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| **Country/entity** | Rwanda |
| **Region** | Africa (excl MENA) |
| **Agreement name** | Protocol of Agreement on Power-sharing within the Framework of broad-based Transitional Government between the Government of the Republic of Rwanda and the Rwandese Patriotic Front |
| **Date** | 30 Oct 1992 |
| **Agreement status** | Multiparty signed/agreed |
| **Interim arrangement** | Yes |
| **Agreement/conflict level** | Intrastate/intrastate conflict |

**Rwandan Civil War (1990 - 1994)**

The origins between the ethnic tensions between the Tutsi and Hutus in Rwanda are found in the original waves of migration and later into the domination of the Kingdom of Rwanda formed by the Tutsi clans. The Kingdom of Rwanda became the framework used by the German colonials to exercise power. Although the economy was reformed following the transfer to Belgian rule after World War I, the Hutu majority remained disenfranchised. Socio-economic differences were further cemented in 1935, when the Belgians introduced identity cards with Hutu or Tutsi distinctions.

Relations deteriorated after World War Two when a Hutu elite formed, and in 1959, what began as attacks on Tutsi targets evolved into the Rwandan revolution. The Belgian colonials began a programme of promotion for Hutus and following elections in the mid-1960s, the Hutus took control of most constituencies. More than 336,000 Tutsis fled Rwanda during the revolution and a failed insurgency was launched in the late 1960s.

By the late 1980s, many former Tutsi refugees in Uganda had gained integral roles in the Ugandan National Army following the overthrow of Milton Obete by Yoweri Museveni. In 1990, a Tutsi faction within the Ugandan Army, the Rwandan Patriotic Front, led by Fred Rwigyema invaded Uganda. However, the RPF came in disarray following Rwigyema's death on the second day of the attack. This led another Tutsi officer from the Ugandan Army, Paul Kagama, to step in. The troops were reassembled and another campaign was lauched in 1991. By 1992, the Arusha Accords were signed in Tanzania, providing for a power-sharing government. The war took a turn for the worst when on April 6, 1994, the plane of then-President Juvénal Habyarimana, a Hutu, was shot over Kigali killing everyone on board. The next day, the Rwandan Army, alongside civilians began killing Tutsi and moderate Hutu leaders, which marked the beginning of the 3-month long genocide of Tutsis in Rwanda, until the killing was ended in July 1994 when the RNF forced the interim government into exile. Approximately 2,000,000 Hutus also fled to the Democratic Republic of Congo, Burundi, Tanzania and Uganda.
Close
Rwandan Civil War (1990 - 1994)

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| **Stage** | Framework/substantive - partial |
| **Conflict nature** | Government |
| **Peace process** | Rwanda-RPF process |
| **Parties** | Government of Rwanda, Rwandese Patriotic Front |
| **Third parties** | Facilitator: Hon. Ahamed Hassan Diria, Minister for Foreign Affairs and International Cooperation (United Republic of Tanzania)<br>Witnesses: Papa Louis Fall, Ambassador of Senegal to Ethiopia and Representative to the OUA as the Represenative of the Current Chairman of the OAU; and Dr. T Mapuranga, Assistant Secretary General of the OUA in charge of Political Affairs for the Secretary General of the OUA, Representative of the Secretary General of the OAU. |
| **Description** | The agreement reaffirms the acceptance of principle of power sharing within the framework of a Broad-Based Transitional Government, and agreed on modalities for its implementation. It provides for the I. General Principles; II. Transitional Institutions; III. The Executive Power; IV. Specialised Commissions; V. The Judiciary; VI. Other Areas of Agreement such as the establishment of a Commission for National Unity and National Reconciliation, a Legal and Constitutional Commission and an Electoral Commission. It also involves agreements over the implementation of a programme comprising democracy; defence and security; post-war rehabilitation, repatriation and reintegration of refugees, and the economy. |

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| **Agreement document** | RW_921030_ProtocolOnPowerSharing.pdf (opens in new tab) \| Download PDF |

