

Country/entity	Burundi
Region	Africa (excl MENA)
Agreement name	The Pretoria Protocol on Political, Defence and Security Power Sharing in Burundi
Date	8 Oct 2003
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict

Burundian Civil War (1993-2005)

The conflict had an ethnic base between Hutu and Tutsi populations, and is one of a set of regionally connected conflicts also addressed in the Great Lakes process. Since independence in 1972, the Burundian political landscape has been polarised and marked by ethnic-based tensions, political assassinations and large-scale violence. For the following two decades, three Tutsi military regimes associated with the Union for National Progress (UPRONA) ruled the country. During these military dictatorships, numerous waves of mass violence resulted from the attempts of various opposition rebels groups to destabilise the three regimes, and the regimes' use of violence to repress these attempts. Despite a wave of hope in the early 1990's, Burundi entered a decade-long civil war in 1993 following the assassination of Burundi's first democratically elected president, Melchior Ndadaye, from the ethnically-Hutu Front for Democracy in Burundi (FRODEBU) by Tutsi opposition in the military. In 1998 the Arusha Peace Talks commenced and in August 2000, international pressure resulted in the signing of the Arusha Peace and Reconciliation Agreement for Burundi. However, the National Council for the Defense of Democracy (CNND) did not sign. Additionally, and Party for the Liberation of Hutu People (Palipehutu) did not participate in negotiations. These outsiders continued sporadic violence until 2008. In 2015, a new wave of political violence is taking place after President Nkurunziza, from the CNDD-FDD which has been in power since 2005, won a contested third-mandate.

Close
Burundian Civil War (1993-2005)

Stage	Implementation/renegotiation
Conflict nature	Government
Peace process	Burundi: Arusha and related peace process
Parties	For the Transitional Government of Burundi: - (Signed) His Excellency Domitien Ndayizeye, President of the Republic of Burundi For the CNDD-FDD Movement: - (Signed) Mr. Pierre Nkurunziza, Legal Representative of the CNDD-FDD Movement

Third parties	In the presence of: (Signed) His Excellency Jacob Zuma, Deputy President of the Republic of South Africa, Facilitator of the Burundi Peace Process
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Description	The agreement gives effect to the power sharing agreement of the December 2002. It contains a 'power-map' showing structures of organs of government. It addresses in particular the formation of the national defence force and demobilisation of CNDD-FDD.
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Agreement document	BI_031008_PretoriaProtocol on Pretoria Protocol on Political, Defence and Security Power Sharing.pdf (opens in new tab) Download PDF
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Groups

Children/youth	No specific mention.
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Disabled persons	No specific mention.
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Elderly/age	No specific mention.
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Migrant workers	No specific mention.
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Racial/ethnic/ national group	No specific mention.
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Religious groups	No specific mention.
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Indigenous people	No specific mention.
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Other groups	No specific mention.
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Refugees/displaced persons	No specific mention.
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Social class	No specific mention.
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Gender

Women, girls and gender	No specific mention.
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Men and boys	No specific mention.
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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	<p>Governance→Political parties reform→Rebels transitioning to political parties</p> <p>Page 5, VII. OUTSTANDING MATTERS:</p> <p>...</p> <p>– CNDD-FDD as a political party.</p> <p>...</p> <p>These matters will be finalized at the next meeting that will be convened as a matter of urgency.</p> <p>Governance→Political parties reform→Other political parties reform</p> <p>Page 1, Preamble:</p> <p>...</p> <p>- Recognizing that the conflict in Burundi requires an inclusive dialogue and participation of all political groups and movements,</p>
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

Power sharing→Political power sharing→Executive coalition
State level
Sub-state level

Page 2, POLITICAL POWER ISSUES, EXECUTIVE:

The CNDD-FDD will have four ministries including a Minister of State. The Presidency will consult the Minister of State on all key matters.

Page 2, GOVERNORS OF PROVINCES:

CNDD-FDD will have:

- Three Governors.
- Five Advisors.

