

Acc No.
17/1

KENYAN NATIONAL DIALOGUE AND RECONCILIATION
THROUGH THE MEDIATION OF H.E. KOFI A. ANNAN AND THE PANEL OF
EMINENT AFRICAN PERSONALITIES
ON THE RESOLUTION OF THE POLITICAL CRISIS

ANNOTATED AGENDA AND TIMETABLE

At the fourth session held on 1 February 2008 under the chairmanship of Mr. Kofi Annan, of the Panel of Eminent African Personalities, the Parties to the Kenyan National Dialogue and Reconciliation on the resolution of the political crisis and its root causes, namely the Government of Kenya/Party of National Unity and the Orange Democratic Movement, agreed on the following Agenda for the dialogue:

A) ANNOTATED AGENDA

1. IMMEDIATE ACTION TO STOP VIOLENCE AND RESTORE FUNDAMENTAL RIGHTS AND LIBERTIES

Both Parties understand that resolving this crisis politically is a matter of immediate priority and have reiterated their commitment to finding a just and durable solution. Discussions on Agenda point 1 will be conducted to identify and agree on the modalities of implementation of immediate action aimed at:

- 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;
- Ensuring that the freedom of expression, press freedom and the right to peaceful assembly are upheld;

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;
- Ensuring the impartial, effective and expeditious investigation of gross and systematic violations of human rights and that those found guilty are brought to justice;

- Ensuring that the processes of national healing, reconciliation and restoration start at once.

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.

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*:

- 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;
- Undertaking a Land Reform;
- Addressing transparency, accountability and impunity

B) TIMETABLE

The Parties agreed that Agenda items 1, 2 and 3 would be resolved within a period of between 7 and 15 days from the date of commencement of the Dialogue, while Agenda item 4 would be resolved within a period of one year after the commencement of the Dialogue (launched on 28 January 2008).

Done in Nairobi, Kenya, on 1 February 2008

Muthaura
For the Government/PNU Delegation

Musalia Mudavadi

Mudavadi
For the ODM Delegation

Witnessed by

For the Panel of Eminent African Personalities

K. Annan
H.E. Kofi A. Annan

Chairperson