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**Groups**

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| **Children/youth** | Groups→Children/youth→Substantive<br>Page 12-13, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 5: Outline of the Broad-based Transitional Government Programme, Article 23:<br>The Broad-based Transitional Government shall implement the programme comprising the following:<br>…<br>D. Post-war Rehabilitation Programme<br>...<br>3. Set up a programme of assistance to the victims of war (both civilian and military) and of social strife encountered since the outbreak of the war, to the physically handicapped, orphans. widows and widowers. |
| **Disabled persons** | Groups→Disabled persons→Substantive<br>Page 12-13, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 5: Outline of the Broad-based Transitional Government Programme, Article 23:<br>The Broad-based Transitional Government shall implement the programme comprising the following:<br>…<br>D. Post-war Rehabilitation Programme<br>...<br>3. Set up a programme of assistance to the victims of war (both civilian and military) and of social strife encountered since the outbreak of the war, to the physically handicapped, orphans, widows and widowers. |
| **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. |

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| **Refugees/displaced persons** | Groups→Refugees/displaced persons→Substantive<br>Page 6, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Article 13:<br>The current structure of the Government, namely, the number and appellation of Ministries shall remain unchanged. However, a Secretariat of State in the Prime Minister's Office in charge of Social Rehabilitation and Integration shall be established.<br>It shall be responsible for:<br>1. Repatriation and social and economic reintegration of the Rwandese refugees who may wish to go back home.<br><br>Page 12-13, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 5: Outline of the Broad-based Transitional Government Programme, Article 23:<br>The Broad-based Transitional Government shall implement the programme comprising the following:<br>[…]<br>D. Post-war Rehabilitation Programme<br>1. Provide humanitarian assistance, especially through the supply of foodstuffs, seeds and some building materials in a bid to contribute In the resettlement of those displaced as a result of the war and social strife encountered since the outbreak of the war in their original property.<br>3. Set up a programme of assistance to the victims of war (both civilian and military) and of social strife encountered since the outbreak of the war, to the physically handicapped, orphans, widows and widowers.<br>4. Set up appropriate programmes for the economic and social integration of the demobilised military personnel.<br>E. Repatriation and Reintegration of Refugees<br>Repatriate and reintegrate all Rwandese refugees who may wish to go back home, following the modalities specified in the Peace Agreement. |
| **Social class** | No specific mention. |

**Gender**

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| **Women, girls and gender** | Page 12-13, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 5: Outline of the Broad-based Transitional Government Programme, Article 23:<br>The Broad-based Transitional Government shall implement the programme comprising the following:<br>[…]<br>D. Post-war Rehabilitation Programme<br>3. Set up a programme of assistance to the victims of war (both civilian and military) and of social strife encountered since the outbreak of the war, to the physically handicapped, orphans, widows and widowers. |
| **Men and boys** | Gender→Men and boys→Gender neutral wording<br>Page 12-13, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 5: Outline of the Broad-based Transitional Government Programme, Article 23:<br>The Broad-based Transitional Government shall implement the programme comprising the following:<br>[…]<br>D. Post-war Rehabilitation Programme<br>3. Set up a programme of assistance to the victims of war (both civilian and military) and of social strife encountered since the outbreak of the war, to the physically handicapped, orphans, widows and widowers. |
| **LGBTI** | No specific mention. |
| **Family** | No specific mention. |

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**State definition**

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| **Nature of state (general)** | Page 4-5, CHAPTER III: THE EXECUTIVE POWER SECTION, Section 1: The President of the Republic and the Head of State, Article 11:<br>In pursuance of the decisions of the Cabinet and in conformity with the procedure defined under Article 9 of the present Protocol, the President of the Republic shall sign Presidential Orders with regard to the following:<br>...<br>6. Ratification of International Treaties, Conventions and Agreements. However, Peace Treaties, Treaties of Alliance Treaties which may entail altering national borders or affect the rights of sovereignty, Treaties on the association of the Republic with one or several other States, as well as Treaties, Conventions and Agreements with financial implications not catered for in the budget, shall be implemented only after their approval by way of a law. The federation of the Republic of Rwanda with one or several other democratic States must be approved through a Referendum. |
| **State configuration** | No specific mention. |

