

THE NATIONAL ASSEMBLY PAPERS LAID		DAY: TUESDAY
DATE:	30 JUL 2024	
TABLED BY:	HON. YVONNE ADAM (CHAIRPERSON)	
CLERK-AT-THE-TABLE:	INZOFU B-M	

Approved
SNA
30/7/24

PARLIAMENT
OF KENYA
LIBRARY



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT – THIRD SESSION

COMMITTEE ON NATIONAL COHESION AND EQUAL OPPORTUNITY

REPORT ON PEACE MEDIATION CONFERENCE HELD IN BOLOGNA, ITALY
FROM 13TH TO 23RD MAY, 2024

DIRECTORATE OF AUDIT, APPROPRIATIONS AND
GENERAL PURPOSE COMMITTEES
CLERKS CHAMBERS
PARLIAMENT BUILDINGS
NAIROBI

JULY, 2024

Table of Contents

CHAIRPERSON'S FOREWORD	III
LIST OF ABBREVIATIONS AND ACRONYMS	v
1.0 PREFACE	VI
1.1 MANDATE OF THE COMMITTEE	VI
1.2 COMMITTEE MEMBERSHIP	VII
1.3 <i>Committee Secretariat</i>	<i>viii</i>
2.0 INTRODUCTION	1
2.1 PART 1. TRANSFORMATION OF PEACE MEDIATION AT THE GLOBAL LEVEL.....	1
2.2 PART 2: RISE AND ROLE OF MEDIATION SUPPORT SYSTEM (MSS).....	5
2.3 PART 3: ITALY AND PEACE MEDIATION	6
3.0 COMMITTEE OBSERVATIONS.....	11
4.0 COMMITTEE RECOMMENDATIONS.....	13

CHAIRPERSON'S FOREWORD

The main objective of the conference was to analyze Italy's role in peace mediation to transform the global context and change the rules of international mediation.

Due to the changing global context and the difficulties in achieving lasting solutions, peace mediation is faced with identity crisis.

Six emerging trends deserve closer attention: new mediators are emerging and their overall number is increasing, regional organizations are more active in mediation but with a limited impact, non-governmental actors are gaining more space for maneuver, professionalization of the sector is in place and some formal mediation support mechanisms have been progressively established in the last 10 to 15 years while the role of the UN in peace mediation has been declining with some of its mediation norms and principles being contested, or, at least, not fully shared.

While personal contacts between high-level politicians remain important, they are no longer sufficient for effective mediation aimed at bringing about fundamental and structural change within a conflict zone.

This realization brought, in the 2000s, several notable changes, with international organizations and States institutionalizing different forms of **Mediation Support Structures (MSS)**.

Despite the variety of models and approaches that mushroomed in the last two decades, it is possible to cluster MSSs into two categories: those embedded within foreign ministries, those that act as an external independent entity, or those that use a mixed model of these two approaches.

So far, Italy has not invested in MSS but appears well-positioned to strengthen its capacity for peace mediation.

The differences between the various models of MSS depend on how a State interprets its role as a mediator, which usually relies on its foreign policy trajectories, its geographical and historical position and the relevance of the State in the context.

In that regard it's important that Kenya positions itself and be relevant in matters of peace mediation, given its geographical position and volatile borders.

It is important therefore to include an amendment in the current National Cohesion and Integration Bill of 2023 that would establish Kenyan mediation support structure or unit. This will enhance training, research, networking and operational support for ongoing and future mediation processes. Furthermore, establishment of a policy on guidelines is critical since it would enhance the role of a mediator in specific norms associated with durable peace agreements, such as promoting human rights, gender equality and inclusivity.

The policy should be presented to the Committee on National Cohesion and Equal Opportunity for consideration and adoption.

An additional budgetary allocation for peace building in the next Supplementary budget to support peace initiatives in the Country would go a long way in enhancing the existing structures on peace mediation in the Country.

Lastly, on behalf of the members, the Committee would like to express its gratitude to the Speaker and the National Assembly Clerk's offices for their support.

I am pleased to bring to the House, on behalf of the Committee, a report on peace mediation conference held in Bologna, Italy from 13th to 23rd May 2024 in accordance to Standing Order 199(6).



HON. YUSSUF ADAN HAJI, DSM, M.P

CHAIRPERSON,

COMMITTEE ON NATIONAL COHESION AND EQUAL OPPORTUNITY

LIST OF ABBREVIATIONS AND ACRONYMS

MSS	- Mediation Support Structures
UN	- United Nations
UNSC	- United Nations Security Council
ADR	- Alternative Dispute Resolution
MSU	- Mediation Support Unit
AU	- African Union
REC	- Regional Economic Communities
IGAD	- Intergovernmental Authority for Development
MFD	- Mediation Facilitation Division
ECOWAS	- Economic Community of West African States
OSCE	- Organization for Security and Cooperation in Europe
MWMN	- Mediterranean Women Mediators Network
WPS	- Women, Peace and Security

1.0 PREFACE

The Committee on National Cohesion and Equal Opportunity is established under the Standing Order 212C of the National Assembly.

1.1 Mandate of the Committee

The mandate of the Committee includes *inter alia*:

- i. Monitor and promote measures relating to policy and program initiatives in pursuit of peace and national cohesion;
- ii. Investigate, inquire into and report on all matters relating to inter community cohesion;
- iii. Monitor and promote measures designed to enhance the equalization of opportunities and improvement in the quality of life and status of all persons, including persons who are marginalized on the basis of gender, age, disability, health status, ethnic, racial, cultural or religious background or affiliation or any other such ground;
- iv. Investigate, inquire into and report on all matters relating to discrimination and or marginalization of persons referred to under sub-paragraph(c);
- v. Make proposals to Parliament including legislative proposals for the protection, equalization of opportunities and promotion of the welfare of the groups referred to under sub-paragraph (c); and
- vi. Examine the activities and administration of all State departments and statutory bodies in so far as they relate to the rights and welfare of the persons referred to under sub-paragraph (c).

