a bad omen and most do not have national identity documents, which limits access to services.

Political settlements: Political agreements or alliances; informal settlements are becoming the norm in Kenyan politics as groups form alliances to cohere numbers to win elections. While it has increased the representation and participation of large ethnic groups, small groups and clans are at the margins of politics. In Mandera County, the recurrent conflict between major ethnic groups, Borana and Gabra draw in their respective allies from small groups. The involvement of ethnic militia from neighboring Ethiopia makes the local conflict complex and intractable due to revenge cycles. In Migori County where Luo are the majority group, the minority Kuria feel excluded from political representation. As a result, the Kuria have filed petitions seeking to carve out their own county.

Cross-border dynamics: In Turkana, the Toposa of Sudan, Karamajong, Dodoth, Jie, Matheniko and Tepeth of Uganda, Nyangatom of Ethiopia and Pokot of Kenya and Uganda create a crucible of complex conflictual



relations that hinders peaceful resolution. Instances of excessive force by state security forces to manage the conflict through security operations of disarmament have layered the conflict between groups and the Government. In Marsabit, the memory of state violence, notably the Turbi Massacre, hinders confidence-building between the state and society without acknowledgement of the massacre and consequent redress.

Conflicts around the extractive industries: Oil exploration in Turkana has introduced tensions not only between Turkana and neighboring Pokot, but also within the Turkana community as some people feel that resource exploitation has not benefitted the entire community. Claims of exclusion, nepotism, cronyism and dominance of 'foreigners' in the award of contracts, compensation for land and distribution of proceeds from the oil have fueled new dynamics. The recent increase in urban-related crimes in the towns of Lodwar, Lokichar, Kakuma, Lokichogio is said to reflect emerging conflict trends. Concern has also been raised regarding the pollution and management of waste from the oil wells.

Refugee-host community conflicts: The long existence of Kakuma refugee camp in Turkana County and Dadaab camp in Garissa County has sometimes fueled tension between the native host community Turkana and Somali over firewood, water and grazing land. There is also resentment over what locals perceive as preferential treatment and better delivery to 'foreigners'. Some locals are said to have registered as refugees to access the services meant for refugees. While the Government in collaboration with humanitarian actors have established projects to extend services to the host community, incidents of violence against refugees or against members of the host community remain frequent. Locals attributed the conflicts to contestations over water and other services availed within refugee camps and resentments over allocation of Turkana land for the establishment of additional refugee camps.

PEACE DYNAMICS

The study participants described peace as the absence of violence or of war, a conducive environment to work and interact, harmony between groups, a common understanding of issues, ability to interact and work freely, lack of a sense of threat and collaborations in development. According to LNOB groups in Marsabit County, peace is the absence of confrontation and violence. Those interviewed noted that violence in Kenya is most prevalent during elections, associated with hate speech and incitement to violence as main strategies of political mobilization. However, peace is seen to prevail when political actors reach a political settlement and agree on how to share power and resources. Groups interviewed associated peace with the following:

Harmony between groups: There is peace when individuals and communities can relate harmoniously, walk around and go about their normal business without fear. There is peace when communities value and tolerate each other's way of life, customs, religious difference and culture.

Sense of protection of rights and access to legal documents: According to a member of the LGBTQ community in Nairobi County, peace is 'the sense of security, absence of suppression from security or state agencies, when there are effective conflict resolution mechanisms that respond to complaints without discrimination. Some of those interviewed in Kibra said there is peace when people in a society are free to access all social amenities without discrimination, express political opinions freely, have a voice and feel listened to. Others, notably people from other countries described peace as 'the *freedom to work, to speak, and not threatened with deportation from this country.*' According to a member of the Nubian community who had faced barriers accessing identity documents and services as a stateless person, peace is 'the *ability to get basic needs; peace is food; peace is when people live together and respect one another. There is peace in Kibra as long as there is no politics.*'¹⁰

Groups that have experienced human rights violations in Marsabit, Garissa and Nairobi Counties link peace to justice.

*'Where there is injustice, there is no peace; people lack peace because of discrimination and violence from the Government administration and security agencies.'*¹¹

Some respondents highlighted the disruption of peace during the implementation of Government policies and programmes.

