

<b>Country/entity</b>	Burundi
<b>Region</b>	Africa (excl MENA)
<b>Agreement name</b>	The Protocol on Outstanding Issues of Political, Defence and Security Power Sharing in Burundi ('Pretoria II Protocol')
<b>Date</b>	2 Nov 2003
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes
<b>Agreement/conflict level</b>	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 (CNDD) 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)

<b>Stage</b>	Framework/substantive - partial
<b>Conflict nature</b>	Government
<b>Peace process</b>	Burundi: Arusha and related peace process

<b>Parties</b>	<p>For the Transitional Government of Burundi His Excellency Domitien Ndayizeye President of the Republic of Burundi</p> <p>For the CNDD-FDD Movement, Mr Pierre Nkurunziza Legal Representative of the CNDD-FDD Movement</p>
<b>Third parties</b>	'In the presence of' Jacob Zuma, Deputy President of the Republic of South Africa, Facilitator of the Burundi Peace Process
<b>Description</b>	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.

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<b>Agreement document</b>	<a href="#">BI_031102_Protocol on Outstanding Issues.pdf (opens in new tab)</a>   <a href="#">Download PDF</a>
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## Groups

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

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## **Gender**

**Women, girls and gender** No specific mention.

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** No specific mention.

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## **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**

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.

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.

### **Electoral commission**

No specific mention.

### **Political parties reform**

Governance→Political parties reform→Rebels transitioning to political parties

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.

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### **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.

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### **Territorial power sharing**

No specific mention.

### **Economic power sharing**

No specific mention.

### **Military power sharing**

No specific mention.

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## **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.

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## **Rights related issues**

<b>Citizenship</b>	No specific mention.
<b>Democracy</b>	No specific mention.
<b>Detention procedures</b>	No specific mention.
<b>Media and communication</b>	No specific mention.
<b>Mobility/access</b>	No specific mention.
<b>Protection measures</b>	No specific mention.
<b>Other</b>	No specific mention.

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## **Rights institutions**

<b>NHRI</b>	No specific mention.
<b>Regional or international human rights institutions</b>	No specific mention.

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## **Justice sector reform**

<b>Criminal justice and emergency law</b>	No specific mention.
<b>State of emergency provisions</b>	No specific mention.
<b>Judiciary and courts</b>	No specific mention.
<b>Prisons and detention</b>	No specific mention.
<b>Traditional Laws</b>	No specific mention.

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## **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.

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## **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.

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## **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.

<b>Armed forces</b>	<p>Page 2, 1. TEMPORARY IMMUNITY:</p> <p>2.1. The parties agreed that all leaders and combatants of the CNDD-FDD shall receive temporary immunity.</p> <p>2.2. They agreed that this shall also apply to the security forces of the Government of Burundi.</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.</p> <p>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>
<b>DDR</b>	<p>Security sector→DDR→DDR programmes</p> <p>Page 2, 1. TRANSFORMATION OF THE CNDD-FDD INTO A POLITICAL PARTY:</p> <p>The parties confirmed the agreement contained 1n the Communique of the Regional Consultative Meeting on Burundi on 20 July 2003 as follows:</p> <p>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>
<b>Intelligence services</b>	No specific mention.
<b>Parastatal/rebel and opposition group forces</b>	<p>Page 2, 1. TRANSFORMATION OF THE CNDD-FDD INTO A POLITICAL PARTY:</p> <p>The parties confirmed the agreement contained 1n the Communique of the Regional Consultative Meeting on Burundi on 20 July 2003 as follows:</p> <p>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:</p> <p>2.1. The parties agreed that all leaders and combatants of the CNDD-FDD shall receive temporary immunity.</p>
<b>Withdrawal of foreign forces</b>	No specific mention.
<b>Corruption</b>	No specific mention.
<b>Crime/organised crime</b>	No specific mention.



**Drugs** No specific mention.

**Terrorism** No specific mention.

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**Transitional justice**

**Transitional justice general** No specific mention.

**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.

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## **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** <http://peacemaker.un.org/>

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