Country/entity	Kenya
Region	Africa (excl MENA)
Agreement name	Kenya National Dialogue and Reconciliation: Public Statement
Date	4 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	Framework/substantive - partial
Conflict nature	Government
Peace process	Kenya peace process
Parties	Government (PNU-Party National Unity) and ODM (Orange Democratic Movement); Government (PNU-Party National Unity) singed by Hon. Martha Karua, Hon. Sam Ongeri, Hon Tutula Kilonwo, Hon. Moses Wetang'ula ODM signed by Hon. Musalisa Mudavidi, Hon. William Ruto, Hon. Sally Kosgei, Hon. James Orengo
Third parties	Witnessed by: For the Panel of Eminent African Personalities, H.E. Kofi A. Annan, Chairperson
Description	This short agreement provides for a number of short terms measures to deal with political crisis arising from the disputed elections in 2007. 1. Immediate Measures to Address the Humanitarian Crisis, 2. Immediate Measures to Promote Reconciliation, Healing and Restoration, 3.Recommendation to Parliamentarians, 4. Briefing on Progress to the Principals, 5. Implementation of Recommendations.

Agreement document	KE_080204_Public Statement-Kenya National Dialogue and Reconciliation.pdf (opens in new tab) | Download PDF

Groups

Children/youth	Groups→Children/youth→Substantive Page 1, With Respect to Immediate Measures to Address the Humanitarian Crisis: ... b) Provide adequate security and protection, particularly for vulnerable groups, including women and children in the camps. c) Provision of basic services for people in displaced camps: ... · Provide medical assistance with a special focus for women, children, people living with HIV and AIDS and the disabled, currently in displaced camps. · Ensure all children have access to education. This will involve reconstruction of schools; encouraging return of teaching staff and provision of teaching materials, and assistance for children to return to their learning institutions. Page 2, Part 2: With Respect to Immediate Measures to Promote Reconciliation, Healing and Restoration ... d) All-inclusive Reconciliation and Peacebuilding Committees at the grassroots level should be established. The committees should involve the provincial administration, council of elders, women, the youth, conflict resolution/civil society organisations.
Disabled persons	Groups→Disabled persons→Substantive Page 1, 1. With Respect to Immediate Measures to Address the Humanitarian Crisis: ... b) Provide adequate secuirty and protection, particularly for vulnerable groups, including women and children in camps. c) Provision of basic services for people in displaced camps: ... - Provide medical assistance with a special focus for women, children, people living with HIV and AIDS and the disabled, currently in displaced camps.
Elderly/age	Groups→Elderly/age→Substantive Page 2, Part 2: With Respect to Immediate Measures to Promote Reconciliation, Healing and Restoration ... d) All-inclusive Reconciliation and Peacebuilding Committees at the grassroots level should be established. The committees should involve the provincial administration, council of elders, women, the youth, conflict resolution/civil society organisations.
Migrant workers	No specific mention.

Racial/ethnic/ national group	Groups→Racial/ethnic/national group→Substantive Page 2, Part 2: With Respect to Immediate Measures to Promote Reconciliation, Healing and Restoration: ... g) The law on registration of persons should be reviewed to remove the emphasis on ethnicity.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.

Refugees/displaced persons	Groups→Refugees/displaced persons→Substantive Page 1, 1. With Respect to Immediate Measures to Address the Humanitarian Crisis: a) Assist and encourage displaced persons to go back to their homes or other areas and to have safe passage and security throughout b) Provide adequate security and protection, particularly for vulnerable groups, including women and children in the camps. c) Provision of basic services for people in displaced camps: · Ensure that there is adequate food, water, sanitation and shelter within the affected communities – both those in displaced camps and those remaining in their communities. · Provide medical assistance with a special focus for women, children, people living with HIV and AIDS and the disabled, currently in displaced camps. · Ensure all children have access to education. This will involve reconstruction of schools; encouraging return of teaching staff and provision of teaching materials, and assistance for children to return to their learning institutions. d) Provide information centres where the affected can get easy access to information regarding the assistance that is available to them and how to access it, for example, support for reconstruction of livelihoods, or tracing of family members. e) Operationalise the Humanitarian Fund for Mitigation of Effects and Resettlement of Victims of Post 2007 Election Violence expeditiously by establishing a bi-partisan, multi-sectoral Board with streamlined procedures to disburse funds rapidly. f) The Fund is open to public contributions and all citizens and friendly countries, governments and international institutions to donate generously. g) Ensure close linkages with the ongoing national and international assistance to enhance the effectiveness of delivery. h) Ensure that victims of violence in urban areas are not neglected in the implementation of the above. i) In order to promote food security, displaced farmers should be assisted to return to their farms. All farmers affected by the crisis should be assisted and encouraged to safely resume their farming activities. Page 2, Part 2: With Respect to Immediate Measures to Promote Reconciliation, Healing and Restoration: ... f) A national resettlement programme should be developed.
Social class	No specific mention.

