Country/entity	Kenya
Region	Africa (excl MENA)
Agreement name	Kenya National Dialogue and Reconciliation, Statement of Principles on Long-term Issues and Solutions
Date	23 May 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	Framework/substantive - partial
Conflict nature	Government
Peace process	Kenya peace process
Parties	Government/PNU and ODM On the Behalf of the Government/PNU, Hon Martha Karua, Hon Sam Ongeri, Hon. Mutula Kilonzo, Hon. Moses Wetang'ula On the Behalf of ODM, Hon. Musalia Mudavudi, Hon. William Ruto, Hon. Sally Kosgei, Hon. James Orengo
Third parties	Witnessed by: For the Panel of Eminent African Personalities, H.E. Oluyemi Adeniji - Session Chair
Description	The short agreement define the commitments made to address the long-term issues: A. Constitutional, institutional and legal reform); B. Land Reform; C. Poverty, inequity and regional imbalances; D. Unemployment, particularly among the youth; E. Consolidation of national Cohesion and unity; F. Transparency, Accountability and Impunity.

Agreement document	KE_080523_Dialogue&Reconciliation (Principles on Long-term Issues and Solutions).pdf (opens in new tab) | Download PDF

Groups

Children/youth	Groups→Children/youth→Rhetorical Page 2, II. We reaffirm our commitment to addressing the long-term issues. In this regard, we agree on the following principles. D. Unemployment, particularly among the youth We agree that unemployment in Kenya, particularly among the youth, is a serious concern that must urgently be addressed. We acknowledge that the lack of effective opportunities that integrate the majority of Kenya's youth into mainstream economic Ensuring that all citizens have the opportunity to be gainfully employed is not only crucial for the nation's economic growth, prosperity and social stability, but is also vital for enabling individual to develop their full potential and to live in dignity. We therefore commit ourselves to advocate for the development of a comprehensive Strategy on combating youth unemployment, and to explore all possible means of supporting the creation of an appropriate policy environment for the expansion of opportunities for youth in the formal and informal sectors of the economy. Page 11-12, Agenda Item 4: Long term issues and solution, Matrix of Implementation Agenda See Matrix - Box 8: Unemployment, particularly among the youth
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/ national group	Groups→Racial/ethnic/national group→Rhetorical Page 3, II. We reaffirm our commitment to addressing the long-term issues. In this regard, we agree on the following principles. E. Consolidation of national cohesion and unity We recognize that consolidating national cohesion and unity is a cross-cutting task that will require the efforts of all Parties, all Ministries, civil society and all Kenyans. Apart from the creation of the National Ethnic and Race Relations Commission, we propose the introduction of legislation to light discrimination and ensure equal opportunities for all.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.

Refugees/displaced persons	No specific mention.
Social class	Groups→Social class→Rhetorical Page 1, I. Preamble, ... Recalling that, in the Annotated Agenda and Timetable for the National Dialogue and Reconciliation signed on 1 February, we recognized that poverty, the inequitable distribution of resources and perceptions of historical injustices and exclusion on the part of segments of Kenyan society constituted the underlying causes of the prevailing social tensions, instability and cycle of violence.

Gender

Women, girls and gender	Page 2, II. We reaffirm our commitment to addressing the long-term issues. In this regard, we agree on the following principles. C. Poverty, inequity and regional imbalances We recognize that to ensure sustainable peace in the country, poverty eradication and equitable development are essential. We further recognize that issue' of inequality, manifested along income, regional and gender lines, remain key challenges for Kenya. Agenda 4 Implementation Framework Poverty, inequality and regional imbalances (a) Ensure equity and balance are attained in development across all regions including in job creation, poverty reduction, improved income distribution and gender equity. (f) Develop and Affirmative Action Policy and enhance the Women's Enterprise Fund. (p. 6-7)
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, II. We reaffirm our commitment to addressing the long-term issues. In this regard, we agree on the following principles. A. Constitutional, institutional and legal reform ... We agree that the institutional reforms should include, inter alia, the following components: Police reform, parliamentary reform, judicial reform, executive reform and civil service reform. Page 3, II. We reaffirm our commitment to addressing the long-term issues. In this regard, we agree on the following principles. E. Consolidation of national cohesion and unity We recognize that consolidating national cohesion and unity is a cross-cutting task that will require the efforts of all Parties, all Ministries, civil society and all Kenyans. Apart from the creation of the National Ethnic and Race Relations Commission, we propose the introduction of legislation to light discrimination and ensure equal opportunities for all. We agree that the relevant Ministries will work with the Office of the President and of the Prime Minister and other relevant bodies to oversee unity-building efforts and initiatives. They would also help coordinate joint peace and reconciliation initiatives countrywide and liaise with local peace building efforts. Page 3, II. We reaffirm our commitment to addressing the long-term issues. In this regard, we agree on the following principles. F. Transparency, accountability, impunity We agree that transparency and accountability in the affairs of the Government, together with the fight against impunity, are essential if the country is to make progress in addressing all the challenges mentioned above. Indeed, transparency, accountability and the fight against impunity and corruption must underpin the entire reform agenda. In addressing these issues, it will be particularly important to ensure that the recommendations of the Truth, Justice, and Reconciliation Commission, are implemented. Page 7-8, Agenda Item 4: Long term issues and solution, Matrix of Implementation Agenda See Matrix - Box 5: Institutional Reform: The Parliament
Elections	No specific mention.
Electoral commission	No specific mention.
Political parties reform	No specific mention.

