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| Country/entity | Kenya |
| Region | Africa (excl MENA) |
| Agreement name | Kenyan National Dialogue and Reconciliation: Annotated Agenda and Timetable |
| Date | 1 Feb 2008 |
| Agreement status | Multiparty signed/agreed |
| Interim arrangement | Yes |
| Agreement/conflict level | Intrastate/intrastate conflict Kenyan Post-Electoral Violence (2007 - 2008) The conflict emerged as post-election violence. After the incumbent President Kibaki was declared the winner of the Kenyan presidential elections in December 2007, complaints of fraud and a structural disadvantage affecting his competitor Raila Odinga lead to outbreaks of severe ethno-political violence. After the first incidents in the Rift Valley region, mainly directed against the Kikuyu ethnic group – the traditional powerbase of Kibaki – the fighting spread to the cities of Nairobi and Mombasa. After two months, Kibaki and Odinga agreed on a power-sharing agreement that granted Odinga the post as a Prime Minister and ended the violence. Close Kenyan Post-Electoral Violence (2007 - 2008) |
| Stage | Pre-negotiation/process |
| Conflict nature | Government |
| Peace process | Kenya peace process |
| Parties | - Martha Karua, For the Government/PNU Delegation - Musalia Mudavadi For the ODM Delegation |
| Third parties | Witnessed by - For the Panel of the Eminent African Personalities: H.E. Kofi A. Annan |
| Description | - |

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| Agreement document | KE_080101_Annotated Agenda for the Kenya Dialogue and Reconciliation.pdf (opens in new tab) Download PDF |
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Groups

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| Children/youth | Groups→Children/youth→Rhetorical Page 2, A) ANNOTATED AGENDA, 4. LONG-TERM ISSUES AND SOLUTIONS: Poverty, the inequitable distribution of resources and perceptions of historical injustices and exclusion on the part of segments of the Kenyan society constitute the underlying causes of the prevailing social tensions, instability and cycle of violence. Discussions under this Agenda item will be conducted to examine and proposed solutions for long-standing issues such as, inter alia: ... • Tackling unemployment, particularly among the youth; |
| Disabled persons | No specific mention. |
| Elderly/age | No specific mention. |
| Migrant workers | No specific mention. |
| Racial/ethnic/ national group | No specific mention. |
| Religious groups | No specific mention. |
| Indigenous people | No specific mention. |
| Other groups | No specific mention. |
| Refugees/displaced persons | No specific mention. |
| Social class | No specific mention. |

Gender

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| Women, girls and gender | No specific mention. |
| Men and boys | No specific mention. |
| LGBTI | No specific mention. |
| Family | No specific mention. |

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) Governance→Political institutions (new or reformed)→General references
Page 2, A) ANNOTATED AGENDA, 3. HOW TO OVERCOME THE CURRENT POLITICAL CRISIS:

Under this Agenda item, the Parties will negotiate and agree on a solution towards resolving the political crisis arising from the disputed presidential electoral results as well as the ensuing violence in Kenya,
The current crisis revolves, in large measure, around the issues of power and the functioning of state institutions. Its resolution may require adjustments to the current constitutional, legal and institutional frameworks.

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- Undertaking constitutional, legal and institutional reform
- Tackling poverty and inequity, as well as combating regional development imbalances;

Elections Page 1, A) ANNOTATED AGENDA, 1. IMMEDIATE ACTION TO STOP VIOLENCE AND RESTORE FUNDAMENTAL RIGHTS AND LIBERTIES:

...

- Stopping the wave of violence that has gripped the country since the announcement of the results of the Presidential elections;

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Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society No specific mention.

Traditional/religious leaders No specific mention.

Public administration

No specific mention.

Constitution

Governance→Constitution→Constitutional reform/making

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- Undertaking constitutional, legal and institutional reform

Power sharing

Political power sharing

No specific mention.

Territorial power sharing

No specific mention.

Economic power sharing

No specific mention.

Military power sharing

No specific mention.

Human rights and equality

Human rights/RoL general

Page 1, A) ANNOTATED AGENDA, 1. IMMEDIATE ACTION TO STOP VIOLENCE AND RESTORE FUNDAMENTAL RIGHTS AND LIBERTIES:

...

- Restoring the respect for the sanctity of human life;

Bill of rights/similar No specific mention.

