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| Country/ entity | Rwanda |
| Region | Africa (excl MENA) |
| Agreement name | The Protocol of Agreement between the Government of the Republic of Rwanda and the Rwandese Patriotic Front on Power-Sharing within the Framework of a Broad-based Transitional Government (Continuation of the Protocol of Agreement Signed on the 30th October, 1992) |
| Date | 9 Jan 1993 |
| Agreement status | Multiparty signed/agreed |
| Interim arrangement | Yes |
| Agreement/ conflict level | Intrastate/intrastate conflict (Rwandan Civil War (1990 - 1994)) |
| Stage | Framework/substantive - partial |
| Conflict nature | Government |
| Peace process | Rwanda-RPF process |
| Parties | The Government of the Republic of Rwanda and the Rwandese Patriotic Front. |
| Third parties | In the presence of the Facilitator (The Republic of Tanzania): Hon. Ahmed Hassan Diria Minister for Foreign Affairs and International Cooperation. In the presence of the Representative of the Current Chairman of the OAU: Papa Louis Fall, Ambassador of Senegal to Ethiopia and Representative to OAU For the Secretary General of the OAU, Dr M. T. Mapuranga, Assistant Secretary General of the OAU, in charge of Political Affairs |
| Description | This is a short central agreement centered around the power-sharing, providing for principles for (VII) New Areas of Agreement (Provisions relating to the Executive Power, Transitional National Assembly, Relationship between the Transitional National Assembly and the Broad- Based Transitional Government, Political Code of Ethics binding the political forces called upon to participate in the Transitional Institutions, Miscellaneous Provisions). |

Groups

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| Children/ youth | Groups→Children/youth→Substantive Page 4, Chapter VII: New Areas of Agreement, Section 1 Provisions relating to the Executive Power, Sub-section 4 Distribution of Ministerial Portfolios within the Broad-Based Transitional Government, Article 56: The nominative distribution of portfolios shall be as follows: ... RPF: ... 4. Ministry of Youth and Associative Movement; |
| Disabled persons | No specific mention. |
| Elderly/age | No specific mention. |
| Migrant workers | No specific mention. |
| Racial/ ethnic/ national group | Groups→Racial/ethnic/national group→Substantive Page 10-11, Chapter VII: New Areas of Agreement, Section 4 Political Code of Ethics binding the political forces called upon to participate in the Transitional Institutions, Sub-section 1: Fundamental Principles, Article 80: In a declaration signed by their authorised representatives, the political forces called upon to participate in the Transitional Institutions shall undertake to: [...] 4. Reject and undertake to fight any political ideology or any act aimed at fostering discrimination based mainly on ethnic, regional, sexual or religious differences; |
| 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 4, Chapter VII: New Areas of Agreement, Section 1 Provisions relating to the Executive Power, Sub-section 4 Distribution of Ministerial Portfolios within the Broad-Based Transitional Government, Article 56:
The nominative distribution of portfolios shall be as follows:

...

MRND:

...

5. Ministry of Family Affairs and Promotion of the Status of Women

Page 10-11, Chapter VII: New Areas of Agreement, Section 4 Political Code of Ethics binding the political forces called upon to participate in the Transitional Institutions, Sub-section 1: Fundamental Principles, Article 80:
In a declaration signed by their authorised representatives, the political forces called upon to participate in the Transitional Institutions shall undertake to:

[...]

4. Reject and undertake to fight any political ideology or any act aimed at fostering discrimination based mainly on ethnic, regional, sexual or religious differences;

Men and
boys No specific mention.

LGBTI No specific mention.

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| Family | <p>Page 4, Chapter VII: New Areas of Agreement, Section 1 Provisions relating to the Executive Power, Sub-section 4 Distribution of Ministerial Portfolios within the Broad-Based Transitional Government, Article 56: The nominative distribution of portfolios shall be as follows:</p> <p>...</p> <p>MRND:</p> <p>...</p> <p>5. Ministry of Family Affairs and Promotion of the Status of Women</p> |
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State definition

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| Nature of state (general) | <p>Page 10-11, Chapter VII: New Areas of Agreement, Section 4 Political Code of Ethics binding the political forces called upon to participate in the Transitional Institutions, Sub-section 1: Fundamental Principles, Article 80: In a declaration signed by their authorised representatives, the political forces called upon to participate in the Transitional Institutions shall undertake to:</p> <p>[...]</p> <p>8. Respect the secularism of the Rwandese State; 9. Respect national sovereignty and the territorial integrity of the country.</p> |
| 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)→Temporary new institutions

Page 1-2: Chapter VII: New Areas of Agreement, Section 1 Provisions relating to the Executive Power, Sub-section 1: Replacement of the President of the Republic during the Transitional Period, Article 48:

In the event of resignation or death, permanent impediment or incapacitation of the President of the Republic:

1. The office shall be declared vacant by the Supreme Court upon request by the Broad-Based Transitional Government.
2. The interim Presidency shall be assumed by the Speaker of the Transitional National Assembly.