1.2 Committee Membership

	Name	Constituency	Party
1.	Hon. Yussuf Adan Haji, DSM, MP. (Chairperson)	Mandera West	United Democratic Movement (UDM)
2.	Hon. Liza Chelule Chepkorir, MP. (Vice-Chairperson)	Nakuru (CWR)	United Democratic Alliance (UDA)
3.	Hon. Yusuf Hassan Abdi, MP.	Kamukunji	Jubilee Party (JP)
4.	Hon. Charles Kamuren, MP.	Baringo South	United Democratic Alliance (UDA)
5.	Hon. Charles Ong'ondo Were, MP.	Kasipul	Orange Democratic Movement (ODM)
6.	Hon. Edward Oku Kaunya, MP.	Teso North	Orange Democratic Movement (ODM)
7.	Hon. Joseph Samal Lomwa, MP.	Isiolo North	Jubilee Party (JP)
8.	Hon. Martin Peters Owino, MPH, MP.	Ndhiwa	Orange Democratic Movement (ODM)
9.	Hon. Eng. Paul Nzengu, MP.	Mwingi North	Wiper Democratic Movement Kenya (WDM-K)
10.	Hon. Agnes Mantaine Pareyio, MP.	Narok North	Jubilee Party (JP)
11.	Hon. Duncan Maina Mathenge, MP.	Nyeri Town	United Democratic Alliance (UDA)
12.	Hon. Fredrick Lusuli Ikana, MP.	Shinyalu	ANC Party
13.	Hon. Irene Nyakerario Mayaka, MP.	Nominated	Orange Democratic Movement (ODM)
14.	Hon. Jane Wangechi Kagiri, MP.	Laikipia (CWR)	United Democratic Alliance (UDA)
15.	Hon. Joseph Hamisi Denar, MP.	Nominated	ANC Party
16.	Hon. Joseph Iraya Wainaina, MP.	Nominated	United Democratic Alliance (UDA)
17.	Hon. Mary Maingi, MP.	Mwea	United Democratic Alliance (UDA)
18.	Hon. Monicah Muthoni Marubu, MP.	Lamu (CWR)	Independent
19.	Hon. Onesmus Ngogoyo Nguro, MP.	Kajiado North	United Democratic Alliance (UDA)
20.	Hon. Teresia Wanjiru Mwangi, MP.	Nominated	United Democratic Alliance (UDA)

1.3 Committee Secretariat

Ms. Naserian Lotuai
Clerk Assistant I -Lead Clerk/Head of the Secretariat

Ms. Kathleen Nanzala
Clerk Assistant III

Ms. Sharon Cheruto
Hansard Reporter

Ms. Audrey Andala
Legal Counsel II

Ms. Peter Atsiaya
Media Relations Officer

Ms. Joanne Naneu
Research Officer III

Ms. Margaret Wanjiku Wainaina
Public Communications Officer

Mr. John Ng'anga
Audio Officer

Mr. Luka Mutua
Sergeant-at-Arms

2.0 INTRODUCTION

1. The Committee nominated the following members and a staff to attend the peace mediation conference that was held in Bologna, Italy from 13th to 24th May, 2024:
 - a. Hon. Yusuf Hassan Abdi, MP- **Leader of delegation**
 - b. Hon. Edward Kaunya, MP
 - c. Ms. Angelina Naserian Lotuai- **Delegation Secretary**
2. The conference was held at Biblioteca in Bologna and the aim of the meeting was placed into three parts; the first part analyses the transformation of peace mediation at the global level. It traces the international context and the recent developments in the operationalisation of peace mediation. Then, it analyses six emerging trends in terms of actors, structures, principles and standards. The second part is specifically dedicated to the rise and role of the mediation support structures (MSS). Four areas of work and three models of MSS are defined, while different experienced and less experienced States operating on mediation are scrutinised. The third part is devoted to the role of Italy in peace mediation, considering both the institutional trajectories and the role of non-governmental actors.

2.1 Part 1. Transformation of Peace Mediation at the Global Level.

3. It was discussed that peace mediation is not an easy task. Failure is a core part of the job description. Orchestrating a peace agreement takes months or years and it is often far from being successful and it was noted that 50 per cent of peace agreements reached relapsed into conflict within ten years.
4. Definition of mediation' *According to An Agenda for Peace*, peace-making represents an "action to bring hostile parties to agreement, essentially through such peaceful means as those foreseen in Chapter VI of the Charter of the United Nations. "The Charter indeed has foreseen a variety of tools for peace-making: negotiation, mediation, and conciliation, arbitration, and international law mechanisms. Specifically on mediation, the UN launched the *Guidance for Effective Mediation* aiming to foster mediation efforts that are both professional and credible. In the Guidance, mediation is therefore defined as a voluntary process "whereby a third party assists two or more parties, with their consent, to prevent, manage or resolve a conflict by helping them to develop mutually acceptable agreement.
5. Despite the odds, peace mediation remains both fascinating and necessary. One of the characteristics of the changing nature of armed conflicts is that often peace agreements do not address the

underlying causes of violence. Instead of including long-term conflict resolution, mediation processes often prioritise short-term conflict management and as a consequence, many peace processes have lost their effectiveness. Due to the changing global context and the difficulties in achieving lasting results, peace mediation faces an identity crisis. New approaches and perspectives are emerging in response to these challenges, but they are far from universally embraced or supported. New and diversified actors are also emerging with an increase in the overall number of mediators.

