

Final Draft MOU

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE GOVERNMENT OF THE REPUBLIC OF
KENYA

AND

THE GOVERNMENT OF THE REPUBLIC OF
UGANDA
IN SUPPORT OF

THE CROSS-BORDER INTEGRATED PROGRAMME
FOR SUSTAINABLE PEACE AND SOCIO-ECONOMIC
TRANSFORMATION FOR THE KARAMOJA
CLUSTER

PREAMBLE:

The Government of the Republic of Kenya and the Government of the Republic of Uganda (hereinafter jointly referred to as the parties and separately as the party):

CONSIDERING the endemic conflicts in the Karamoja cluster of Kenya and Uganda and the profound negative impact on the livelihoods of affected communities.

REAFFIRMING the commitment made during the cross-border peace initiative meeting held in Nairobi, Kenya on 31 August 2018 to develop a Memorandum of Understanding (MoU) and framework aimed at economically empowering the local communities through a judicious mix of social-economic transformative programmes;

ACKNOWLEDGING the need to embark on an innovative, integrated programme to bring about sustainable peace and transformative development in the borders of Kenya and Uganda in partnership with Inter-Governmental Authority on Development (IGAD) and United Nations Country Teams of Kenya and Uganda, and other development partners to support and develop the ongoing as well as new cross-border initiatives.

APPRECIATING the strong cultural ties, friendship and cooperation existing between the Government of the Republic of Kenya and the Republic of Uganda;

RECALLING the Agreement between the Government of the Republic of Kenya and the Republic of Uganda on Agreed Priorities signed on 11th January, 2018 in Kampala, Uganda that furthered the economic relations between the Republic of Kenya and the Republic of Uganda;

AIMING at further strengthening partnership and cooperation in the field of cross-border programmes on sustainable peace and socio-economic development;

ACKNOWLEDGING the challenges that the communities in border regions experience in the conduct of the cross border transactions due to geographical location, separation of resources across the border, causing conflict and poverty in those areas;

COGNISANT of the need to strengthen the cross-border relations that exist between the Parties and to promote mutual cooperation and peaceful co-existence;

HAVE reached the following understanding:

Article 1

Objectives

1. The parties agree to adopt an MoU to accord communities on both sides of the border, opportunities for better co-operation, close coordination and peaceful coexistence, as well as bridging isolation gaps to improve their livelihood and socio-economic conditions for sustainable peace and development,
2. The specific objectives of the memorandum are to:
 - a. Increase non-violent inter-ethnic interaction & collaboration
 - b. Reduce tensions & competition over access to resources, such as water and pasture
 - c. Eliminate illegal flow of small-arms and light weapons to the region
 - d. Empower local and county governments to prevent conflict, develop rapid response mechanisms and promote sustainable peace
 - e. Strengthen peace building ,community resilience and conflict prevention , management and resolution initiatives
 - f. Increase cross border trade & investment

- g. Strengthen surveillance and response to cross border livestock/human diseases, and improved environmental and natural resource management
- h. Strengthen elimination of harmful practices such as FGM.
- i. Improve livelihoods, food security, nutrition and support basic social services
- j. Improve infrastructure
- k. Establish effective cross border coordination mechanisms
- l. Enhance research, knowledge and technology management, monitoring & evaluation and communication
- m. Facilitate of cross-border movement of persons and livestock

Article 2

Joint Activities

The Parties, with support from the United Nations Country Teams of both countries, IGAD and other Development Partners will jointly implement and coordinate in collaboration with the decentralized and/or devolved governance structures the objectives of the MOU. These activities will include:

- i. Identifying the causes and impacts of conflict so as to improve conflict prevention, management, resolution capacities of the communities;
- ii. Strengthening and supporting peace committees in order to bring about sustainable peace and social cohesion;
- iii. Designing, implementing, monitoring and evaluating integrated cross border programmes to promote sustainable peace and inclusive economic growth in the two Countries provided under a joint detailed framework to be agreed on and implemented by the parties.

Article 3

Institutional implementation framework

The Joint Technical Committee established under the Ministry of Kenya responsible for Arid and Semi-Arid Lands and the Ministry of Uganda responsible for Karamoja Affairs will oversee the implementation of this MOU and will work closely with relevant National Government Ministries, County/Local Governments, Regional Agencies, UN and other Development Partners. The Parties shall agree on the composition and mandate of the Joint Technical Committee as well as an implementation framework

Article 4

Funding

The two parties will mobilize resources from internal sources, development partners and the private sector in order to implement the objectives of this MOU

Article 5

Notices and Communications

All notices, approvals, consents or other communications made pursuant to this MOU will be through agreed diplomatic channels.

Article 6

Settlement of Disputes

Any dispute between the Parties arising from the interpretation and/or implementation of this MOU shall be settled amicably between the parties through agreed diplomatic channels.

Article 7

Applicable Law

This MOU and all matters arising from it shall be governed by and construed in accordance with regional and international law.

Article 8

Amendments

This MOU may be amended by mutual written consent of the Parties.

Article 9

Entry into Force and Duration

1. This MOU comes into force upon signature.
2. The MOU will remain in force for a period of five years from the date of entering into force and will be renewed for successive five year periods unless one of the Parties notifies the other Party in writing in accordance to Article 10 of the MoU.

Article 10

Termination Clause

1. Either Party may terminate the MOU at any time by giving the other Party six months prior written notice of its intention to do so through agreed diplomatic channels.
2. The termination of this MOU will not prejudice the activities and ongoing projects under the MOU.

IN WITNESS WHEREOF, the undersigned on behalf of their respective Governments, signed this MOU on this day of, 2019 in two copies of the English language both copies being equally authentic.

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HON EUGENE WAMALWA, EGH,
CABINET SECRETARY
MINISTRY OF DEVOLUTION AND ASALS
OF THE REPUBLIC OF KENYA

.....
HON. JOHN BYABAGAMBI
MINISTRY OF KARAMOJA AFFAIRS
OF THE REPUBLIC OF UGANDA