Page 5: Chapter VII: New Areas of Agreement, Section 2: Transitional National Assembly, Article 60:

The Transitional National Assembly shall, except in the case as provided for in Article 63 of this Protocol of Agreement, be normally composed of seventy (70) members called "Deputies to the Transitional National Assembly" The "Deputies" shall be appointed by their own political forces and their mandate shall cover the whole Transitional Period. The Transitional National Assembly shall make its own rules of procedure.

Page 5-6: Chapter VII: New Areas of Agreement, Section 2: Transitional National Assembly, Article 61:

All the political parties registered in Rwanda at the signing of this Protocol as well as the RPF shall be represented in the Transitional National Assembly, on condition that they adhere to and abide by the provisions of the Peace Agreement. To that effect, all these parties and the RPF should, prior to the establishment of the Broad-Based Transitional National Assembly and the Broad-Based Transitional Government, sign a Political Code of Ethics whose principles are spelled out in Article 80 of this Protocol.

Since the RPF and the political parties participating in the current Coalition Government are automatically, directly or indirectly bound, as a result of the Protocol of Agreement on the Rule of Law signed by the two parties to the negotiations, the political parties which do not participate in the said Government should, from the time of the signing of the Protocol of Agreement on Power-Sharing, demonstrate their commitment to abide by the principles governing the Protocol of Agreement on the Rule of Law, to support the peace process and to avoid engaging in sectarian practices and in any form of violence. Such commitment shall constitute a prerequisite for their participation in the Transitional National Assembly and it is incumbent upon the two parties to the negotiations to see to it that such commitment is met.

Page 12, Chapter VII: New Areas of Agreement, Section 5 Miscellaneous Provisions, Sub-section 2:

Redeployment of the Deputies to the CND, Article 86:

The Broad-Based Transitional Government shall take the necessary steps to find, to the extent possible, a new placement for the Deputies to the CND in their former sectors of activity. In so doing, the Broad-Based Transitional Government shall take into account the qualifications and experience of each "Deputy".

Elections

Page 1-2: Chapter VII: New Areas of Agreement, Section 1 Provisions relating to the Executive Power, Sub-section 1: Replacement of the President of the Republic during the Transitional Period, Article 48:

In the event of resignation or death, permanent impediment or incapacitation of the President of the Republic:

[...]

3. The replacement of the President of the Republic shall be conducted in the following manner:

a) The party of the former President of the Republic shall present two candidates to the Bureau of the Transitional National Assembly within three (3) weeks of the declaration of the vacancy.

b) Within the fourth week, the election of the President of the Republic shall be conducted in a joint session of the Broad-Based Transitional Government and the Transitional National Assembly. The respective members of the two institutions shall elect the President of the Republic by secret ballot and by an absolute majority. The election shall be supervised by the Speaker of the Transitional National Assembly.

c) If the Party of the former President of the Republic, for one reason or another, is not willing to present a candidate or cannot present any candidate, or if the President of the Republic has resigned from his party in the meantime, each political force represented in the Transitional National Assembly may submit one (1) candidate within six (6) weeks after the declaration of the vacancy. The election shall be conducted during the seventh week, at the latest, following the modalities provided for in point (b) above.

d) If the vacancy is declared three (3) months or less before the expiry of the transitional period, the Speaker of the Transitional National Assembly shall assume the interim Presidency of the Republic until the end of the Transition.

Page 2: Chapter VII: New Areas of Agreement, Section 1 Provisions relating to the Executive Power, Sub-section 1: Replacement of the President of the Republic during the Transitional Period, Article 49:

The candidate to the Presidency of the Republic should be at least thirty five (35) years of age. Once elected, the President cannot perform any military or other remunerative activity.

