Peace Agreement Access Tool PA-X https://www.peaceagreements.org/

Country/entity Ethiopia

Kenya

Region Africa (excl MENA)

Agreement name Dukana-Dillo-Maikona Declaration

Date 19 Jul 2009

Agreement status Multiparty signed/agreed

Interim Yes

arrangement

Agreement/conflict Intrastate/local conflict

level

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 Framework/substantive - partial

Conflict nature Inter-group

Peace process Kenya Local Agreements

Parties No signature but agreement is between Borana of Kenya and the Gabra people.

Third parties -

Description Agreement between Borana and Gabra relating to access to resources. Also contains

agreed penalties that will be incurred for theft of livestock.

Agreement document

KE_090719_Dukana-Dillo-Maikona Declaration.pdf (opens in new tab) | Download PDF

Groups

Children/youth No specific mention.

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 No specific mention.

persons

Social class No specific mention.

Gender

Women, girls and

No specific mention.

gender

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 No specific mention.

institutions (new or

reformed)

Elections No specific mention.

Electoral commission

No specific mention.

Political parties

reform

No specific mention.

Civil society No specific mention.

Traditional/ religious leaders

Page 1, Untitled Preamble

...

"We propose an elder's committee. We need a period that will be facilitated by this committee working on peace between these communities until things take off and we have engagement and interaction."

•••

Page 1, Untitled Preamble

...

"We don't have to run to the government to sort out our issues. We can use our own systems. We can sort out our daily life issues through our own traditional system."

Public

No specific mention.

administration

Constitution

No specific mention.

Power sharing

Political power

No specific mention.

sharing

Territorial power

No specific mention.

sharing

Economic power

No specific mention.

sharing

Military power

sharing

No specific mention.

Human rights and equality

Human rights/RoL No specific mention.

general

Bill of rights/similar No specific mention.

Treaty

No specific mention.

incorporation

Civil and political

rights

No specific mention.

Socio-economic

rights

No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention

Media and

No specific mention.

procedures

No specific mention.

communication

Mobility/access No specific mention.

Protection measures

No specific mention.

No specific mention.

Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international

ernational

human rights institutions

Justice sector reform

Criminal justice and No specific mention.

emergency law

State of emergency No specific mention.

provisions

Judiciary and

No specific mention.

courts

Prisons and

detention

No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or

No specific mention.

socio-economic reconstruction

National economic No specific mention.

plan

Natural resources Page 1, Untitled Preamble

•••

"We have decided that from this meeting on, you Gabra have the right to use all our resources equally. [We will make] an inter-clan committee of Borana and Gabra that will oversee the rules of access to resources."

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

Pastoralist/ nomadism rights Page 1, Untitled Preamble

...

"We propose an elder's committee. We need a period that will be facilitated by this committee working on peace between these communities until things take off and we have engagement and interaction."

Page 1, Untitled Preamble

•••

"Animals from both communities have strayed. We should return these to their owners."

Page 1, Untitled Preamble

...

"We should be people together, giving each other information – where lost animals are

etc - all information"

Cultural heritage No specific mention.

Environment No specific mention.

Water or riparian rights or access

No specific mention.

Security sector

Security
Guarantees

Ceasefire

No specific mention.

No specific mention.

Police No specific mention.

Armed forces No specific mention.

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

No specific mention.

Crime/organised crime

Page 1, The gathering also agreed to adopt the Dillo and Dukana declaration [November 2008] which decrees that:

- 1. If a person is caught with a stolen animal, the fine is four animals per one animal stolen and the culprit has to pay the expense incurred for tracking that animal.
- 2. If anyone injures another person with intent the penalty is 15 cows.
- 3. If anyone kills a person, the penalty is 30 cows.
- 4. If someone is putting out lies and propaganda, inciting people to fight, this is very serious. It is worse than fighting itself. He is fined expenses and five cows.
- 5. For the man who conceals a culprit or information, both the concealer and the concealed are fined the same. E.g. a man who hides another man who has killed; both are fined 30 cows.

In all these cases the culprit also goes to court.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional justice No specific mention.

general

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations Transitional justice→Reparations→Material reparations

Page 1,

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Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

Other international No specific mention. **signatory**

Referendum for agreement

No specific mention.

International mission/force/ similar

No specific mention.

Enforcement mechanism

No specific mention.

Related cases

No specific mention.

Source Pastoralist Communication Initiative, (2009) http://www.pastoralists.org/borana-and-

gabrapastoralists-agree-to-peace/