Treaty incorporation

No specific mention.

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| Civil and political rights | <p>Human rights and equality→Civil and political rights→Freedom of association Page 1, A) ANNOTATED AGENDA, 1. IMMEDIATE ACTION TO STOP VIOLENCE AND RESTORE FUNDAMENTAL RIGHTS AND LIBERTIES:</p> <p>...</p> <ul style="list-style-type: none"> • Ensuring that the freedom of expression, press freedom and the right to peaceful assembly are upheld; <p>Human rights and equality→Civil and political rights→Thought, opinion, conscience and religion Page 1, A) ANNOTATED AGENDA, 1. IMMEDIATE ACTION TO STOP VIOLENCE AND RESTORE FUNDAMENTAL RIGHTS AND LIBERTIES:</p> <p>...</p> <ul style="list-style-type: none"> • Ensuring that the freedom of expression, press freedom and the right to peaceful assembly are upheld; |
| Socio-economic rights | No specific mention. |

Rights related issues

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| Citizenship | No specific mention. |
| Democracy | No specific mention. |
| Detention procedures | No specific mention. |
| Media and communication | <p>Rights related issues→Media and communication→Media roles Page 1, A) ANNOTATED AGENDA, 1. IMMEDIATE ACTION TO STOP VIOLENCE AND RESTORE FUNDAMENTAL RIGHTS AND LIBERTIES:</p> <p>...</p> <ul style="list-style-type: none"> • Ensuring that the freedom of expression, press freedom and the right to peaceful assembly are upheld; |
| Mobility/access | No specific mention. |
| Protection measures | <p>Rights related issues→Protection measures→Protection of civilians Page 1, A) ANNOTATED AGENDA, 1. IMMEDIATE ACTION TO STOP VIOLENCE AND RESTORE FUNDAMENTAL RIGHTS AND LIBERTIES:</p> <p>...</p> <ul style="list-style-type: none"> • Stopping the wave of violence that has gripped the country since the announcement of the results of the Presidential elections; • Enhancing the security and protection of the population and their property; |
| Other | No specific mention. |

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

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| Development or socio-economic reconstruction | <p>Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development</p> <p>Page 2, A) ANNOTATED AGENDA, 4. LONG-TERM ISSUES AND SOLUTIONS:</p> <p>Poverty, the inequitable distribution of resources and perceptions of historical injustices and exclusion on the part of segments of the Kenyan society constitute the underlying causes of the prevailing social tensions, instability and cycle of violence. Discussions under this Agenda item will be conducted to examine and proposed solutions for long-standing issues such as, inter alia:</p> <ul style="list-style-type: none">• Undertaking constitutional, legal and institutional reform• Tackling poverty and inequity, as well as combating regional development imbalances;• Tackling unemployment, particularly among the youth;• Consolidating national cohesion and unity; <p>Socio-economic reconstruction→Development or socio-economic reconstruction→Humanitarian assistance</p> <p>Page 1, A) ANNOTATED AGENDA, 2. IMMEDIATE MEASURES TO ADDRESS THE HUMANITARIAN CRISIS, PROMOTE RECONCILIATION, HEALING AND RESTORATION:</p> <p>Discussions will be conducted to identify and agree on the modalities of implementation of immediate measures aimed at:</p> <ul style="list-style-type: none">• Ensuring that the assistance to the affected communities and individuals is delivered more effectively; |
| National economic plan | No specific mention. |
| Natural resources | No specific mention. |
| International funds | No specific mention. |
| Business | No specific mention. |
| Taxation | No specific mention. |
| Banks | No specific mention. |

Land, property and environment

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| Land reform/rights | Land, property and environment→Land reform/rights→Land reform and management Page 2, A) ANNOTATED AGENDA, 4. LONG-TERM ISSUES AND SOLUTIONS: Poverty, the inequitable distribution of resources and perceptions of historical injustices and exclusion on the part of segments of the Kenyan society constitute the underlying causes of the prevailing social tensions, instability and cycle of violence. Discussions ... <ul style="list-style-type: none">• Undertaking a Land Reform;• Addressing transparency, accountability and impunity |
| Pastoralist/nomadism rights | No specific mention. |
| Cultural heritage | No specific mention. |
| Environment | No specific mention. |
| Water or riparian rights or access | No specific mention. |

