

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

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

---

**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.
-------------------------------	----------------------

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.  
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.

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    No specific mention.  
international  
human  
rights  
institutions

---

## **Justice sector reform**

Criminal        No specific mention.  
justice and  
emergency  
law

State of        No specific mention.  
emergency  
provisions

Judiciary       No specific mention.  
and courts

Prisons and    No specific mention.  
detention

Traditional     No specific mention.  
Laws

---

## **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:  
...  
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:  
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.

DDR

Security sector→DDR→DDR programmes

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.

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.
------------------------------	----------------------

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.
-----------------	----------------------

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/>

---