Gender

Women, girls and gender	Page 1, Part 1: With Respect to Immediate Measures to Address the Humanitarian Crisis: ... b) Provide adequate security and protection, particularly for vulnerable groups, including women and children in camps. c) Provision of basic services for people in displaced camps: [...] - Provide medical assistance with a special focus for women, children, prople living with HIV and AIDS and the disabled, currently in displaced camps. [...] Page 2, Part 2: With Respect to Immediate Measures to Promote Reconciliation, Healing and Restoration d) All-inclusive Reconciliation and Peacebuilding Committees at the grassroots level should be established. The committees should involve the provincial administration, council of elders, women, the youth, conflict resolution/civil society organisations.
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	Page 1, Part 1: With Respect to Immediate Measures to Address the Humanitarian Crisis: ... d) Provide information centres where the affected can get easy access to information regarding the assistance that is available to them and how to access it, for example, support for reconstruction of livelihoods, or tracing of family members.

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)	No specific mention.
Elections	Page 1, Preamble: Goal: To ensure that the National Dialogue and Reconciliation is carried out in a continuous and sustained manner towards resolving the political crisis arising from the disputed presidential electoral results as well as the ensuing violence in Kenya, in line with the agreement between His Excellency Mwai Kibaki and Honourable Raila Odinga, as publicly announced on 24th January and reaffirmed on 29th January 2008 at County Hall in Nairobi.
Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	Page 2, Part 2: With Respect to Immediate Measures to Promote Reconciliation, Healing and Restoration ... d) All-inclusive Reconciliation and Peacebuilding Committees at the grassroots level should be established. The committees should involve the provincial administration, council of elders, women, the youth, conflict resolution/civil society organisations.
Traditional/ religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	Governance→Constitution→Constitution affirmation/renewal Page 2, Part 2: With Respect to Immediate Measures to Promote Reconciliation, Healing and Restoration: ... c) Peaceful assembly as guaranteed by the Constitution should be protected and facilitated.

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, Preamble: 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	Human rights and equality→Civil and political rights→Freedom of association Page 2, Part 2: With Respect to Immediate Measures to Promote Reconciliation, Healing and Restoration: ... b) Ensure that the freedom of expression, press freedom and the right to peaceful assembly are upheld. c) Peaceful assembly as guaranteed by the Constitution should be protected and facilitated. Human rights and equality→Civil and political rights→Thought, opinion, conscience and religion Page 2, Part 2: With Respect to Immediate Measures to Promote Reconciliation, Healing and Restoration: ... b) Ensure that the freedom of expression, press freedom and the right to peaceful assembly are upheld. c) Peaceful assembly as guaranteed by the Constitution should be protected and facilitated.
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	Rights related issues→Media and communication→Media roles Page 2, Part 2: With Respect to Immediate Measures to Promote Reconciliation, Healing and Restoration: ... b) Ensure that the freedom of expression, press freedom and the right to peaceful assembly are upheld.
Mobility/access	Page 1, Part 1: With Respect to Immediate Measures to Address the Humanitarian Crisis: a) Assist and encourage displaced persons to go back to their homes or other areas and to have safe passage and security throughout
Protection measures	Rights related issues→Protection measures→Protection of groups Page 1, With Respect to Immediate Measures to Address the Humanitarian Crisis: ... b) Provide adequate security and protection, particularly for vulnerable groups, including women and children in the camps.
Other	No specific mention.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	Rights institutions→Regional or international human rights institutions→Body tasked Page 2, Part 2: With Respect to Immediate Measures to Promote Reconciliation, Healing and Restoration: ... i) Welcome and encourage the United Nations High Commissioner for Human Rights investigatory team

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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