Page 2, LOCAL GOVERNMENT:

CNDD-FDD will have 30 Administrators.

Power sharing→Political power sharing→Proportionality in legislature
State level

Sub-state level

Page 2, THE LEGISLATURE, National Assembly:

1. CNDD-FDD will participate in the Bureau as follows:

- Second-Vice President.
- Deputy Secretary-General.

The Bureau will be increased to six.

Two advisors will be appointed in the Staff of the National Assembly.

2. CNDD-FDD will also have 15 members of the Assembly.

3. Measures will be taken to respect the balance among the political families as reflected in the Arusha Agreement.

Page 2, Senate:

The question of the participation of the CNDD-FDD will be discussed at the next meeting, prior to the Regional Summit. (See Article VII below)

Power sharing→Political power sharing→Other proportionality
State level

Page 2, DIPLOMATIC CORPS:

CNDD-FDD will have:

- Two ambassadors.
- Six secretaries and/or advisors.

Territorial power sharing

No specific mention.

**Economic power
sharing**

Power sharing→Economic power sharing→Sharing of resources

Page 2, PUBLIC ENTERPRIZES:

CNDD-FDD will lead 20% of these. The exact distribution will be negotiated later.

Military power sharing

Power sharing→Military power sharing→Merger of forces

Page 3, DEFENCE AND SECURITY ISSUES:

The power sharing process in terms of defence and security issues shall consist of the following phases;

I. THE BURUNDI NATIONAL DEFENCE FORCE

1.1 Cantonment

The combatants of the CNDD-FDD will move to areas designated by the Joint Ceasefire Commission (JCC) under the supervision of the African Mission.

The Burundi Armed Forces (FAB) will be confined to areas agreed upon under supervision of the African Mission, with certain elements being exempted in accordance with par 1.1.73 of the December 2002 Ceasefire Agreement.

1.2 Verification

1.2.1 Once members have been cantoned and confined, a verification exercise will be undertaken to determine the size of the respective forces by the Joint Ceasefire Commission. The suitability of personnel submitted by both parties will be determined on the basis of the Forces Technical Agreement (FTA), to be finalized, under the guidance/leadership of the JCC.

1.2.2 Those determined to be suitable will form the new Defence and Security Forces of Burundi.

1.3 Formation of the Burundi National Defence Force (BNDF)

1.3.1 The integrated General Staff and the Officer Corps shall be composed of 60% officers selected from the governmental army and 40% officers from the CNDD-FDD.

1.3.2 The composition of the non commissioned officers and the rank and file shall be determined by the integrated General Staff according to the size of each party and of the agreed balance.

1.3.3 On proposal of the integrated General Staff, the government shall determine;

- The structure of the Burundi National Defence Force
- The size of the army and
- Composition of the officer corps.

1.3.4 The allocation of command posts shall be on the basis of ethnic balance (50-50) as stipulated in the Arusha Peace and Reconciliation Agreement.

1.3.5 The President of the Republic of Burundi undertakes to give expression to this arrangement through a Presidential decree.

Page 4, DEFENCE AND SECURITY ISSUES:

Page 4, DEFENCE AND SECURITY ISSUES:

II. BURUNDI POLICE FORCE

2.1 The parties agreed on the establishment of a new police force in Burundi.

2.2 The structure of the new Police Force will be guided by the following principles:

- Inclusivity and integration.
- General Staff structure based on the principle of 65% TGoB and 35% – CNDD-FDD.
- The principle of 50-50 ethnic balance.

2.3 Composition of junior structures of the Police Force shall also be guided by the principles of inclusivity.

2.4 The decisions will be taken on the basis of consensus.

III. GENDARMERIE

3.1 The Gendarmerie will be treated as part of the FAB.

3.2 Elements of the Gendarmerie may be deployed to both the new Defence and Police Forces.

3.3 Equally, elements of the CNDD-FDD will also be deployed into the Burundi Police

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, Preamble:

...