Security sector

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| Security Guarantees | Page 1, A) ANNOTATED AGENDA, 1. IMMEDIATE ACTION TO STOP VIOLENCE AND RESTORE FUNDAMENTAL RIGHTS AND LIBERTIES: ... <ul style="list-style-type: none">• Stopping the wave of violence that has gripped the country since the announcement of the results of the Presidential elections;• Enhancing the security and protection of the population and their property;• Restoring the respect for the sanctity of human life; Page 2, A) ANNOTATED AGENDA, 3. HOW TO OVERCOME THE CURRENT POLITICAL CRISIS: Under this Agenda item, the Parties will negotiate and agree on a solution towards resolving the political crisis arising from the disputed presidential electoral results as well as the ensuing violence in Kenya, The current crisis revolves, in large measure, around the issues of power and the functioning of state institutions. Its resolution may require adjustments to the current constitutional, legal and institutional frameworks. |
| Ceasefire | No specific mention. |
| Police | No specific mention. |
| Armed forces | No specific mention. |

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| DDR | No specific mention. |
| Intelligence services | No specific mention. |
| Parastatal/rebel and opposition group forces | No specific mention. |
| Withdrawal of foreign forces | No specific mention. |
| Corruption | <p>Page 2, A) ANNOTATED AGENDA, 4. LONG-TERM ISSUES AND SOLUTIONS: Poverty, the inequitable distribution of resources and perceptions of historical injustices and exclusion on the part of segments of the Kenyan society constitute the underlying causes of the prevailing social tensions, instability and cycle of violence. Discussions under this Agenda item will be conducted to examine and proposed solutions for long-standing issues such as, inter alia:</p> <p>...</p> <ul style="list-style-type: none"> • Addressing transparency, accountability and impunity |
| Crime/organised crime | No specific mention. |
| Drugs | No specific mention. |
| Terrorism | No specific mention. |

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts Transitional justice→Courts→National courts
Page 1, A) ANNOTATED AGENDA, 2. IMMEDIATE MEASURES TO ADDRESS THE HUMANITARIAN CRISIS, PROMOTE RECONCILIATION, HEALING AND RESTORATION:
Discussions will be conducted to identify and agree on the modalities of implementation of immediate measures aimed at:

...

- Ensuring the impartial, effective and expeditious investigation of gross and systematic violations of human rights and that those found guilty are brought to justice;

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| Mechanism | <p>Page 1, A) ANNOTATED AGENDA, 2. IMMEDIATE MEASURES TO ADDRESS THE HUMANITARIAN CRISIS, PROMOTE RECONCILIATION, HEALING AND RESTORATION: Discussions will be conducted to identify and agree on the modalities of implementation of immediate measures aimed at:</p> <p>...</p> <ul style="list-style-type: none"> • Ensuring the impartial, effective and expeditious investigation of gross and systematic violations of human rights and that those found guilty are brought to justice; |
| Prisoner release | No specific mention. |
| Vetting | No specific mention. |
| Victims | No specific mention. |
| Missing persons | No specific mention. |
| Reparations | No specific mention. |
| Reconciliation | <p>Page 2, A) ANNOTATED AGENDA, 2. IMMEDIATE MEASURES TO ADDRESS THE HUMANITARIAN CRISIS, PROMOTE RECONCILIATION, HEALING AND RESTORATION: Discussions will be conducted to identify and agree on the modalities of implementation of immediate measures aimed at:</p> <p>...</p> <ul style="list-style-type: none"> • Ensuring that the processes of national healing, reconciliation and restoration start at once. <p>Page 2, A) ANNOTATED AGENDA, 4. LONG-TERM ISSUES AND SOLUTIONS: Poverty, the inequitable distribution of resources and perceptions of historical injustices and exclusion on the part of segments of the Kenyan society constitute the underlying causes of the prevailing social tensions, instability and cycle of violence. Discussions under this Agenda item will be conducted to examine and proposed solutions for long-standing issues such as, inter alia:</p> <p>...</p> <ul style="list-style-type: none"> • Consolidating national cohesion and unity; |

Implementation

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| UN signatory | No specific mention. |
| Other international signatory | Witnessed by - For the Panel of the Eminent African Personalities: H.E. Kofi A. Annan |
| Referendum for agreement | No specific mention. |

International mission/force/similar No specific mention.

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source <http://www.peacemaker.un.org/>