*'Government actions hurt peaceful people when they demolish buildings without giving people an alternative, or force hunter-gatherers out of forests without an alternative life and livelihood.'*¹²

Commenting on the impact of corruption and tribalism that hinder social service delivery, a respondent in Nairobi informal settlement noted that 'peace is when people have equal opportunity and space to express themselves without fear or favour.'

¹⁰ FGD in Kibra constituency, Nairobi

¹¹ KII in Marsabit County

¹² KII in Narok County

Inclusion: People are likely to remain peaceful when they feel included, not discriminated against based on their identity, and when they have a mechanism to express their grievances and feel heard. Ethnic identity remains the main factor that determines people's perception of inclusion, risk of violence and struggles to have their voices heard in decision-making, resource sharing and power distribution. Small groups feel marginalized and at risk of violence because they are excluded in everyday life and lack mechanisms for redress and political representation. The Ogiek and Dorobo, for instance, say they feel peaceful when living in their natural habitat in forests, but at risk of violence by communities in Bomet, Narok and Nakuru Counties that encroach on the forest to establish farmland and of forced eviction by the Government security forces in efforts to preserve water catchments.

PATTERNS OF PEACE

People feel peaceful when there is no heightened political activity due to election campaigns, contestations over political settlements such as the Building Bridges Initiative (BBI) process and proposals to hold a referendum. LNOB groups said communities enjoy peace when there is a prolonged absence of violence or threat of violence, when criminal gangs are disbanded when police respond to reported incidents of violence, and when acts are adjudged as acts of individuals, not representative of the entire community. Lack of fear of extreme weather events, crop failure or death of animals due to drought, flood or other natural disasters also contributes to peace. For instance, communities are peaceful during the rainy season when there is enough rain for their crops.

PEACE FACTORS

Some of the peace factors mentioned include functioning peace structures at the National and county level. These factors are those that encourage people to overcome divisions such as shared spaces, access to services, and the ability to relate with members of other communities. Across the LNOB communities, people expressed satisfaction with the work of *Nyumba Kumi* in detecting and responding to community security threats. Respondents also mentioned the value of having mechanisms to report concerns to; including peace committees, community leaders, religious leaders and the local Government administration, notably chiefs and Assistant County Commissioners (ACCs). While members of peace committees expressed disappointment about the lack of support from the national early warning system of which they are an integral part, they were satisfied with their ability to provide information to local Governmental agencies to prevent and mitigate conflict within their localities. Community councils of elders not only preside over important cultural events, they also lead peacebuilding activities and resolve disputes as they arise.

In Uasin Gishu and Kibra, people noted the role of elite



Researchers pose for a photograph with regional National Police Service (NPS) commander, North Eastern Region after an interview

pacts and 'handshakes' in reducing political tensions and ethnic animosity between rival groups. In Uasin Gishu, some interviewed lauded the formation of a political alliance between President Uhuru Kenyatta and his Deputy William Ruto. This political alliance had reduced tensions between the Kikuyu and Kalenjin communities that fought on opposite sides during the 2007 post-election violence. They also noted the pacifying effect of the 2018 Handshake between the President and former Prime Minister in the aftermath of the 2017 general elections. Political settlements in Narok, Marsabit, Migori and Isiolo Counties contributed to peace and political stability during and after elections. However, while they addressed political stalemates and promoted tolerance between rival groups, they were seen to inadvertently reinforce practices of exclusion of small ethnic groups as well as women and youth. For instance, in Narok County, few clans wanted to be represented by women or young people in political settlements due to their status in society.

Peace is also enhanced through shared resources and spaces of interaction such as watering points, grazing grounds during drought, markets and trading centres, schools, hospitals and places of worship. Intermarriage, shared Government facilities, cultural events, sporting activities are the main connectors in communities that have experienced recurrent violence. Cross-border peace structures such as water and grazing committees are largely successful in negotiating access to resources among some pastoralist communities. Project-oriented interventions such as peace caravans and annual prayer events promote peace awareness but with less impact on co-existence. On the other hand, political incitement and hate speech, including the deliberate targeting of groups that are left behind remains the main divider. At the same time, intermarriage can diminish the number of small groups. For instance, the El Molo in Marsabit are only about 100 and the number continues to dwindle from attrition, intermarriage and assimilation.

