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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))
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	-

Agreement document	KE_080101_Annotated Agenda for the Kenya Dialogue and Reconciliation.pdf  Download PDF
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Groups

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

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.

Civil and political rights 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:
...
• Ensuring that the freedom of expression, press freedom and the right to peaceful assembly are upheld;

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:
...
• 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

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 1, A) ANNOTATED AGENDA, 1. IMMEDIATE ACTION TO STOP VIOLENCE AND RESTORE FUNDAMENTAL RIGHTS AND LIBERTIES:
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• Ensuring that the freedom of expression, press freedom and the right to peaceful assembly are upheld;

Mobility/access No specific mention.

Protection measures 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:
...
• 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

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
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- 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;

Socio-economic reconstruction→Development or socio-economic reconstruction→Humanitarian assistance
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 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

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

Security Guarantees 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;
- 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:

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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.

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	<p>Transitional justice→Courts→National courts</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> <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;

Mechanism Page 1, A) ANNOTATED AGENDA, 2. IMMEDIATE MEASURES TO ADDRESS THE HUMANITARIAN CRISIS, PROMOTE RECONCILIATION, HEALING AND RESTORATION:
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...
• 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 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:
...
• Ensuring that the processes of national healing, reconciliation and restoration start at once.

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...
• Consolidating national cohesion and unity;

Implementation

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/>
