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Country/ entity	Kenya
Region	Africa (excl MENA)
Agreement name	Kenya National Dialogue and Reconciliation - Longer Term Issues and Solutions: Constitutional Review
Date	4 Mar 2008
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict (Kenyan Post-Electoral Violence (2007 - 2008))
Stage	Framework/substantive - partial
Conflict nature	Government
Peace process	Kenya peace process
Parties	On behalf of Government/PNU: - Hon. Martha Karua - Hon. Sam Ogeri - Hon. Mutula Kilonzo - Hon. Moses Wetang'ula On behalf of ODM: - Hon. Musalia Mudavadi - Hon. William Ruto - Hon. James Orengo - Hon. Sally Kosgei
Third parties	- Witnessed by: For the Panel of Eminent African Personalities, H.E. Oluyemi Adeniji, Session Chair
Description	The agreement provides for the parameters and principles for a Constitutional Review.

Agreement
document

[Kenya_080304_Kenya National Dialogue and Reconciliation-Longer Term Issues and Solutions
Constitutional Review.pdf](#) | [Download PDF](#)

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.

Gender

Women, girls and gender	No specific mention.
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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 Page 1, General Principles and Stages of the Process:
The parties accept that the constitution belongs to the people of Kenya who must be consulted appropriately at all key stages of the process, including the formation of the process itself, the draft, the parliamentary process and any final enactment.
...
2. Parliament will enact a special 'constitutional referendum law' which will establish the powers and enactment processes for approval by the people in a referendum.
...
4 Parliament will consider and approve the resulting proposals for a new constitution.
5. The new constitution will be put to the people for their consideration and enactment in a referendum.

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 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 Governance→Constitution→Constitutional reform/making
Summary: The whole agreement provides for the parameters and principles
for a Constitutional Review.

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	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 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 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, Background:
Recalling the 1 February 2008 agreement by the Parties to deal with long-term issues and solutions that may have constituted the underlying causes of the prevailing social tensions, instability and cycle of violence, and recalling the substantial discussions that have been held concerning constitutional reform over recent years, the Parties to the Kenyan National Dialogue and Reconciliation agree to the following general parameters and principles for the establishment of a constitutional review processes.

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 No specific mention.

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, Background:

Recalling the 1 February 2008 agreement by the Parties to deal with long-term issues and solutions that may have constituted the underlying causes of the prevailing social tensions, instability and cycle of violence, and recalling the substantial discussions that have been held concerning constitutional reform over recent years, the Parties to the Kenyan National Dialogue and Reconciliation agree to the following general parameters and principles for the establishment of a constitutional review processes.

Implementation

UN signatory No specific mention.

Other international signatory - Witnessed by:
For the Panel of Eminent African Personalities, H.E. Oluyemi Adeniji, Session Chair

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/>