6. However, in the last two decades, the mediation scene has deeply evolved. Another relevant trend is the professionalization of peace mediation. While personal contacts between high-level politicians remain important, they are no longer sufficient for effective mediation aimed at bringing about fundamental structural change within a conflict, instead they should set up policies and regulations which are important for mediation processes. This realisation brought, in the 2000s, several notable changes, with international organisations and states institutionalising different forms of **Mediation Support Structures (MSS)**.
7. This rise of MSS can be considered part of the growing trend of establishing institutions for global governance. In this framework, the main objective of this publication is to analyse Italy's role in peace mediation in the transforming global context and changing the rules of international mediators. The analysis could not be timelier. While this publication is being finalised, the Berlin Moot, a high-level conference on peace.
8. According to the Global Peace Index, over the last 15 years, the world has become less peaceful, with 2023 representing the thirteenth year in which global peacefulness deteriorated. It is evident that conflicts today are more interconnected and complex than ever before. For example, armed conflicts often coincide with the rise of violent extremism, leading to additional human security threats. This is due to the involvement of a wider range of actors, who operate at different levels and by different means.
9. Additionally, the international system is becoming increasingly fragmented, particularly due to deadlock and disagreement at the United Nations Security Council (UNSC) concerning global security issues and conflict management. Overall, the shift from the unipolar world that emerged in the early 1990's to a multipolar one has weakened the liberal international system. As a consequence,

local and international actors working on peace and security have today more options to understand the international space in an unprecedented way.

10. This global landscape also affects how mediation processes are conducted and their impact. One of the characteristics of the changing nature of armed conflicts is that often peace agreements do not fully address the underlying causes of violence. Instead of focusing on long-term conflict resolution, mediation processes often prioritise short-term conflict management such as ceasefire or humanitarian access. These measures are often necessary and urgent, but they should be connected to a longer strategy. This short term approach leads to the re-emergence of tensions shortly after the mediation process is over. Consequently, once a country or society is on a violent path, it becomes increasingly difficult to redirect it towards peace.
11. The UN has been a prominent institution in peace mediation, mainly through the "good offices" of its Secretary-General. However, despite the UN Charter's definition of mediation as a primary way to resolve international conflicts, it was not until the mid-2000s that a thorough review and analysis of the process of mediation took place. This was in response to the limitations of more forceful international interventions and influenced by the success of Alternative Dispute Resolution (ADR) methods at the domestic level.
12. Following the 2005 World Summit, the UN was committed to playing a central role in the prevention and management of violent conflicts, promoting a coherent and integrated approach to the prevention and resolution of armed conflicts and strengthening its capacity to respond promptly to peace mediation efforts. One of the outcomes of the 2005 World Summit was the call for the Secretary-General to strengthen support for mediation, which led, the following year, to the creation of the Mediation Support Unit (MSU) in the Department of Political Affairs and Peacebuilding (DPPA).
13. In July 2011, the General Assembly adopted its first resolution on mediation (UNGA 65/283)¹⁴, calling for the identification of specific criteria to carry it out. The "Group of Friends of Mediation" – which consists of 43 member states of the UN, and seven regional organisations that played a crucial role in the adoption of this resolution, which addresses challenges related to coordination in mediation processes. One of the achievements was the publication of the "Guide for Effective Mediation" in 2012, which remains a point of reference.
14. Resolution UNSCR 65/283 provides a systematic approach to mediation, with increased coordination, capacity building, and allocated resources. It highlights the contributions of States, the

UN, regional and international organisations, as well as civil society. Notably, it recognises the role of regional organisations and emphasises the need to specifically that women participate in mediation. The resolution encourages leveraging existing mediation capacities and ensuring coherence among various actors involved in mediation efforts. Against this backdrop, the resolution also signals a change in the role of mediators, which has expanded beyond the primary objective of ending violence by assisting conflicting parties to reach a mutually acceptable agreement. Nowadays, mediators can be also responsible for upholding specific norms associated with durable peace agreements, such as promoting human rights, gender equality, and inclusivity.

15. The years following the adoption of this Resolution have seen the progressive emergence of a “doctrine” of mediation and a set of guidelines in different regional organisations. In 2009 the African Union (AU) began to structure its mediation. In 2012, the Centre for Humanitarian Dialogue (HD), a Geneva-based NGO, provided support to the AU to publish standard procedures for mediation support. After different steps, the AU established its MSU in 2016. Other Regional Economic Communities (RECs) such as the Intergovernmental Authority for Development (IGAD) have invested in MSS. IGAD’s own MSU was formally established in 2012, after a High-level Consultative Meeting on Mediation, while the Mediation Facilitation Division (MFD) of the Economic Community of West African States (ECOWAS) was established in 2015. 16 In Europe, in 2014, the Organization for Security and Cooperation in Europe (OSCE) developed the Reference Guide on Mediation and Facilitation of Dialogue.
16. In the current evolving global landscape, peace mediation finds itself at a crossroads. Even if new approaches and perspectives are emerging in order to face today's challenges, they are not widespread and supported completely. The following emerging trends deserve close attention:
- a. New mediators are emerging and their overall number is increasing;
 - b. Regional organizations are more active in mediation, but with a limited impact;
 - c. Non-governmental actors are gaining more space for maneuver;
 - d. A professionalization of the sector is in place and some formal mediation support mechanisms have been progressively established in the last 10-15 years;
 - e. The UN role in peace mediation has been declining;
 - f. Some UN mediation norms and principles are contested, or, at least, not fully shared.
17. It was concluded that the principles related to peace mediation, is crucial to give specific consideration to the concept of inclusivity. It shows that an inclusive peace process has more chances

to last, compare to non-inclusive processes. The UN has widely remarked on how women and youth should be included in peace processes. The adoption of UNSCR 1325 (2000), as well as later resolutions on the Women, Peace and Security (WPS) Agenda, have made explicit the need, even the obligation, to ensure that women specifically are part of peace processes. Yet, some actors, continue to be reluctant to promote the participation of women mediators. At the same time, women are proven to be able to reach actors whom male mediators often cannot, and to add legitimacy to both mediation proceedings and their outcomes. For some experts, the involvement of women is therefore not negotiable, while for others halting the fighting could be the priority, even if a non-inclusive process has limited chances to last.