Peace structures and institutions have worked well to address certain types of conflict in some counties, but not in others where they risk sustaining tension among large groups to the exclusion of left-behind communities. Councils of elders remain strong in some communities but weak in others, where peace pacts are dishonored. Elders wield significant influence in some areas but are disregarded in others. For example, while community elders successfully brokered the Cheptemba Declaration that has sustained peace between the Marakwets and the Pokots in Elgeyo Marakwet and West Pokot Counties, Marsabit County has recurrent violence and disregard of peace agreements due to perceived politicization of the elders' councils. In other cases, elders councils are perceived as representing the interests of the groups they represent, not those who need to be included in the local political and governance processes.

Among LNOB groups such as the Sengwer, the council of elders is strong within the community but lacks power when negotiating with others. Among the Suba, the Traditional Chief wields influence over the people but remains at odds with formal peace structures. Some LNOB groups are not aware of or linked to the national peace infrastructure due to their small numbers and historical marginalization. For instance, the Elkumai clan among the Rendille in Marsabit County are illiterate blacksmiths and are not part of the local elder's council (Naabo). Consequently, they are left out of major community decision-making organs and have little possibility of being part of the peacebuilding infrastructure.



ESTABLISHING THE LINKS: LNOB, PEACE AND CONFLICT

DISCRIMINATION

Ethnic identity was cited as the most important parameter for discrimination and those interviewed pointed at their ethnic identity as the reason used to deny them opportunities to access services or resources. Across the counties, people noted that politicians employ divide-and-rule tactics using ethnic identity to fuel hate speech of those deemed 'others'. Corruption and nepotism was also used as tools of discrimination, particularly among LNOB groups who feel their prospects are grim due to lack of political champions from their own communities coupled with their low levels of education.

Religion was also identified as a factor in shaping patterns of discrimination and violence, including the risk of violent extremism. In Marsabit County, the 'Waqefata' group, which practices traditional African religion, is said to be excluded by both Muslims and Christians. In Garissa and Mandera, non-locals characterized as 'nywele ngumu' (hard hair) are at greater risk of terrorist attacks.

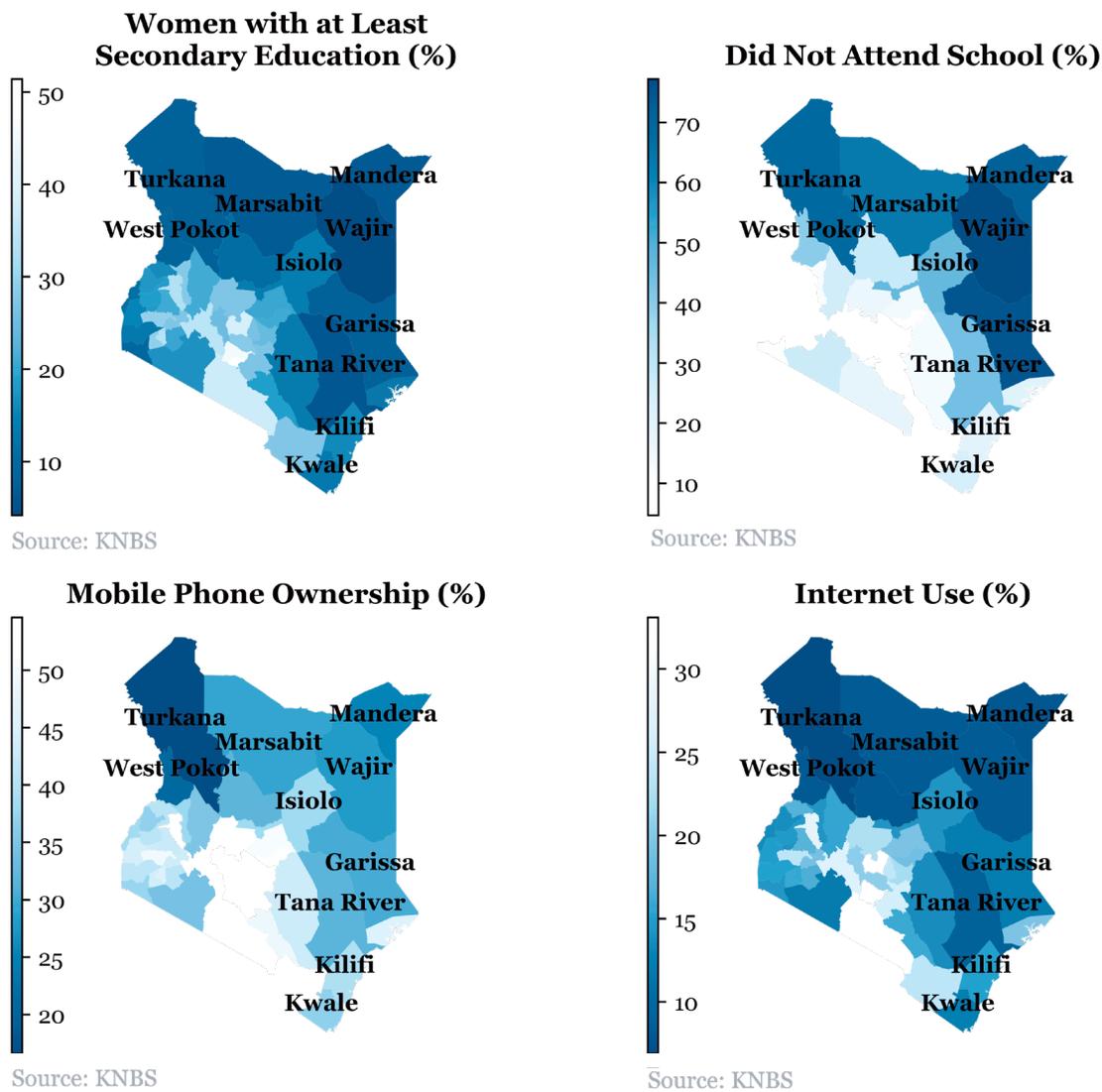
Women and youth face gender and age discrimination. Among pastoralist communities in Northern Kenya, men have taken up all leadership positions in decision-making processes, and present women as people to be included just for compliance with constitutional provisions rather than respect for their views. Women are rarely elected into office except in designated posts such as Women Representatives, while girls are at risk of FGM, early marriage and sexual violence.

