

<b>Country/entity</b>	Ethiopia Kenya
<b>Region</b>	Africa (excl MENA)
<b>Agreement name</b>	Validation of the Reviews and Amendments on Dukana-Dillo-Maikona Declaration
<b>Date</b>	31 Aug 2017
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes
<b>Agreement/conflict level</b>	Intrastate/local conflict  <b>Kenyan Post-Electoral Violence (2007 - 2008)</b>  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)
<b>Stage</b>	Implementation/renegotiation
<b>Conflict nature</b>	Inter-group
<b>Peace process</b>	Kenya Local Agreements
<b>Parties</b>	Signed by Dambala Bonaya, Tura Roba, Dambala Sharamo, Charto Boru and Mamo Supo from the Gabra community and Aba Gada Kura Jarso, Boru Dima, Jaro Tukele, Alaje Gurme, and Galgalo Jarso from the Borana community.
<b>Third parties</b>	Witnessed by: Solomon Gubo Rine, Deputy Governor Marsabit County Job Kemei, Deputy County Commissioner, Noal Horr Dida Jaldesa, Chief of Zone 1 Cabinet and Head of Admin Office Doyo Borte, Dillo Woreda Administrator
<b>Description</b>	This agreements is cross-border and addresses 'prolonged communal conflict' between the Boranas of Ethiopia and the Gabras of Kenya. It works to update, validate and extend an earlier Dukana-Dillo-Maikona Declaration, and provides for new inter-communal pledges for peace and provision for how theft of cattle is to be dealt with.

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<b>Agreement document</b>	<a href="#">KE_EH_170831_Validation_Review_Amendments_Dukana_Dillo_Maikona_Declaration.pdf (opens in new tab)</a>   <a href="#">Download PDF</a>
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## 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  
persons** No specific mention.

**Social class** No specific mention.

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## Gender

**Women, girls and  
gender** Page 2, 2, Validation of the Declaration Reviews and Amendments  
...  
9. The penalty for rape case for virgin girl was amended from 10 to 15 cows. For married women remain at 5 cows. The culprit is then handed over to the Government to face prosecution.

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** No specific mention.

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**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.

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## **Governance**

**Political institutions (new or reformed)** No specific mention.

**Elections** No specific mention.

**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** No specific mention.

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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.

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## **Human rights and equality**

**Human rights/RoL general** No specific mention.

**Bill of rights/similar** No specific mention.

**Treaty incorporation** No specific mention.

<b>Civil and political rights</b>	No specific mention.
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<b>Socio-economic rights</b>	No specific mention.
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#### **Rights related issues**

<b>Citizenship</b>	No specific mention.
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<b>Democracy</b>	No specific mention.
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<b>Detention procedures</b>	No specific mention.
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<b>Media and communication</b>	No specific mention.
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<b>Mobility/access</b>	No specific mention.
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<b>Protection measures</b>	No specific mention.
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<b>Other</b>	No specific mention.
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#### **Rights institutions**

<b>NHRI</b>	No specific mention.
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<b>Regional or international human rights institutions</b>	No specific mention.
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#### **Justice sector reform**

<b>Criminal justice and emergency law</b>	No specific mention.
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<b>State of emergency provisions</b>	No specific mention.
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<b>Judiciary and courts</b>	No specific mention.
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**Prisons and detention** No specific mention.

**Traditional Laws** No specific mention.

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**Socio-economic reconstruction**

**Development or socio-economic reconstruction** No specific mention.

**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.

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**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** Page 1, 2, Validation of the Declaration Reviews and Amendments:  
On this 30th day of August 2017, The Gabra and Borana Communities herein represented by their traditional leaders pledge to live peacefully with one another and share the natural resources such as water and pasture.