18. Another principle is in terms of local or national ownership. To establish consent and credibility, as well as ensure peace agreements that can be implemented, it is crucial to involve local actors in mediation processes. To achieve acceptability and ownership, as well as gain international support, mediation processes, and peace agreements also, should be co-designed with experts in local and international normative frameworks.
19. However, many domestic actors lack control over mediation processes, leading to third-party mediation being associated with conflict resolution processes that are perceived as being imposed by more powerful actors.

2.2 Part 2: Rise and role of Mediation Support System (MSS)

20. In the 2000s, several international organizations and states institutionalized different forms of Mediation Support Structures (MSS). The rise of MSS can be considered as part of the growing trend of establishing institutions for global governance. The research centre Swiss peace analyzed the emergence of MSS as the result of a multifaceted process: “MSS materialized through the interplay of political interests, operational needs, and discourses emphasizing that professionalization is required for effective peacemaking”. This section analyses the main structural models of MSS and the core practices emerged at the national level and are follows;
 - a. Institutional Capacity Building
 - b. Knowledge management and research
 - c. Operation support and networking
 - d. Experience sharing.
21. Main attention is devoted to how these structures operate at the national level, in order to better understand prevailing models and offer comparative analysis.

22. The role of Mediation Support Structures consists of “the professionalization of mediation as a method based approach; this goes hand in hand with training, research, networking, and operational support for ongoing mediation processes. The MSS aims to improve capabilities and to implement mediation as a foreign policy instrument. In general, three main clusters of activities are considered to fall under the purview of MSS: (i) conduct training for partners, conflict parties, diplomats, or other mediators; (ii) generate knowledge on peace mediation; and (iii) develop direct or indirect support for mediation processes. This support can be through experts, mediators, instruments, or financial support to a specific partner. In all cases, the MSSs are separated from the geographic desks or units that, in ministries of foreign affairs, usually deal with bilateral issues with a given country. For all these to be achieved it was concluded funding policies ought to be place.

2.3 Part 3: Italy and peace mediation

23. Italian foreign policy has traditionally been centered on three main areas: Europe, the Mediterranean, and transatlantic relations. At the same time, over the last decade, an increasing interest in sub-Saharan Africa has emerged with more connections to the Mediterranean. Secondly, Italy has tended to maintain a "followership" approach through its participation to this international community preserving or improving its status.⁸² In addition, the Italian MFA often highlights the connection between political interests and international economic and commercial interests at the Ministry. This connection underscores the role of peaceful relations in Italy's interest, as it trades with all regions of the world.
24. Thirdly, Italy has regularly used diplomacy to advance causes or themes close to its interests or values, although, in these efforts, it has always preferred multilateral approaches. Interestingly enough, Italy has also experienced “hybrid diplomacy”, a synergic action between public institutions and civil society. One example is represented by the Italian government's support to the Community of Sant'Egidio for the peace process in Mozambique in the 1990s. Or Italy's championing of freedom of religion at the International Criminal Court⁸³ or the most recent Mediterranean Women Mediators Network (MWMN) launched in 2017. In fact, the MWMN has been promoted by the Italian MFA and implemented by the think-tank *Istituto Affari Internazionali* and the Italian branch of Women in International Security (WIIS Italy).
25. Overall, Italy has dedicated limited attention to building up specific capacities for peacebuilding and mediation.

26. Primarily, Italy has dedicated resources to follow some main priorities, originating from the multilateral system. For example, in the past the Italian government has paid attention to specific issues such as demining.
27. In 2010, it also adopted its first National Action Plans (NAP) on the Women, Peace and Security Agenda. The approval of NAPs has been one of the main recommendations for supporting the national-level implementation of UNSCR 1325. By 2010, nearly 30 countries had already approved their own Plans by adopting its own Plan, Italy signaled its interest in joining the movement in support of women's empowerment in peace and security and then committed human and financial resources to ensure its continued contribution. Italy's fourth NAP, adopted in 2020, remains in force until 2024 and discussions for the new plan are ongoing.
28. Both the Italian MFA and the Italian Agency for Development Cooperation (Agenzia Italiana per la Cooperazione allo sviluppo, or AICS) do not have a specific structure or unit dedicated to peacebuilding. Within AICS, peace-related topics are not a specific area of work and, whenever necessary, they are considered by the Emergency and Fragile States Unit, in a "Triple Nexus" approach.
29. At the same time, the MFA does not have a roster of international experts on peace and related issues. At the end of 2022, however, the MFA established a focal point as "Coordinator for mediation capabilities" within the Directorate General for Political Affairs and Security (DGAP), implementing one of the recommendations presented by Agency for Peacebuilding in its report on Italy and Peacebuilding.
30. The focal point drafted internal notes on Italian mediation capabilities, highlighting strengths and possible trajectories. In 2023, the role of the focal point was redefined as "Coordinator for Women, Peace and Security, Youth and Mediation" and maintained within the DGAP. Despite the mandate being extremely broad for a single diplomat, this move established more linear coordination in the peace domain.
31. Between late 2023 and early 2024, the DGAP established close contact with Italian Civil Society Organizations (CSO) and research centres specialized in peacebuilding with the intention to establish a "group of contact" and to develop more cooperation between the MFA and non-state actors on peace mediation. In addition to this, the MFA has also strengthened its internal training on mediation for junior and counsellor-level diplomats. Moreover, the University of Genoa, with the support of the DGAP, launched a summer school on Mediation in International Conflicts.