Civil society	Page 2, II. We reaffirm our commitment to addressing the long-term issues. In this regard, we agree on the following principles. C. Poverty, inequity and regional imbalances … In harmonizing our manifestoes, we shall ensure poverty alleviation and equitable development are top priorities for the Coalition Government. We shall utilize the National Accord implementation mechanisms and we commit ourselves to a consultative process and identify short term, medium term and strategies to fight poverty. Page 3, II. We reaffirm our commitment to addressing the long-term issues. In this regard, we agree on the following principles. E. Consolidation of national cohesion and unity … The implementation process will only succeed if all Kenyans work together to build trust in the leadership and institutions of governance. For this reason, we are committed to help ensure the wide and meaningful participation of all Kenyans in the process. Page 3, III. Implementation arrangements: ... The implementation process will only succeed if all Kenyans work together to build trust in the leadership and institutions of governance. For this reason, we are committed to help ensure the wide and meaningful participation of all Kenyans in the process.
Traditional/ religious leaders	No specific mention.

Public administration	Page 2, II. We reaffirm our commitment to addressing the long-term issues. In this regard, we agree on the following principles. A. Constitutional, institutional and legal reform ... We agree that the institutional reforms should include, inter alia, the following components: Police reform, parliamentary reform, judicial reform, executive reform and civil service reform. Page 6-7, Agenda Item 4: Long term issues and solution, Matrix of Implementation Agenda See Matrix - Box 4: Institutional Reform: The Civil Service
Constitution	Governance→Constitution→Constitutional reform/making Page 1, II. We reaffirm our commitment to addressing the long-term issues. In this regard, we agree on the following principles. A. Constitutional, institutional and legal reform We reaffirm our commitment to complete the comprehensive constitutional review process within twelve months in accordance with the roadmap agreed to on 4 March 2008. Page 3, III. Implementation arrangements: ... We shall, when necessary, seek international community expertise and support and request the Panel to continue to provide, on a need basis, support in the implementation of these and previous agreements, including assistance to the various Committees and Commissions provided therein. Accordingly, we adopt the implementation framework on long-term issues outlined in the Annex to this Statement of Principles, as a working roadmap for the resolution of the six foregoing issues, which were underlying causes of the post-election national crisis. Page 5, Agenda Item 4: Long term issues and solution, Matrix of Implementation Agenda See Matrix - Box 1: Constitutional Reform

