

Peace Agreement Access Tool PA-X <https://pax.peaceagreements.org/>

Country/ entity	Burundi
Region	Africa (excl MENA)
Agreement name	The Protocol on Outstanding Issues of Political, Defence and Security Power Sharing in Burundi ('Pretoria II Protocol')
Date	2 Nov 2003
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict (Burundian Civil War (1993-2005))
Stage	Framework/substantive - partial
Conflict nature	Government
Peace process	Burundi: Arusha and related peace process
Parties	For the Transitional Government of Burundi His Excellency Domitien Ndayizeye President of the Republic of Burundi For the CNDD-FDD Movement, Mr Pierre Nkurunziza Legal Representative of the CNDD-FDD Movement
Third parties	'In the presence of' Jacob Zuma, Deputy President of the Republic of South Africa, Facilitator of the Burundi Peace Process
Description	This short agreement deals with the transformation of the CNDD-FDD into a political party, temporary immunity, aspects of senate, and finalisation of forces technical agreement, and reconstitution of transitional government of Burundi.

Agreement document [BI_031102_Protocol on Outstanding Issues.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 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	<p>Page 3, 3. SENATE:</p> <p>3.1. The CNDD-FDD indicated that it would not be able to participate in the Senate, while Article 147: 9 of the Transitional Constitution relating to the powers of the Senate remained in force.</p> <p>3.2 The parties agreed that the CNDD-FDD would participate in the implementation of all the agreements that they have signed without requiring that the matter of its participation in the Senate is resolved. They agreed that the CNDD-FDD may raise the question of its participation in the Senate again in future before the elections provided for in the Arusha Peace and Reconciliation Agreement, should it determine that it is necessary to do so.</p>
Electoral commission	No specific mention.
Political parties reform	<p>Governance→Political parties reform→Rebels transitioning to political parties</p> <p>Page 2, 1. TRANSFORMATION OF THE CNDD-FDD INTO A POLITICAL PARTY: The parties confirmed the agreement contained in the Communiqué of the Regional Consultative Meeting on Burundi on 20 July 2003 as follows: As soon as the process of cantonment begins, that action will indicate that the armed wing of the CNDD FDD is being integrated, and would mean that they qualify to register as a political party.</p> <p>Page 3, 3. SENATE:</p> <p>3.1. The CNDD-FDD indicated that it would not be able to participate in the Senate, while Article 147: 9 of the Transitional Constitution relating to the powers of the Senate remained in force.</p> <p>3.2 The parties agreed that the CNDD-FDD would participate in the implementation of all the agreements that they have signed without requiring that the matter of its participation in the Senate is resolved. They agreed that the CNDD-FDD may raise the question of its participation in the Senate again in future before the elections provided for in the Arusha Peace and Reconciliation Agreement, should it determine that it is necessary to do so.</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→General
State level
Page 3, 5. RECONSTITUTION OF THE TRANSITIONAL GOVERNMENT OF
BURUNDI:
The parties agreed that the Transitional Government of Burundi shall be
reconstituted to include members of the CNDD-FDD not later than three (3)
weeks from the signing of this Protocol.

Page 3, 3. SENATE:

3.1. The CNDD-FDD indicated that it would not be able to participate in the
Senate, while Article 147: 9 of the Transitional Constitution relating to the
powers of the Senate remained in force.

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implementation of all the agreements that they have signed without
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They agreed that the CNDD-FDD may raise the question of its participation in
the Senate again in future before the elections provided for in the Arusha
Peace and Reconciliation Agreement, should it determine that it is necessary
to do so.

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

Security sector

Security Guarantees

Page 1, Preamble:
...
Take 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

No specific mention.

Police

No specific mention.

Armed forces

Page 2, 1. TEMPORARY IMMUNITY:
2.1. The parties agreed that all leaders and combatants of the CNDD-FDD shall receive temporary immunity.
2.2. They agreed that this shall also apply to the security forces of the Government of Burundi.

Page 3, 3. SENATE:
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DDR

Security sector→DDR→DDR programmes
Page 2, 1. TRANSFORMATION OF THE CNDD-FDD INTO A POLITICAL PARTY:
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Intelligence services	No specific mention.
Parastatal/ rebel and opposition group forces	<p>Page 2, 1. TRANSFORMATION OF THE CNDD-FDD INTO A POLITICAL PARTY: The parties confirmed the agreement contained in the Communiqué of the Regional Consultative Meeting on Burundi on 20 July 2003 as follows: As soon as the process of cantonment begins, that action will indicate that the armed wing of the CNDD FDD is being integrated, and would mean that they qualify to register as a political party.</p> <p>Page 2, 1. TEMPORARY IMMUNITY: 2.1. The parties agreed that all leaders and combatants of the CNDD-FDD shall receive temporary immunity.</p>
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.
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Amnesty/ pardon	Transitional justice→Amnesty/pardon→Amnesty/pardon proper Page 2, 1. TEMPORARY IMMUNITY: 2.1. The parties agreed that all leaders and combatants of the CNDD-FDD shall receive temporary immunity. 2.2. They agreed that this shall also apply to the security forces of the Government of Burundi. 2.3. They agreed to establish a Joint Commission, which shall study individual cases of civilians currently serving sentence to determine that they should be granted temporary immunity.
Courts	No specific mention.
Mechanism	Page 2, 1. TEMPORARY IMMUNITY: ... 2.4. They endorsed the agreements contained in the Arusha Peace and Reconciliation Agreement providing for the establishment of the International Criminal Tribunal and the National Truth and Reconciliation Commission.
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.
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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 <http://peacemaker.un.org/>