Page 2: Chapter VII: New Areas of Agreement, Section 1 Provisions relating to the Executive Power, Sub-section 1: Replacement of the President of the Republic during the Transitional Period, Article 50:

The new President of the Republic shall be sworn in within eight (8) days after his election, by the Presiding Judge of the Supreme Court, before the National Transitional Assembly.

Page 12, Chapter VII: New Areas of Agreement, Section 5 Miscellaneous Provisions, Sub-section 3: Local Elections as a Solution to Social Tensions, Article 87:

Local elections shall normally be held within six (6) months before the expiry of the transition. In the meantime, the replacement of local authorities shall be made through nomination. However, the Broad-Based Transitional Government shall decide on the opportune moment for organizing partial local elections if adequate security conditions allow for the holding of such elections and if it has the legal instruments to organise them.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society Page 4, Chapter VII: New Areas of Agreement, Section 1 Provisions relating to the Executive Power, Sub-section 4 Distribution of Ministerial Portfolios within the Broad-Based Transitional Government, Article 56:
The nominative distribution of portfolios shall be as follows:
...
RPF:
...
4. Ministry of Youth and Associative Movement;

Traditional/religious leaders No specific mention.

Public administration No specific mention.

Constitution No specific mention.

Power sharing

Political
power
sharing

Power sharing→Political power sharing→Executive coalition
State level

Page 2-3, Chapter VII: New Areas of Agreement, Section 1 Provisions relating to the Executive Power, Sub-section 2 Appointment of the Prime Minister, Ministers and Secretaries of State, Article 51:

The candidate for the post of Prime Minister shall be presented by the political formation designated to that effect. He shall be presented to two parties to the negotiations for approval. He should be known before the signing of the Peace Agreement.

Page 3, Chapter VII: New Areas of Agreement, Section 1 Provisions relating to the Executive Power, Sub-section 2 Appointment of the Prime Minister, Ministers and Secretaries of State, Article 52:

The Prime Minister shall, in consultation with each political force called upon to participate in the Government, select candidates for the portfolios distributed among the various political forces. He shall present them to the President of the Republic for appointment as well as to the Transitional National Assembly, in accordance with Article 18, paragraph 3 of the Protocol of Agreement signed on 30th October, 1992.

Page 3, Chapter VII: New Areas of Agreement, Section 1 Provisions relating to the Executive Power, Sub-section 3 Replacement of the Prime Minister, Ministers and Secretaries of State, Article 53:

The vacancy of the post of Prime Minister shall be declared by the Supreme Court upon request by the Broad-Based Transitional Government. The political force of the former Prime Minister shall submit a candidate within fifteen (15) days of the declaration of the vacancy. Political formations participating in the Broad-Based Transitional Government shall, under the coordination of the Deputy Prime Minister, hold consultations for the approval of the candidate. Once a consensus is reached, the Deputy Prime Minister shall present the candidate to the President of the Republic for appointment within three (3) days.

Page 3, Chapter VII: New Areas of Agreement, Section 1 Provisions relating to the Executive Power, Sub-section 3 Replacement of the Prime Minister, Ministers and Secretaries of State, Article 54:

The Prime Minister, in consultation with the political force of the Minister or Secretary of State to be replaced, shall present a candidate to the President of the Republic for appointment.

Page 3-4, Chapter VII: New Areas of Agreement, Section 1 Provisions relating to the Executive Power, Sub-section 4 Distribution of Ministerial Portfolios within the Broad-Based Transitional Government, Article 55:

In accordance with the provisions of Article 14 of the Protocol of Agreement signed on 30th October, 1992, the numerical distribution of the portfolios among political forces called upon to participate in the Broad-Based Transitional Government shall be as follows:

- MRND: 5 portfolios
- RPF: 5 portfolios
- MDR: 4 portfolios (including the post of Prime Minister)
- PSD: 3 portfolios
- PL: 3 portfolios
- PDC: 1 portfolios

Territorial
power
sharing No specific mention.

Economic
power
sharing No specific mention.

Military
power
sharing No specific mention.