Disability was also a factor in discrimination across the counties. People perceive PWDs as a burden and a curse. In Northern Kenya, PWDs are often ignored or left behind when others move away to escape famine. In other places, they are marginalized from education, employment, health care and other mainstream human development opportunities mostly due to the persistence of social stigma. Disabled children are largely unwanted, considered an embarrassment and a bad omen

GEOGRAPHY

LNOB groups are found in remote areas that lack basic infrastructure and public facilities. For instance, there are hardly any schools, hospitals and roads for the Ogiek and Dorobo people living in forests. Moreover, areas without

Figure 8: 10 LNOB counties' performance on selected indicators



roads are also likely to have low internet connectivity and facilities that stimulate economic activity.

Northern Kenya reported the lowest road access index and for years it had no market for livestock or storage for their animal products. Several wards in West Pokot have only a single school, which is also understaffed. In Turkana, several areas have mobile schools where learners follow livestock searching for pasture and set up classrooms under trees. Small communities also live in the most remote parts of the country where investment in public services is deemed uneconomical. These factors trap certain communities in poverty, economic stagnation and social decline

While devolution has made progress in bridging development disparities between regions, the measures do not necessarily reach those furthest left behind. For instance, county-level patterns of distribution of power and resources go to the largest ethnic groups and clans. The small ethnic groups are either ignored totally or compelled to align with bigger groups to secure at least some of their interests. In urban areas such as Nairobi where 56% of the population live in underserved informal settlements, proximity to the center might obscure the gross inequalities between the rich and the poor.

GOVERNANCE

Minority groups and other groups left behind face multiple hurdles in their attempts to participate in governance and decision-making processes. Access to services such as courts, police and registration for national identity cards remain elusive due to lack of information, lack of resources and demand for bribes. Corruption and tribalism are cited as the major hindrances to inclusive governance and social service delivery. Inequalities in economic and social outcomes

due to skewed allocation of resources and opportunities affect the likelihood of social mobility among those left behind. Denial of life chances due to corruption or nepotism undermine economic, civil and political rights, which fuel general disempowerment of groups at risk of being left behind.