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**Security sector**

**Security Guarantees** No specific mention.

**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.

<b>Crime/organised crime</b>	<p>Page 1, 2, Validation of the Declaration Reviews and Amendments</p> <p>...</p> <ol style="list-style-type: none"> <li>1. That anyone found guilty of stealing animal/s, the penalty or punishment for perpetrator will remain the same as stipulated in the declaration – paying 5 cows for each animal stolen. The culprit also should pay the expenses incurred for tracking that animal and finally handed over to the government to face the law.</li> <li>2. The penalty for anyone who causes injuries to another in attempt to kill, shall pay fine of 15 cows and will again be handed over to the government for prosecution.</li> <li>3. That the penalty for the deliberate killing has been amended from fine of 30 cows to 50 cows (25 bulls and 25 cows). Furthermore, the perpetrator should be arraigned in court and prosecuted for murder.</li> <li>4. That the age of the cows meant for fine should be least 3 years with a minimum price of Birr 3000 per cow, or its equivalent in Kenyan Shillings.</li> <li>6. It was unanimously agreed that the culprits should take full responsibility of paying the fines or penalties all by him/herself and his clan as earlier stipulated.</li> <li>7. The fine should be paid by the culprit with immediate effect following any incident</li> <li>8. The compensatory cows will be collected by the local peace committee</li> <li>9. The penalty for rape case for virgin girl was amended from 10 to 15 cows. For married women remain at 5 cows. The culprit is then handed over to the Government to face prosecution.</li> <li>10. The elders should take responsibility to appear before court to witness against the culprit in case of prosecution.</li> <li>11. A person spreading rumors, propaganda and inciting people to fight will be fined 5 cows as stipulated in the declaration</li> <li>12. The penalty for concealing a culprit or hide vital information on a perpetrator will be fined same as culprit, depending on the crime committed.</li> </ol>
<b>Drugs</b>	No specific mention.
<b>Terrorism</b>	No specific mention.

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## Transitional justice

<b>Transitional justice general</b>	No specific mention.
<b>Amnesty/pardon</b>	No specific mention.



**Courts**

Transitional justice→Courts→National courts

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2.The penalty for anyone who causes injuries to another in attempt to kill, shall pay fine of 15 cows and will again be handed over to the government for prosecution.

3.That the penalty for the deliberate killing has been amended from fine of 30 cows to 50 cows (25 bulls and 25 cows). Furthermore, the perpetrator should be arraigned in court and prosecuted for murder.

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...

9. The penalty for rape case for virgin girl was amended from 10 to 15 cows. For married women remain at 5 cows. The culprit is then handed over to the Government to face prosecution.

10. The elders should take responsibility to appear before court to witness against the culprit in case of prosecution.

**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

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...

1. That anyone found guilty of stealing animal/s, the penalty or punishment for perpetrator will remain the same as stipulated in the declaration – paying 5 cows for each animal stolen. The culprit also should pay the expenses incurred for tracking that animal and finally handed over to the government to face the law.
2. The penalty for anyone who causes injuries to another in attempt to kill, shall pay fine of 15 cows and will again be handed over to the government for prosecution.
3. That the penalty for the deliberate killing has been amended from fine of 30 cows to 50 cows (25 bulls and 25 cows). Furthermore, the perpetrator should be arraigned in court and prosecuted for murder.
4. That the age of the cows meant for fine should be least 3 years with a minimum price of Birr 3000 per cow, or its equivalent in Kenyan Shillings.
5. For proven accidental killing, the penalty remain the same as in the declaration which is 3 cows (15 bulls and 15 cows)
6. It was unanimously agreed that the culprits should take full responsibility of paying the fines or penalties all by him/herself and his clan as earlier stipulated.
7. The fine should be paid by the culprit with immediate effect following any incident
8. The compensatory cows will be collected by the local peace committee
9. The penalty for rape case for virgin girl was amended from 10 to 15 cows. For married women remain at 5 cows. The culprit is then handed over to the Government to face prosecution.
10. The elders should take responsibility to appear before court to witness against the culprit in case of prosecution.
11. A person spreading rumors, propaganda and inciting people to fight will be fined 5 cows as stipulated in the declaration
12. The penalty for concealing a culprit or hide vital information on a perpetrator will be fined same as culprit, depending on the crime committed.

**Reconciliation**

No specific mention.

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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**

No specific mention.

**Related cases** No specific mention.

**Source** Strategies for Northern Development  
<https://www.facebook.com/sndkenya/posts/amended-dukana-dillo-maikona-declarationhttpwwwnationcokecountiesmarsabittrade-t/915887485227128/>

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