Human rights and equality

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|----------------------------|---|
| Human rights/RoL general | <p>Page 5-6: Chapter VII: New Areas of Agreement, Section 2: Transitional National Assembly, Article 61:</p> <p>All the political parties registered in Rwanda at the signing of this Protocol as well as the RPF shall be represented in the Transitional National Assembly, on condition that they adhere to and abide by the provisions of the Peace Agreement. To that effect, all these parties and the RPF should, prior to the establishment of the Broad-Based Transitional National Assembly and the Broad-Based Transitional Government, sign a Political Code of Ethics whose principles are spell out in Article 80 of this Protocol.</p> <p>Since the RPF and the political parties participating in the current Coalition Government are automatically, directly or indirectly bound, as a result of the Protocol of Agreement on the Rule of Law signed by the two parties to the negotiations, the political parties which do not participate in the said Government should, from the time of the signing of the Protocol of Agreement on Power-Sharing, demonstrate their commitment to abide by the principles governing the Protocol of Agreement on the Rule of Law, to support the peace process and to avoid engaging in sectarian practices and in any form of violence. Such commitment shall constitute a prerequisite for their participation in the Transitional National Assembly and it is incumbent upon the two parties to the negotiations to see to it that such commitment is met.</p> <p>Page 10-11, Chapter VII: New Areas of Agreement, Section 4 Political Code of Ethics binding the political forces called upon to participate in the Transitional Institutions, Sub-section 1: Fundamental Principles, Article 80: In a declaration signed by their authorised representatives, the political forces called upon to participate in the Transitional Institutions shall undertake to:</p> <p>[...]</p> <p>5. Promote and respect the rights and freedoms of the human person;</p> <p>6. Promote political education among their members, in accordance with fundamental principles of the Rule of Law;</p> |
| 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 Rights related issues→Media and communication→Media roles
Page 4, Chapter VII: New Areas of Agreement, Section 1 Provisions relating to the Executive Power, Sub-section 4 Distribution of Ministerial Portfolios within the Broad-Based Transitional Government, Article 56:
The nominative distribution of portfolios shall be as follows:
...
RPF:
...
2. Ministry of Transport and Communications;

Page 10-11, Chapter VII: New Areas of Agreement, Section 4 Political Code of Ethics binding the political forces called upon to participate in the Transitional Institutions, Sub-section 1: Fundamental Principles, Article 80:
3. Abstain from all sorts of violence and inciting violence, by written or verbal communication, or by any other means;

Mobility/access Page 4, Chapter VII: New Areas of Agreement, Section 1 Provisions relating to the Executive Power, Sub-section 4 Distribution of Ministerial Portfolios within the Broad-Based Transitional Government, Article 56:
The nominative distribution of portfolios shall be as follows:
...
RPF:
...
2. Ministry of Transport and Communications;

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 Page 10, CHAPTER III: THE EXECUTIVE POWER SECTION, Section 1: The President of the Republic and the Head of State, Sub-section 2: The Prime Minister, Article 18:
...
10. May, under exceptional circumstances, after a decision taken by the Cabinet and on consultation with the Bureau of the National Assembly and the Supreme Court, declare a State of Siege or a State of Emergency.

Judiciary and courts Page 4, Chapter VII: New Areas of Agreement, Section 1 Provisions relating to the Executive Power, Sub-section 4 Distribution of Ministerial Portfolios within the Broad-Based Transitional Government, Article 56:
The nominative distribution of portfolios shall be as follows:
... PL
1. Ministry of Justice;

Page 11, Chapter VII: New Areas of Agreement, Section 4 Political Code of Ethics binding the political forces called upon to participate in the Transitional Institutions, Sub-section 1: Fundamental Principles, Article 82:
Any political force violating the provisions of Article 80 shall be liable to a sanction of exclusion from the Transitional Institutions, without prejudice to other legal or statutory provisions on the matter.
This measure shall be taken by the Supreme Court upon request of the Government, acting on the Commission's report.
The request to the Supreme Court shall be preceded by a warning by the Government to the political party concerned; when the warning has not been heeded.