32. As previously analyzed, a limited number of Italian CSOs specialize in peacebuilding and this is due to different factors. The MFA still needs to adopt a specific strategy and a budget line for peacebuilding. Italian NGOs have a lot of experience on calls issued by AICS, but they do not prioritize peacebuilding. Despite these constraints, different organizations work with dedication and professionalism. A crucial issue remains dialogue with political institutions. Overall, for the non-governmental sector, there remains ample room for improvement and professionalization in the peace.
33. In Italy and globally, Sant'Egidio has represented a paramount NGO in the field of peace mediation. Its Mediation efforts in Mozambique in the 1990s represent to this day one of the most often cited examples of a successful mediation process at the international level, but the organization has also worked on peace processes in Guatemala, Albania, Algeria, Uganda, Guinea and, more recently, in South Sudan and Chad. Beyond Sant'Egidio, interest in mediation among civil society actors is growing. Notably, in December 2022 the Italian Initiative on International Mediation (3IM) was established with the plan "to support Italy to increase its contribution to broader initiatives of dialogue and strategies on conflict prevention and peace mediation. 3IM, along with AP and the MWMN has been in close dialogue with the Italian MFA as an informal "group of contact" on Italian capabilities in mediation.
34. There is identification of a vivid and recent trend in establishing mediation support structures in European and non-European countries and regional organizations. At the same time, countries with consolidated MSS such as Norway and Switzerland have reflected and revised their models based on the changing global landscape for mediation. Spain commissioned a policy paper on its possible trajectories in international mediation; France has been conducting a systematic study on its role in mediation. From its end, Italy has made limited progress in this direction. Yet, in the last couple of years, interest from political institutions, CSOs, and universities in mediation, and more broadly in peacebuilding has been growing. It is therefore the right moment for a timely reflection on if and how Italy can strengthen its mediation capacities by relying on the model of a mediation support structure.
35. Two overall approaches emerged in order to structure mediation capacities. The first underlines the need for a clear vision: MSS should follow precise objectives and a clear mission. Each activity should be part of a plan. For example, training should be a means to an end with clear objectives,

targets, and professional trajectories established for those who are trained. At the same time, without political engagement, the initiative risks being weak and not sustainable.

36. Conversely, the second approach highlighted the importance of taking a first, concrete step even if only a small one. For example, the MSS can be built up as a first core group of experts, and through a close partnership between the MFA and specialized CSOs, perhaps under the guidance of an experienced figure. A pilot initiative can also help to launch the process and to get experience and test assumption sand ideas.
37. In terms of models, the second section of this study presents three categories of MSS: within foreign Ministries, as an external independent entity, or a mixed model of these two approaches. Most of the MSS are different forms of mixed models and Italy could invest in this direction. This option can support a valuable level of collaboration and integration between the MFA and prominent CSOs. Italy is anchored in rigid and historic alliances (EU and NATO chief among them). In this context, an independent mediation group with a light tie to the MFA could represent an added value both to Italy and its traditional allies, as they might be able to reach groups that official diplomats could not and support their engagement in mediation processes.
38. Italy can also invest in its historical diplomatic relations, for instance, where peace operations are deployed. This does not mean defining a geographic focus *a priori*. Instead, such an option can be represented in a pragmatic way to start engaging in certain areas based on previous expertise and direct knowledge.
39. Furthermore, most of the time, Italy presents a balanced position in international relations. This approach can help to have access to irregular groups or to other complex actors. For example, during the Ethiopian war in Tigray, Italy maintained a balanced posture and had more access to the Ethiopian government than the EU. Heading in this direction, Italy can also reflect on its peculiarities and value-added in the EU's perimeter.
40. In terms of structure, the hybrid model can be represented by a unit at the MFA in close coordination with a specialized CSO, or a contact group, coordinating other NGOs. It is paramount that MFA-CSO relations are well-defined and structured through regular joint meetings and activities. At the same time, the mediation unit should not act in a vacuum and be isolated from other units and DGs. The role of the mediation unit should be clarified from the beginning also in terms of relations and procedures in order to avoid misunderstandings and problems originating from the legitimacy of the

mediation unit. When necessary, a task force can be created by pulling people from geographic and thematic sectors together for a specific objective, for example, a mediation process.

41. Despite the fact that peace mediation has some peculiarities compared to the whole peacebuilding area, an integrated approach can certainly be beneficial both to boost consistent efforts and to avoid isolation.
42. Preliminary connections can be established with three current areas of work: (i) the humanitarian development-peacebuilding nexus (or triple nexus), (ii) women, peace and security, and (iii) youth, peace and security (YPS). YPS is an emerging field for Italy and can be beneficial to establish a clear connection from the very beginning. WPS is a well-established area of work and now Italy needs to venture into concrete mediation experience and put its experience into practice. Finally, the triple nexus can help to create synergies between mediation, development cooperation, and humanitarian aid. Indeed, Italian NGOs such as Sant'Egidio have often connected humanitarian efforts and peace mediation.
43. As already analyses, mediation processes are complex, and some states are supporting in some specific aspects and not necessarily leading. According to its national experiences, Italy could specialize in one or more aspects of mediation support. For example, in humanitarian mediation and/or in track processes, in which the top leadership of one or both conflict parties are engaged in the peace process, but in an informal setting and/or in their personal capacity.
44. In conclusion, Italy appears well-positioned to strengthen its capacity through an MSS. A step-by-step approach can be the most appropriate to advance this effort. Yet, it does not mean relying on short-term projects and a small budget. Precise leaps forward should be in place, from establishing a hybrid MSS in synergy with chosen CSOs to investing in a pilot project or a particular specialization.