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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, I. Preamble: Reaffirming that the final goal of the National Dialogue and Reconciliation is to achieve sustainable peace, stability and justice in Kenya through the rule of law and respect for human rights.
Bill of rights/similar	No specific mention.
Treaty incorporation	No specific mention.
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 procedures	No specific mention.
Media and communication	No specific mention.
Mobility/access	No specific mention.
Protection measures	No specific mention.
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	Page 2, II. We reaffirm our commitment to addressing the long-term issues. In this regard, we agree on the following principles. A. Constitutional, institutional and legal reform ... We agree that the institutional reforms should include, inter alia, the following components: Police reform, parliamentary reform, judicial reform, executive reform and civil service reform. Page 5-6, Agenda Item 4: Long term issues and solution, Matrix of Implementation Agenda See Matrix - Box 2: Institutional Reform: The Judiciary
Prisons and detention	No specific mention.
Traditional Laws	No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction	Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development Page 2, II. We reaffirm our commitment to addressing the long-term issues. In this regard, we agree on the following principles. C. Poverty, inequity and regional imbalances We recognize that to ensure sustainable peace in the country, poverty eradication and equitable development are essential. We further recognize that issue' of inequality, manifested along income, regional and gender lines, remain key challenges for Kenya. In harmonizing our manifestoes, we shall ensure poverty alleviation and equitable development are top priorities for the Coalition Government. We shall utilize the National Accord implementation mechanisms and we commit ourselves to a consultative process and identify short term, medium term and strategies to fight poverty. Page 2, II. We reaffirm our commitment to addressing the long-term issues. In this regard, we agree on the following principles. D. Unemployment, particularly among the youth We agree that unemployment in Kenya, particularly among the youth, is a serious concern that must urgently be addressed. We acknowledge that the lack of effective opportunities that integrate the majority of Kenya's youth into mainstream economic Ensuring that all citizens have the opportunity to be gainfully employed is not only crucial for the nation's economic growth, prosperity and social stability, but is also vital for enabling individual to develop their full potential and to live in dignity. We therefore commit ourselves to advocate for the development of a comprehensive Strategy on combating youth unemployment, and to explore all possible means of supporting the creation of an appropriate policy environment for the expansion of opportunities for youth in the formal and informal sectors of the economy. Page 3, III. Implementation arrangements: ... We shall, when necessary, seek international community expertise and support and request the Panel to continue to provide, on a need basis, support in the implementation of these and previous agreements, including assistance to the various Committees and Commissions provided therein. Page 10-11, Agenda Item 4: Long term issues and solution, Matrix of Implementation Agenda See Matrix - Box 7: Poverty, inequality, and regional imbalances Page 11-12, Agenda Item 4: Long term issues and solution, Matrix of Implementation Agenda See Matrix - Box 8: Unemployment, particularly among the youth
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

Land reform/rights	Land, property and environment→Land reform/rights→Land reform and management Page 2, II. We reaffirm our commitment to addressing the long-term issues. In this regard, we agree on the following principles. B. Land reform We recognize that the issue of land has been a source of economic, social, political and environmental problems in Kenya for many years. We agree that land reform is a fundamental need in Kenya and that the issue must be addressed comprehensively and with the seriousness it deserves. Towards this end, we agree to fully support efforts to establish the factors responsible for conflicts over land and to formulate and implement actionable short, medium and long-term recommendations on the issue. Land, property and environment→Land reform/rights→Other land rights Page 8-9, Agenda Item 4: Long term issues and solution, Matrix of Implementation Agenda See Matrix - Box 6: Land Reform
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

Security Guarantees	Page 1, I.Preamble, ... Recalling that, in the Annotated Agenda and Timetable for the National Dialogue and Reconciliation signed on 1 February, we recognized that poverty, the inequitable distribution of resources and perceptions of historical injustices and exclusion on the part of segments of Kenyan society constituted the underlying causes of the prevailing social tensions, instability and cycle of violence. ... The 28 February agreement provided the means to implement a coherent and far-reaching reform agenda, address the fundamental root causes of recurrent conflict, and create a better, more secure, more prosperous Kenya for all.
Ceasefire	No specific mention.
Police	Page 2, II. We reaffirm our commitment to addressing the long-term issues. In this regard, we agree on the following principles. A. Constitutional, institutional and legal reform ... We agree that the institutional reforms should include, inter alia, the following components: Police reform, parliamentary reform, judicial reform, executive reform and civil service reform. Page 6, Agenda Item 4: Long term issues and solution, Matrix of Implementation Agenda See Matrix - Box 3: The Police
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	Page 3, II. We reaffirm our commitment to addressing the long-term issues. In this regard, we agree on the following principles. F. Transparency, accountability, impunity We agree that transparency and accountability in the affairs of the Government, together with the fight against impunity, are essential if the country is to make progress in addressing all the challenges mentioned above. Indeed, transparency, accountability and the fight against impunity and corruption must underpin the entire reform agenda. In addressing these issues, it will be particularly important to ensure that the recommendations of the Truth, Justice, and Reconciliation Commission, are implemented. Page 14, Agenda Item 4: Long term issues and solution, Matrix of Implementation Agenda See Matrix - Box 10: Transparency, accountability, 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	No specific mention.

