

Country/entity	Ethiopia Kenya
Region	Africa (excl MENA)
Agreement name	Validation of the Reviews and Amendments on Dukana-Dillo-Maikona Declaration
Date	31 Aug 2017
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	Implementation/renegotiation
Conflict nature	Inter-group
Peace process	Kenya Local Agreements
Parties	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.
Third parties	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
Description	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.

Agreement document	KE_EH_170831_Validation_Review_Amendments_Dukana_Dillo_Maikona_Declaration.pdf (opens in new tab) 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** 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.

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) 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.

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 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.

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	Page 1, 2, Validation of the Declaration Reviews and Amendments ... 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. 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.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.

Courts

Transitional justice→Courts→National courts

Page 1, 2, Validation of the Declaration Reviews and Amendments

...

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.

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.

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

Page 1, 2, Validation of the Declaration Reviews and Amendments

...

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.

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/>