EXPOSURE TO SHOCKS

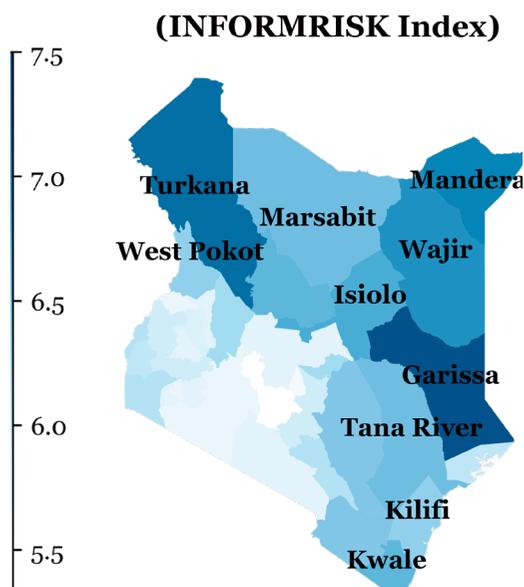
Most of the groups left behind are found in arid and semi-arid lands where the ecology is fragile and at risk of climatic shocks including drought and flooding driven by climate change. The result is a decimation of livestock and food sources. Recurrent loss of assets due to cyclic climatic shocks erodes resilience and upward mobility among groups left behind.

The Covid 19 pandemic has affected many communities negatively, especially the unemployed or those working in the informal sector in urban areas. Scores of small businesses were forced to close down completely. Hundreds of jobs were lost as shops, stalls and supply chains were affected negatively by the lockdown and other containment measures.

SOCIO-ECONOMIC STATUS

There are concerns about the extent to which growth has been inclusive and shared between the rich and the poor. Most of the groups at risk of being left behind lack stable incomes and access to services in rural settings or unplanned urban settlements. In much of Northern Kenya, women are particularly at risk of poverty due to lack of education and exclusion from decision-making processes. Widows and young people are at risk of dispossession of land and property. Social security for the elderly are not adequate in the sparsely populated ASAL region.

Figure 9: 10 LNOB counties and risk



Generalized Risk of Crisis (INFORM RISK Index)

The INFORM Risk Index is a global, open-source risk assessment for humanitarian crises and disasters. It is compiled by INFORM, a collaboration of the Inter-Agency Standing Committee Reference Group on Risk, Early Warning and Preparedness and the European Commission.

Source: INFORM



CONCLUSION

This analysis aimed at identifying and mapping groups or communities that are left behind – or at risk of being left behind, assess the degree and variation of their vulnerability, the obstacles standing in their way to inclusion and how are they affected by peace, violence and conflict dynamics. People in Kenya, whether left behind or not, perceive peace when they feel included in processes, are informed of Government plans and interventions, feel not discriminated against based on their identity. They also perceive peace when they know of and can access a mechanism to express their concerns, feel heard and get a real response. Generally, Kenyans feel a heightened risk of violence during elections

The Peace and Conflict Analysis found that groups that are left behind are not at the center of violent conflicts. However, they face structural violence specific to them particularly due to their geographical location or

inadvertent effects of Government policies on their lives and livelihoods. Government policies on environmental conservation inadvertently led to the eviction of forest-dwelling communities, which disrupts their way of life and threatens their survival. They face multi-dimensional poverty due to their location in remote areas without public services, food security, infrastructure, internet access and other socio-economic conditions.

Some left behind groups also face structural patterns of exclusion. For instance, small tribes and clans are hardly at the centre of political conflicts nor are they included in dispute resolution processes. Although some have strong conflict management structures within their own group, e.g. traditional elders, they lack influence in platforms involving other communities. Groups that are left behind or at the risk of being left behind are rarely represented in formal peace and security structures.