Page 11-12, Chapter VII: New Areas of Agreement, Section 5 Miscellaneous Provisions, Sub-section 1: Modalities of Appointment within the Judiciary, Article 84:
In order to maintain the independence of the Judiciary, posts in the Judiciary shall not be subjected to sharing among political forces. Therefore, applications for the posts of Presiding Judge and Deputy Presiding Judge of the Supreme Court, referred to under Article 30 of the Protocol of Agreement signed on 30th October, 1992, shall be considered without any reference to political parties, in order is better ensure the neutrality of magistrates.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

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| Development or socio-economic reconstruction | <p>Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development</p> <p>Page 4, Chapter VII: New Areas of Agreement, Section 1 Provisions relating to the Executive Power, Sub-section 4 Distribution of Ministerial Portfolios within the Broad-Based Transitional Government, Article 56: The nominative distribution oi portfolios shall be as follows:</p> <p>...</p> <p>RPF:</p> <p>1. Ministry of Interior and Communal Development;</p> <p>...</p> <p>PSD:</p> <p>2. Ministry of Public Work and Energy; 3. Ministry of Agriculture and Livestock Development.</p> |
| National economic plan | No specific mention. |
| Natural resources | No specific mention. |
| International funds | No specific mention. |
| Business | <p>Page 4, Chapter VII: New Areas of Agreement, Section 1 Provisions relating to the Executive Power, Sub-section 4 Distribution of Ministerial Portfolios within the Broad-Based Transitional Government, Article 56: The nominative distribution oi portfolios shall be as follows:</p> <p>...</p> <p>PL</p> <p>...</p> <p>2. Ministry of Commerce, Industry and Cottage Industry;</p> |
| Taxation | No specific mention. |
| Banks | No specific mention. |

Land, property and environment

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| Land reform/ rights | No specific mention. |
| Pastoralist/ nomadism rights | No specific mention. |
| Cultural heritage | No specific mention. |
| Environment | Page 4, Chapter VII: New Areas of Agreement, Section 1 Provisions relating to the Executive Power, Sub-section 4 Distribution of Ministerial Portfolios within the Broad-Based Transitional Government, Article 56: The nominative distribution of portfolios shall be as follows: ... PDC: Ministry of Environment and Tourism |
| Water or riparian rights or access | No specific mention. |

Security sector

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| Security Guarantees | Page 4, Chapter VII: New Areas of Agreement, Section 1 Provisions relating to the Executive Power, Sub-section 4 Distribution of Ministerial Portfolios within the Broad-Based Transitional Government, Article 56: The nominative distribution of portfolios shall be as follows: ... MNRD: 1. Ministry of Defence; |
| 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 10-11, Chapter VII: New Areas of Agreement, Section 4 Political Code of Ethics binding the political forces called upon to participate in the Transitional Institutions, Sub-section 1: Fundamental Principles, Article 80: In a declaration signed by their authorised representatives, the political forces called upon to participate in the Transitional Institutions shall undertake to:

[...]

2. Promote national unity and national reconciliation of the Rwandese people;

Page 11, Chapter VII: New Areas of Agreement, Section 4 Political Code of Ethics binding the political forces called upon to participate in the Transitional Institutions, Sub-section 1: Fundamental Principles, Article 81: The Commission on National Unity and National Reconciliation shall ensure that each political force respects the principles spelt out under Article 80 above.

Page 11, Chapter VII: New Areas of Agreement, Section 4 Political Code of Ethics binding the political forces called upon to participate in the Transitional Institutions, Sub-section 2: Additional Duties of the Commission for National Unity and National Reconciliation, Article 83:

The two parties agree that the Commission on National Unity and National Reconciliation, in addition to the duties specified under Article 24 A of the Protocol of Agreement signed on 30th October, 1992, shall see to it that each political force respects the principles spelt out in the Political Code of Ethics binding the political forces to participate in the Transitional Institutions.

Page 12, Chapter VII: New Areas of Agreement, Section 5 Miscellaneous Provisions, Sub-section 4: National Conference, Article 88:

The National Conference shall consist of a general discussion to focus solely on national unity and national reconciliation, as provided for in Article 23.C. 2 of the Protocol of Agreement signed on 30th October, 1992. This discussion shall be prepared by the Commission on National Unity and National Reconciliation provided for under Article 24 of the Protocol of 30th October, 1992. The Commission shall report to the Broad-Based Transitional Government.

Implementation

UN
signatory

No specific mention.

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| Other international signatory | <p>In the presence of the Facilitator (The Republic of Tanzania): Hon. Ahmed Hassan Diria Minister for Foreign Affairs and International Cooperation.</p> <p>In the presence of the Representative of the Current Chairman of the OAU: Papa Louis Fall, Ambassador of Senegal to Ethiopia and Representative to OAU.</p> <p>For the Secretary General of the OAU, Dr M. T. Mapuranga, Assistant Secretary General of the OAU, in charge of Political Affairs.</p> |
| 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://peacemaker.un.org/ |