3.0 COMMITTEE OBSERVATIONS

The Committee made the following observations: That

1. Peace mediation has become more professional. While high-level politicians' personal relationships are still crucial, they are no longer adequate for successful mediation intended to alter the underlying structure of a dispute; instead, they need establish the laws and policies that are essential by states and international bodies has led in a number of noteworthy modifications to mediation procedures.
2. It is clear that today's conflicts are more complicated and interwoven than ever before because to the institutionalisation of several Mediation Support Structures (MSS). For instance, violent extremism is known to increase in tandem with military conflicts, posing a threat to human security. This is because there are more players involved, and they use various strategies and operate at different levels.
3. The influence of mediation procedures and how they are carried out are also impacted by this global environment. Peace agreements frequently fall short of addressing the root causes of violence, which is one of the features of the evolving nature of armed conflicts.
4. Mediation processes often prioritise short-term conflict management such as ceasefire or humanitarian access. These measures are often necessary and urgent, but they should be connected to a longer strategy. This short term approach leads to the re-emergence of tensions shortly after the mediation process is over. Consequently, once a country or society is on a violent path, it becomes increasingly difficult to redirect it towards peace.
5. Noted an important trend is professionalization in peace mediation that mediation is a professional process that requires training, analysis, and strategies. While personal contact between high-level politicians remains important, they alone are not sufficient for effective mediation aimed at bringing about fundamental structural change.
6. The creation of the Mediation Support Unit has advanced knowledge regarding the benefits of a permanent support system for mediation initiatives.
7. A set of guidelines have been established in different regional organizations ,the guidelines aim to translate into practice the core principles in peace mediation and recognizes that it is one of the priorities of supporting peace initiatives.

8. A budget line for peace building is important for any peace building initiative, most regional organization do not prioritize funds for peace building. Despite these constraints, different organizations work with dedication and professionalism, a crucial issue remains a dialogue with political institutions. Overall, there is still plenty of space for professionalization and advancement in the non-governmental sector in the peace.

4.0 COMMITTEE RECOMMENDATIONS

From the observations, the Committee made the following recommendations: That

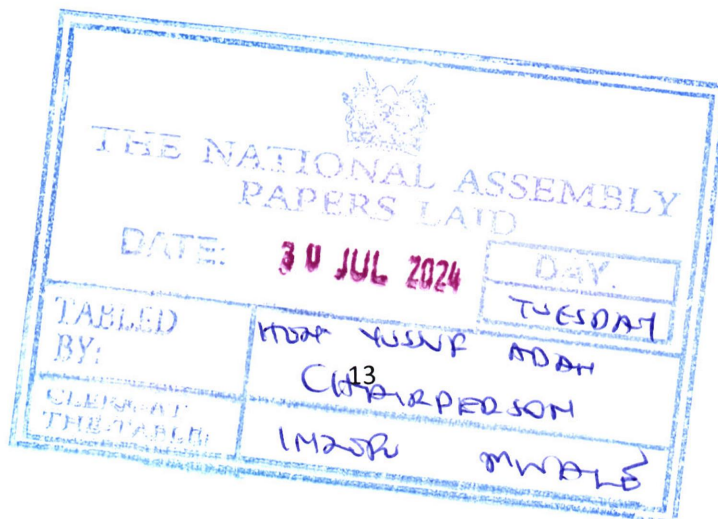
1. The Committee on National Cohesion and Equal Opportunity should propose an amendment that would establish a Kenyan mediation support structure or unit in the current National Cohesion and Integration bill of 2023. This will enhance training, research, networking, and operational support for ongoing and future mediation processes.
2. Within ninety days of the adoption of this report, the National Cohesion and Integration Commission should come up with a policy on guidelines that would enhance the role of a mediator in mediators' specific norms associated with durable peace agreements, such as promoting human rights, gender equality, and inclusivity. The policy should be presented to the Committee on National Cohesion and Equal Opportunity for consideration and adoption.
3. An additional budgetary allocation for peace building be included in the next supplementary budget estimates to support peace initiatives in the Country which would enhance the existing structures on peace mediation in the Country.
4. Within one year of the adoption of this report the National Cohesion and Integration Commission should adopt the Swiss Government concept of Peace Mediation Course and establish it within its Organization to enhance capacity building of mediators and professionalize the peace mediation process.

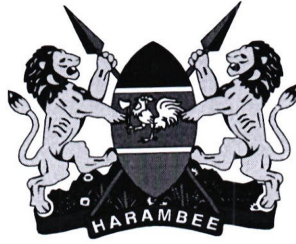
SIGNATURE  DATE 30/07/2024

HON. YUSSUF ADAN HAJI, DSM, M.P

CHAIRPERSON,

COMMITTEE ON NATIONAL COHESION AND EQUAL OPPORTUNITY







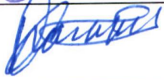

**COMMITTEE ON NATIONAL COHESION AND EQUAL OPPORTUNITY
13TH PARLIAMENT – THIRD SESSION 2024**

ADOPTION LIST

REPORT ON THE PEACE MEDIATION CONFERENCE HELD IN BOLOGNA ITALY

DATE: 13/06/2024

No.	NAME	SIGNATURE
1.	The Hon. Yussuf Adan Haji, DSM, MP -Chairperson	
2.	The Hon. Liza Chelule Chepkorir, MP. -Vice Chairperson	
3.	The Hon. Yusuf Hassan Abdi, MP	
4.	The Hon. Harrison Garama Kombe, MP.	
5.	The Hon. Charles Kamuren, MP.	
6.	The Hon. Charles Ong'ondo Were, MP.	
7.	The Hon. Edward Kaunya Oku, MP.	
8.	The Hon. Joseph Samal Lomwa MP.	
9.	The Hon. Martin Peters Owino MPH, MP.	
10.	The Hon. Eng. Paul Nzengu, MP.	
11.	The Hon. Agnes Pareyio Mantaine, MP.	
12.	The Hon. Duncan Maina Mathenge, MP.	
13.	The Hon. Fredrick Lusuli Ikana, MP.	