Mechanism

Page 1, I. Preamble,
...
Recalling that, in the Annotated Agenda and Timetable for the National Dialogue and Reconciliation signed on 1 February, we recognized that poverty, the inequitable distribution of resources and perceptions of historical injustices and exclusion on the part of segments of Kenyan society constituted the underlying causes of the prevailing social tensions, instability and cycle of violence.
...
surface deep-seated and long-standing divisions within Kenyan society, Which, if left unaddressed, threatened the very existence of Kenya as a unified country. The 28 February agreement provided the means to implement a coherent and far-reaching reform agenda, address the fundamental root causes of recurrent conflict, and create a better, more secure, more
prosperous Kenya for all.

Page 3, II. We reaffirm our commitment to addressing the long-term issues. In this regard, we agree on the following principles.
E. Consolidation of national cohesion and unity
We recognize that consolidating national cohesion and unity is a cross-cutting task that will require the efforts of all Parties, all Ministries, civil society and all Kenyans. Apart from the creation of the National Ethnic and Race Relations Commission, we propose the introduction of legislation to light discrimination and ensure equal opportunities for all. We agree that the relevant Ministries will work with the Office of the President and of the Prime Minister and other relevant bodies to oversee unity-building efforts and initiatives. They would also help coordinate joint peace and reconciliation initiatives countrywide and liaise with local peace building efforts.

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We agree that transparency and accountability in the affairs of the Government, together with the
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mentioned above. Indeed, transparency, accountability and the fight against impunity and corruption
must underpin the entire reform agenda. In addressing these issues, it will be particularly important to
ensure that the recommendations of the Truth, Justice, and Reconciliation Commission ,are
implemented.

Prisoner release

No specific mention.

Vetting

No specific mention.

Victims

No specific mention.

Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	Page 1, I. Preamble: Reaffirming that the final goal of the National Dialogue and Reconciliation is to achieve sustainable peace, stability and justice in Kenya through the rule of law and respect for human rights. Page 3, II. We reaffirm our commitment to addressing the long-term issues. In this regard, we agree on the following principles. E. Consolidation of national cohesion and unity We recognize that consolidating national cohesion and unity is a cross-cutting task that will require the efforts of all Parties, all Ministries, civil society and all Kenyans. Apart from the creation of the National Ethnic and Race Relations Commission, we propose the introduction of legislation to light discrimination and ensure equal opportunities for all. We agree that the relevant Ministries will work with the Office of the President and the of the Prime Minister and other relevant bodies to oversee unity-building efforts and initiatives. They would also help coordinate joint peace and reconciliation initiatives countrywide and liaise with local peace building efforts. Page 3, II. We reaffirm our commitment to addressing the long-term issues. In this regard, we agree on the following principles. F. Transparency, accountability, impunity We agree that transparency and accountability in the affairs of the Government, together with the fight against impunity, are essential if the country is to make progress in addressing all the challenges mentioned above. Indeed, transparency, accountability and the fight against impunity and corruption must underpin the entire reform agenda. In addressing these issues, it will be particularly important to ensure that the recommendations of the Truth, Justice, and Reconciliation Commission, are implemented. Page 12-13, Agenda Item 4: Long term issues and solution, Matrix of Implementation Agenda See Matrix - Box 9: Consolidating National Cohesion and Unity

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Implementation

UN signatory	No specific mention.
Other international signatory	No specific mention.
Referendum for agreement	No specific mention.

International mission/force/ similar	No specific mention.
Enforcement mechanism	Page 3, Part III. Implementation arrangements: The Coalition Government shall lead the process of the implementation of the reform agenda, working with Parliament whenever appropriate. In addition, the Kenyan people, who should be the beneficiaries of the agenda, must be regularly consulted and their views sought. The implementation process will only succeed if all Kenyans work together to build trust in the leadership and institutions of governance. For this reason, we are committed to help ensure the wide and meaningful participation of all Kenyans in the process. We shall, when necessary, seek international community expertise and support and request the Panel to continue to provide, on a need basis, support in the implementation of these and previous agreements, including assistance to the various Committees and Commissions provided therein. Accordingly, we adopt the implementation framework on long-term issues outlined in the Annex to this Statement of Principles, as a working roadmap for the resolution of the six foregoing issues, which were underlying causes of the post-election national crisis.