Development or socio-economic reconstruction	Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development Page 1-2, Part 1: With Respect to Immediate Measures to Address the Humanitarian Crisis: ... c) Provision of basic services for people in displaced camps: · Ensure that there is adequate food, water, sanitation and shelter within the affected communities – both those in displaced camps and those remaining in their communities. · Provide medical assistance with a special focus for women, children, people living with HIV and AIDS and the disabled, currently in displaced camps. · Ensure all children have access to education. This will involve reconstruction of schools; encouraging return of teaching staff and provision of teaching materials, and assistance for children to return to their learning institutions. d) Provide information centres where the affected can get easy access to information regarding the assistance that is available to them and how to access it, for example, support for reconstruction of livelihoods, or tracing of family members. e) Operationalise the Humanitarian Fund for Mitigation of Effects and Resettlement of Victims of Post 2007 Election Violence expeditiously by establishing a bi-partisan, multi-sectoral Board with streamlined procedures to disburse funds rapidly. f) The Fund is open to public contributions and all citizens and friendly countries, governments and international institutions to donate generously. g) Ensure close linkages with the ongoing national and international assistance to enhance the effectiveness of delivery. ... i) In order to promote food security, displaced farmers should be assisted to return to their farms. All farmers affected by the crisis should be assisted and encouraged to safely resume their farming activities.
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	No specific mention.
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, Part 1: With Respect to Immediate Measures to Address the Humanitarian Crisis: a) Assist and encourage displaced persons to go back to their homes or other areas and to have safe passage and security throughout b) Provide adequate security and protection, particularly for vulnerable groups, including women and children in the camps.
Ceasefire	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	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 2, Part 2: With Respect to Immediate Measures to Promote Reconciliation, Healing and Restoration: a) Joint peace rallies should be convened by all leaders of parties to promote peace and reconciliation. ... d) All-inclusive Reconciliation and Peacebuilding Committees at the grassroots level should be established. The committees should involve the provincial administration, council of elders, women, the youth, conflict resolution/civil society organizations. ... h) A Truth, Justice and Reconciliation Commission that includes local and international jurists should be established. i) Welcome and encourage the United Nations High Commissioner for Human Rights investigatory team.
Prisoner release	No specific mention.
Vetting	No specific mention.

Victims	Page 1-2, Part 1: With Respect to Immediate Measures to Address the Humanitarian Crisis: ... d) Provide information centres where the affected can get easy access to information regarding the assistance that is available to them and how to access it, for example, support for reconstruction of livelihoods, or tracing of family members. e) Operationalise the Humanitarian Fund for Mitigation of Effects and Resettlement of Victims of Post 2007 Election Violence expeditiously by establishing a bi-partisan, multi-sectoral Board with streamlined procedures to disburse funds rapidly. ... h) Ensure that victims of violence in urban areas are not neglected in the implementation of the above. Page 2, Part 2: With Respect to Immediate Measures to Promote Reconciliation, Healing and Restoration: ... e) Counseling support should be provided to those affected communities.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	[Summary: The whole agreement provides for National Dialogue and Reconciliation. The section 2 has a more specific focus on National Reconciliation - See below]. Page 2, Part 2: With Respect to Immediate Measures to Promote Reconciliation, Healing and Restoration: a) Joint peace rallies should be convened by all leaders of parties to promote peace and reconciliation. b) Ensure that the freedom of expression, press freedom and the right to peaceful assembly are upheld. c) Peaceful assembly as guaranteed by the Constitution should be protected and facilitated. d) All-inclusive Reconciliation and Peacebuilding Committees at the grassroots level should be established. The committees should involve the provincial administration, council of elders, women, the youth, conflict resolution/civil society organizations. e) Counseling support should be provided to those affected communities. f) A national resettlement programme should be developed. g) The law on registration of persons should be reviewed to remove the emphasis on ethnicity. h) A Truth, Justice and Reconciliation Commission that includes local and international jurists should be established. i) Welcome and encourage the United Nations High Commissioner for Human Rights investigatory team.

Implementation

UN signatory	No specific mention.
Other international signatory	Witnessed by: For the Panel of Eminent African Personalities, H.E. Kofi A. Annan, Chairperson
Referendum for agreement	No specific mention.
International mission/force/ similar	No specific mention.
Enforcement mechanism	Page 3, Part 5. Implementations of Recommendations: Weekly progress reports on implementation of these and other recommendations to be made to the Committee by the relevant parties/institutions.