No.	NAME	SIGNATURE
14.	The Hon. Irene Nyakerario Mayaka, MP.	
15.	The Hon. Jane Wangechi Kagiri, OGW, MP.	
16.	The Hon. Joseph Iraya Wainaina OGW, MP.	
17.	The Hon. Joseph Hamisi Denar, MP.	
18.	The Hon. Mary Maingi, MP.	
19.	The Hon. Muthoni Marubu, MP.	
20.	The Hon. Onesmus Ngogoyo Nguro, MP.	
21.	The Hon. Teresia Wanjiru Mwangi, MP.	

MINUTES OF THE 29TH SITTING OF THE COMMITTEE ON NATIONAL COHESION AND EQUAL OPPORTUNITY HELD ON THURSDAY, 13TH JUNE 2024 IN THE NGCDF BOARDROOM, 10TH FLOOR, HARAMBEE PLAZA

PRESENT

1. The Hon. Yussuf Adan Haji DSM, MP. - **Chairperson**
2. The Hon. Yūsuf Abdi Hassan, MP
3. The Hon. Charles Ong'ondo Were, MP.
4. The Hon. Edward Kaunya Oku, MP.
5. The Hon. Jane Wangechi Kagiri, OGW, MP
6. The Hon. Fredrick Lusuli Ikana, MP.
7. The Hon. (Dr.) Joseph Iraya Wainaina OGW, MP
8. The Hon. Onesmus Ngogoyo Nguro, MP.

APOLOGIES

1. The Hon. Liza Chelule Chepkorir, MP. - **Vice Chairperson**
2. The Hon. Harrison Garama Kombe, MP.
3. The Hon. Charles Kamuren, MP.
4. The Hon. Eng. Paul Nzengu, MP.
5. The Hon. Martin Peters Owino MPH, MP.
6. The Hon. Joseph Samal Lomwa, MP.
7. The Hon. Agnes Pareyio Mantaine, MP
8. The Hon. Duncan Maina Mathenge, MP.
9. The Hon. Irene Nyakerario Mayaka, MP.
10. The Hon. Joseph Denar Hamisi, MP.
11. The Hon. Muthoni Marubu, MP.
12. The Hon. Mary Maingi, MP.
13. The Hon. Teresia Wanjiru Mwangi, MP

SECRETARIAT

1. Ms. Naserian Lotuai - Clerk Assistant I
2. Ms. Kathleen Nanzala - Clerk Assistant III
3. Ms. Audrey Andala - Legal Counsel II
4. Ms. Joanne Naneu - Research Officer III
5. Mr. John Nganga - Audio Officer
6. Mr. Peter Atsiaya - Media Relations Officer
7. Mr. Alex Amwata - Hansard Reporter
8. Ms. Lilian Aluga - Public Communications Officer
9. Mr. Luka Mutua - Serjeant-at-Arms

MIN.NO. /NCEO/2024/157: PRELIMINARIES

The Chairperson called the meeting to order at 10:30 am and said the prayers.

MIN.NO. /NCEO/2024/158: ADOPTION OF THE AGENDA

The agenda of the meeting was adopted having been proposed and seconded by Hon. (Dr) Joseph Iraya, MP and Hon. Charles Were, MP. respectively.

MIN.NO. /NCEO/2024/159: CONFIRMATION OF MINUTES

The minutes of the 28th sitting were confirmed as a true record of the proceedings after being proposed and seconded by Hon. Charles Were, MP. and Hon. (Dr) Joseph Iraya, MP. respectively.

MIN.NO. /NCEO/2024/160: CONSIDERATION OF THE REPORT ON THE INSPECTION VISIT TO SPECIAL NEEDS SCHOOLS

The Committee considered the report on the inspection visit to special needs schools and made the following observations and recommendations –

Committee Observations

1. Provision of resources for the learners, most schools that host mentally handicapped learners do not operate efficiently and effectively due to delayed disbursements of funds and the low amount of budget allocated to it.
2. The existing curriculum and extracurricular activities provided to mentally challenged students do not significantly contribute to their development since the students lack the ability to understand the textbooks that KICD supplies to the school.
3. The committee observed that the administration of exams for special needs learners and the adaptation of the curriculum should be regulated by legislation.
4. Stagnation of special needs teachers in the same grade due to lack of a specialized structure of promotion and career progression by the Teachers Service Commission.
5. Teachers in mentally handicapped schools are at a risk of injury due to the nature of learners they handle, and no provision of risk allowance by the TSC.
6. The school management should actively lobby their issues to relevant authorities, such as the Member of County Assembly (MCA) or the county government, especially during public participation forums. This advocacy is crucial for addressing the school's challenges and securing the necessary support and resources.
7. There was a need to sensitize parents of special needs learners to the unique needs of the learners to make them more understanding of the challenges faced by the learners and teachers.

8. There is no tax exemption on donor equipment and assistive devices, hence it become unaffordable by parents and the learning institutions. Given the high prices in purchasing the said devices.
9. The current Social Health Insurance Fund should cover and support the persons with disability especially learner that are mentally handicapped.
10. Due to the nature of learners, it was observed that there is need to deploy a physiotherapists in each school with mentally challenged learners for assistance and growth purposes.as well construct physiotherapy room.
11. There is a pressing need for workshops and seminars to equip teachers with the skills and knowledge necessary to manage and support their students effectively;
12. There is no system in place to replace the teachers who have retired which causes the staffing shortage and impacting the continuity and quality of education provided.

