

Country/entity	Kenya
Region	Africa (excl MENA)
Agreement name	Modogashe Declaration (III)
Date	8 Apr 2011
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/local 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	Inter-group
Peace process	Kenya Local Agreements

Parties	On behalf of Mandera County: Hussein Mohamed ADAN, Abdi Wili ABDULLAHI, Abdille Sheikh BILLOW On behalf of Wajir County: Ali Abdi OGLE, Abdisalan Ibrahim ALI, Bishar Ali OLOW, On behalf of Garissa County: Dagane Karur OMAR, Hassan Abdi HURE, Hussein Noor Abdi On behalf of Tana River County: Kahonzi Esther JARHA, Ijema Godana HASSAN, Aden Ibrahim ARALE On behalf of Marsabit County: Guyo Karayu DIKA, Hassan Lolterka LENAROKI, Boru Arero BORU, On behalf of Sabburu County: Jason LESHOOOMO, Peter P. LEKISAT, Benedicto L. LOLOSOLI On behalf of Meru County: Linos Kathera M. ERIMBA, Mitabathi M. KIRIMANA KIRIMANA On behalf of Nairobi County: Lucy Nyambura NDIRANGU, John Charles ODHIAMBO
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Third parties	On behalf of North Eastern Province: Mr. James Ole Serian, EBS On behalf of Coast Province: Mr. Ernest G. Munyi, EBS On behalf of Eastern Province: Ms. Clare A. Omolo, EBS On behalf of Rift Valley Province: Mr. Osman Warfa, EBS
Description	County and regional leaders agree to measures to reduce conflict over theft of livestock, as well as provisions to stop unauthorised migration.

Agreement document	KE_110408_Modogashe Declaration (III).pdf (opens in new tab) Download PDF
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Groups

Children/youth	Groups→Children/youth→Rhetorical Page 3, On the Role of Peace Structures, Institutions and Mechanisms: ... We further resolve to collaboratively address the six (6) under-listed emerging issues for conflict dynamics within the target Counties and neighbouring Countries: ... iii. Youth and violence (involvement in local and international criminal activities, militia)
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 Page 3, On the Role of Peace Structures, Institutions and Mechanisms:
We further resolve to collaboratively address the six (6) under-listed emerging issues for conflict dynamics within the target Counties and neighbouring Countries:
...
v. Gender-based violence

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: On the Role of Peace Structures, Institutions and Mechanisms: 1. Strengthen peace committees and other collaborative response structures for peace within and between Counties; and neighbouring Countries, including Council of Elders, religious Mediation Councils, women and youth initiatives among others.
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	Page 3, On the Role of Peace Structures, Institutions and Mechanisms: We further resolve to collaboratively address the six (6) under-listed emerging issues for conflict dynamics within the target Counties and neighbouring Countries: ... vi. Transitions to County System of Governance
Constitution	No specific mention.

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 No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights Human rights and equality→Socio-economic rights→Property
Page 2, On Socio-economic empowerment
(c) create market information systems and market based mediators
(p) To create joint response structures for managing agro-pastoralist conflict, especially in areas where communities interface.

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 No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

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.

Land, property and environment

Land reform/rights	Land, property and environment→Land reform/rights→Land reform and management Page 1, On unauthorised grazing: (f) private farms, conservancies, parks, and the environment at large should be protected and respected by all Parties Page 2, On Control of livestock diseases and trade: (k) Counties in the target areas under this Declaration and Agreement negotiate with ranches on grazing rights and benefits during dry spells
Pastoralist/ nomadism rights	Summary: the agreement in its entirety deals with pastoralist rights and regulations.
Cultural heritage	No specific mention.
Environment	Page 1, On unauthorised grazing: (f) private farms, conservancies, parks, and the environment at large should be protected and respected by all Parties
Water or riparian rights or access	No specific mention.

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.

Crime/organised crime	<p>Page 1: On Livestock Raiding</p> <p>...</p> <p>(g) with regard to compensation of lives lost through livestock raiding, the Declaration shall be applied on the basis of context:</p> <p>(i) between those professing Islamic faith, the compensation shall be in line with Quara'nic teachings.</p> <p>Page 2: On Livestock Raiding</p> <p>...</p> <p>(ii) where the parties profess different faiths, customs or cultures, mutual agreement shall be reached in compensation for the victim as stated in the context-specific Declarations and Agreements</p> <p>(h) the communities, National and County Governments to invest in modern anti-livestock raiding technologies such as e-tracking.</p>
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	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.

Reparations	<p>Transitional justice→Reparations→Material reparations</p> <p>Page 1: On Livestock Raiding</p> <p>...</p> <p>(g) with regard to compensation of lives lost through livestock raiding, the Declaration shall be applied on the basis of context:</p> <p>(i) between those professing Islamic faith, the compensation shall be in line with Quara'nic teachings.</p>
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Reconciliation	No specific mention.
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Implementation

UN signatory	No specific mention.
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Other international signatory	No specific mention.
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Referendum for agreement	No specific mention.
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International mission/force/ similar	No specific mention.
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Enforcement mechanism	No specific mention.
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Related cases	No specific mention.
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Source	<p>Nyikuri, C, (2011) Modogashe Declaration III, Ayuko, B, and Liyayi Magotsi (eds), National Steering Committee on Peacebuilding and conflict Management (NSC) Secretariat, Ministry of State for Provincial Administration & Internal Security, Kenya, http://www.nscpeace.go.ke/resource-library/downloads/category/6-reports.html?download=36:revalidation-of-modogashe-declaration-2011&start=20</p>
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