Taking note of the commitments of the TGoB and the CNDD-FDD to reach an all embracing agreement for the achievement of lasting peace, security and stability in Burundi,

Ceasefire

Security sector→Ceasefire→Ceasefire provision

Page 3, DEFENCE AND SECURITY ISSUES, I. THE BURUNDI NATIONAL DEFENCE FORCE:

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Page 4, DEFENCE AND SECURITY ISSUES:

1.4 Demobilisation

1.4.1 Combatants of the CNDD-FDD or FAB who have been found not to be eligible to join the Burundi National Defence Force in terms of the Forces Technical Agreement, will be demobilized, taking into consideration paragraph 1.1.144 of the December 2002 Ceasefire Agreement.

1.4.2 The demobilization and integration of these combatants will be progressive, bearing in mind social stability and affordability. The Government shall oversee this process through the Minister of State and the Minister of Defence.

1.4.3 The final phase of demobilization will take place once the elected government is in place, guided by the required size of the Burundi National Defence Force and taking into consideration the work undertaken by the Transitional Government of Burundi. The Government of Burundi shall oversee this process.

Page 5, IV. MILITIA:

Militia will be disarmed according to the December 2002 Ceasefire Agreement under the supervision of the African Mission, at the beginning of cantonment and barracking exercises.

Page 5, VI. PALIPEHUTU/FNL

6.1 To address the current security situation in Burundi certain elements of the FAB will be exempted from confinement, as per the provisions of the December 2002 Ceasefire Agreement.

6.2 Prior to the establishment of a National Defence Force and in terms of the December 2002 Ceasefire Agreement, joint military units will be constituted to perform certain tasks.

Police

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Armed forces

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Security sector→DDR→DDR programmes

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Page 5, IV. MILITIA:

Militia will be disarmed according to the December 2002 Ceasefire Agreement under the supervision of the African Mission, at the beginning of cantonment and barracking exercises.

Intelligence services

Page 5, V. INTELLIGENCE:

5.1 The parties agreed on the establishment of a ministry of intelligence under the President.

5.2 Parties will submit names for the General Staff of Intelligence to the President.

The agreed criteria for the composition will be as follows;

– 65% – TGoB

– 35% – CNDD-FDD

– The principle of 50-50 ethnic balance.

5.3 The President, informed by the capacity/suitability of persons proposed and guided by the principles of integration and inclusivity, shall retain the discretion to determine the final composition of his General Staff of Intelligence.

Parastatal/rebel and opposition group forces

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6.2 Prior to the establishment of a National Defence Force and in terms of the December 2002 Ceasefire Agreement, joint military units will be constituted to perform certain tasks.

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 Transitional justice→Amnesty/pardon→Amnesty/pardon proper
Page 5, VII. OUTSTANDING MATTERS:
– Temporary Immunity.
...
These matters will be finalized at the next meeting that will be convened as a matter of urgency.

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 No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory In the presence of:
(Signed) His Excellency Jacob Zuma, Deputy President of the Republic of South Africa,
Facilitator of the Burundi Peace Process

Referendum for agreement	No specific mention.
International mission/force/similar	<p>Page 3, DEFENCE AND SECURITY ISSUES: The power sharing process in terms of defence and security issues shall consist of the following phases;</p> <p>I. THE BURUNDI NATIONAL DEFENCE FORCE 1.1 Cantonment The combatants of the CNDD-FDD will move to areas designated by the Joint Ceasefire Commission (JCC) under the supervision of the African Mission. The Burundi Armed Forces (FAB) will be confined to areas agreed upon under supervision of the African Mission, with certain elements being exempted in accordance with par 1.1.73 of the December 2002 Ceasefire Agreement.</p> <p>Page 5, IV. MILITIA: Militia will be disarmed according to the December 2002 Ceasefire Agreement under the supervision of the African Mission, at the beginning of cantonment and barracking exercises.</p>
Enforcement mechanism	No specific mention.
Related cases	No specific mention.
Source	http://www.peacemaker.un.org/