Committee Recommendations

1. Within the next financial year, the Ministry of Education should significantly increase funding allocations for special schools to ensure they have necessary resources to provide high quality education and support services for students with disabilities. The funding increase should be implemented with a comprehensive review and adjustment of allocations every three (3) years to address evolving needs and ensure sustained support for special schools;
2. Within six (6) months of the adoption of this report, the Ministry of Education should establish a dedicated repair and maintenance service unit within each Educational Assessment and Resource Service (EARS) center to ensure that special schools have the necessary financial resources to maintain and repair essential devices and learning materials;
3. Within six (6) months of the adoption of this report, the Teachers Service Commission (TSC) should ensure the deployment of teachers trained in Special Needs Education (SNE) to all schools that enroll learners with disabilities in accordance with the Ministry of Education policy on learner-teacher ratios;
4. The Ministry of Education should conduct in-service training (INSET) courses for teachers on a semi-annual basis to equip them with the necessary skills, ultimately enhancing the learning experience for the students;

5. Within six (6) months of the adoption of this report, the Ministry of Education should develop comprehensive guidelines for adapting school environments to be disability friendly and accessible. This will ensure that all educational environments are inclusive and supportive of learners with disabilities;
6. The Ministry of Education should improve home-based programs for children with disabilities who are unable to access institutional services due to the nature and severity of their disabilities. The program should include the allocation of adequate resources, training for service providers and the establishment of a monitoring and evaluation framework to ensure effectiveness and sustainability; and
7. Within six (6) months of the adoption of this report, the Ministry of Education should develop comprehensive guidelines with specific adaptations to the curriculum evaluation for students with disabilities. This includes the provision of additional time during examinations based on the type and severity of the disability and a framework for alternative evaluation methods.
8. Kenya Revenue Authority should establish a mechanism of exempting tax on special needs devices, in the next Financial Year as well the caretakers of learners, this is upon verification, identification and approval by the provincial administration that the tax exempted person are certainly caretakers.

**MIN.NO. /NCEO/2024/161: CONSIDERATION OF THE REPORT ON THE
ID4AFRICA ANNUAL GENERAL MEETING HELD IN CAPETOWN SOUTH AFRICA
FROM 21ST TO 24TH MAY 2024**

The Committee considered the report and made the following observations and recommendations

–

Committee Observations

1. Digital identity systems have the potential to significantly enhance access to a wide range of services, including social protection programs, healthcare, education, and financial services. By providing a verifiable identity, individuals can more easily access and benefit from these services.
2. Effective digital identity systems can promote equal opportunity by addressing issues of marginalization and exclusion. Digital identities can help individuals lacking traditional identity documents such as refugees, residents from rural areas and economically disadvantaged groups to gain access to vital government services through digital identities.

3. CSOs play a crucial role in enhancing the effectiveness of digital identity systems. CSOs work with the communities at the grassroots level to create awareness which reduces resistance to enrolment. The Government needs to engage CSOs in the transformation to digital identity systems to ensure that the systems are tailored to meet the diverse needs of communities.
4. Ensuring that digital identity systems uphold human rights is essential. This includes protecting individuals' privacy and ensuring that their data is secure. The AGM discussions emphasized the need for robust data protection laws and frameworks to safeguard individuals' rights within digital identity systems.
5. Digital identity has promoted financial inclusion in India by enabling people to open bank accounts, access credit, and engage in economic activities. This has greatly helped advance access to opportunities for populations that have historically been excluded in formal financial systems.
6. It is crucial for the Government to recognize and address the challenges associated with the implementation of digital IDs for a successful transformation. Addressing barriers such as connectivity issues, interoperability, data protection, privacy and security is crucial for the success and effectiveness of digital IDs
7. Transitioning to a Digital Identity Ecosystem is crucial for Kenya, especially during crises like the recent widespread flooding that resulted in many people losing their identification documents. Implementing digital identity systems would simplify the process for the government to reissue these lost IDs.

Committee Recommendations

1. The State Department of Immigration and Citizen Services should engage CSOs in the rolling out of the *Maisha Cards* to ensure there is equity and efficiency in the registration and access to the Digital ID cards. The CSOs will help the State Department in conducting awareness campaigns on the digital ID systems, reaching out to marginalized communities.
2. The State Department of Immigration and Citizen Services should collaborate with the National Assembly Committee on Administration and Security to formulate and enact comprehensive policy and legal framework to govern the digital ID system. The framework should address discrimination for Kenyans who have historically faced challenges in acquiring identification documents.

**MIN.NO. /NCEO/2024/162: ADOPTION OF THE REPORT ON THE PEACE
MEDIATION CONFERENCE HELD IN BOLOGNA, ITALY FROM 13TH TO 24TH MAY
2024**

The Report on the Peace Mediation Conference was adopted having been proposed and seconded by Hon. Jane Kagiri, OGW, MP and Hon. Charles Were, MP. respectively.

MIN.NO. /NCEO/2024/163: ANY OTHER BUSINESS

1. The Committee asked for an update on the inquiry into the alleged discrimination by the Kenya Revenue Authority in the recruitment of Revenue Service Assistants. The Legal Counsel briefed the Committee that the Authority had filed an appeal against the High Court's decision. As such, the Committee could not commence the inquiry until the appeal was concluded.
2. The Chairperson informed the Committee of a request made through the Speaker of the National Assembly by the Hon. Monicah Marubu, MP. for the Members of the Committee on Defence and Foreign Relations, the Committee on National Cohesion and Equal Opportunity and the Committee on Administration and Internal Affairs to undertake a fact-finding mission in the Basuba Ward of Lamu County. The Committee was to nominate five members to participate in the activity that would take place in August.

MIN.NO. /NCEO/2024/156: ADJOURNMENT

The meeting was adjourned at 12:10pm. The next meeting will be on notice.

SIGNED.......... DATE14/06/24.....

**HON. YUSSUF ADAN HAJI, DSM, MP
CHAIRPERSON**