FGD meeting in Isebania, Kuria – Migori County

RECOMMENDATIONS

1. Establish a strategic approach for UNCT engagement on LNOB data and analysis. The UNCT Data Action Group is a natural entry point. The next steps could include the establishment of an LNOB index for the UN Kenya, creating an LNOB data and analysis electronic space, and a formal launch of LNOB findings from this exercise. Analysis of the data should show the prevalence of factors that contribute to the risk of being left behind through enhanced partnership with the KNBS for data collection and analysis. This is critically important because not being captured in the data means a risk of being left behind. Having better, more granular data in itself is an important step to address the needs of those left behind, and those who are left behind by programming. Since we do not know if there is clear data on who they are, where they are and what their needs are, it is not possible to design programmes that will not harm them.
2. Conduct a thorough LNOB data mapping and gap analysis to fill existing UN data gaps to allow more specific identification of LNOB groups with quantitative methods. UN agencies and their partners should adopt an LNOB perspective to inform programming, including identification of beneficiary groups and areas of operation to reach those furthest left behind. This can then become a specific strategy to accelerate the achievement of strategic and development goals to build inclusive societies.
3. Establish an LNOB index for Kenya to assess, measure and monitor the extent to which Government systems are set up and ready to meet their commitment enshrined in the 2030 Agenda for Sustainable Development. The index should measure three components: i.e. whether the Government is undertaking surveys necessary to identify those at high risk of being left behind; key policies to address the needs of those at risk of being left behind, and the level of financing of sectors key to supporting those at high risk of being left behind.
4. Create an LNOB data and analysis electronic space: To allow for data gathering, analysis and monitoring to measure progress in reaching those furthest left behind.
5. Infuse the voices and perspectives of groups that are left behind in the UN Kenya Common Country Assessment process. A CCA process informed by both the LNOB analysis and the peace and conflict analysis is more likely to inform UN programmes that respond to the needs of those furthest left behind and enhance conflict sensitivity.
6. UN and Government should leverage partnerships with Civil society organizations to promote LNOB perspectives in programming and share examples of progress made in accelerating SGDs by reaching LNOB groups.
7. UN and National partners to review inclusiveness of peace and conflict assessments/programming and peacebuilding structures in relation to Do-No-Harm, Human-rights-based and LNOB principles.
8. Build on the existing a national peacebuilding infrastructure to explore avenues to reach out to groups that are left behind and build their capacity to articulate their concerns and participate in peacebuilding and other governance processes. National and county institutions to operationalize Article 100 of the Constitution to enable minority groups to have political representation, including through inclusive political settlements, and ensure representation of LNOB groups in all programmes.
9. Utilize Conflict Sensitive approaches in the adoption of LNOB plans. Many of the stories above are about programmes and policies causing harm or not reaching those left behind at all, as the focus is on conflicting parties and areas where a large number of beneficiaries can be tapped.

ANNEX

DATA GAP ANALYSIS

Based on the methodological objective to employ a hybrid of quantitative and qualitative techniques – in direct response to the requirements of the new CCA process and other guidelines including the UN Data Strategy – the process revealed the following findings in relation to data:

Specific data gaps identified throughout the process included:

- Socio-economic data on the individual or household level, incl. unemployment rate by county over time, income by industry and individual/household level
- County level data on gender discrimination, GBV and sexual harassment
- Disaggregated data on experiences of LGTBQIA population, people with disabilities, refugees and stateless persons is needed to go beyond broad generalizations to identify which populations within these groups are being left behind furthest and in which ways groups are impacted by compound risks.
- Data on food security, nutrition/malnutrition, water, sanitation and related access by county over time
- Data on crime and support to crime victims (hotlines, shelters) by county over time
- COVID-19 cases and death rates by county over time
- Impact of COVID-19 measures (movement of people, economic impact, education, security etc.) by county

- Other health statistics (diabetes, tuberculosis, HIV, obesity, etc.)
- County-level demographic data, including ethnic distribution, religious affiliation, ethnic groups proportion in Government agencies

Recommendations:

1. UNCT to develop a clear, human rights-based, gender and conflict-sensitive operational framework to identify LNOB groups, including clear requirements for data and data analytics for LNOB analyses, and define indicators, benchmarks (e.g. national poverty line), taxonomies and definitions related to LNOB data to support the creation of LNOB indices for Kenya.
2. Guided by the data gaps identified above and with the support of RCO, UNCT to identify agency specific LNOB data in recognition of agencies' mandated beneficiaries and target communities. UNCT to collect granular, disaggregated and timely LNOB data consistently to allow for regular, timely and relevant data-informed assessments of the status of communities most at risk of being left behind.
3. UNCT Data Strategy Group to develop internal standards for data formats, establish data sharing protocols and mechanisms and support the creation of a UN internal LNOB data portal (potentially part of the UNCT data hub).
4. UNCT to develop common guidelines, incl. standard operating procedures for data inquiries and data sharing protocols in relation to *external partners*, particularly KNBS, to ensure sustainable access to relevant LNOB data.





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