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| **Self determination** | No specific mention. |
| **Referendum** | Page 4-5, CHAPTER III: THE EXECUTIVE POWER SECTION, Section 1: The President of the Republic and the Head of State, Article 11:<br>In pursuance of the decisions of the Cabinet and in conformity with the procedure defined under Article 9 of the present Protocol, the President of the Republic shall sign Presidential Orders with regard to the following:<br>...<br>Ratification of International Treaties, Conventions and Agreements. However, Peace Treaties, Treaties of Alliance Treaties which may entail altering national borders or affect the rights of sovereignty, Treaties on the association of the Republic with one or several other States, as well as Treaties, Conventions and Agreements with financial implications not catered for in the budget, shall be implemented only after their approval by way of a law. The federation of the Republic of Rwanda with one or several other democratic States must be approved through a Referendum. |
| **State symbols** | No specific mention. |
| **Independence/ secession** | No specific mention. |
| **Accession/ unification** | No specific mention. |
| **Border delimitation** | Page 4-5, CHAPTER III: THE EXECUTIVE POWER SECTION, Section 1: The President of the Republic and the Head of State, Article 11:<br>In pursuance of the decisions of the Cabinet and in conformity with the procedure defined under Article 9 of the present Protocol, the President of the Republic shall sign Presidential Orders with regard to the following:<br>...<br>Ratification of International Treaties, Conventions and Agreements. However, Peace Treaties, Treaties of Alliance Treaties which may entail altering national borders or affect the rights of sovereignty, Treaties on the association of the Republic with one or several other States, as well as Treaties, Conventions and Agreements with financial implications not catered for in the budget, shall be implemented only after their approval by way of a law. The federation of the Republic of Rwanda with one or several other democratic States must be approved through a Referendum. |
| **Cross-border provision** | No specific mention. |

**Governance**

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| **Political institutions (new or reformed)** | Governance→Political institutions (new or reformed)→Temporary new institutions<br>Page 2, Chapter II Transitional Institutions, Article 3:<br>During the Transitional Period, the State institutions shall be:<br>(i) The Presidency of the Republic;<br>(ii) The Broad-Based Transitional Government:<br>(iii) The Transitional National Assembly;<br>(iv) The Institutions of the Judiciary.<br><br>Page 6, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Article 13:<br>The current structure of the Government, namely, the number and appellation of Ministries shall remain unchanged. However, a Secretariat of State in the Prime Minister's Office in charge of Social Rehabilitation and Integration shall be established.<br>It shall be responsible for:<br>1. Repatriation and social and economic reintegration of the Rwandese refugees who may wish to go back home;<br>2. A Post-War Rehabilitation Programme as defined under Item 23.D of the present Protocol.<br><br>Page 7, CHAPTER III: THE EXECUTIVE POWER, SECTION 2: The Broad-based Transitional Government, Sub-section 1: The Powers of the Government: Article 16:<br>...<br>4. Discuss and adopt Orders in Council, in situations of emergency or when the National Assembly Is unable to seat, and transmit them to the President of the Republic for promulgation;<br><br>Page 12, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 5: Outline of the Broad-based Transitional Government Programme, Article 23:<br>In any case, all local authorities (Bourgmestres, (County Administrators], Sous-Prefets (Assistant District Commissioners!, Prefets de Prefecture (District Commissioners!) shall have been either replaced or confirmed within three months after the establishment of the Broadbased Transitional Government.<br><br>Page 16, Chapter V: The Judiciary; Section 3: The Supreme Court, Article 27:<br>The Supreme Court shall particular exercise the following functions:<br>...<br>(e) provide, upon request, legal opinions on the regularity of draft Presidential. Prime Ministerial and Ministerial orders as well as on other draft public administration regulations; |

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| **Elections** | Page 2, Chapter III The Executive Power, Section 1 The President of the Republic and Head of State, Article 5:<br>Upon the signing of the Peace Agreement, the incumbent President of the Republic and Head of State shall remain in office until the outcome of elections to be held at the end of the Transitional Period.<br><br>Page 12, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 5: Outline of the Broad-based Transitional Government Programme, Article 23:<br>The Broad-based Transitional Government shall implement the programme comprising the following:<br>A. Democracy<br>2. Prepare and organise general elections to be held at the end of the Transition Period.<br><br>Page 15, CHAPTER IV: Specialised Commisions, Article 24:<br>In addition to the Commissions already agreed upon in the previous Agreements, the following broad-based specialised Commissions shall be established:<br>C. ELECTORAL COMMISSION<br>This Commission shall be responsible for the preparation and organisation of local, legislative and presidential elections. |
| **Electoral commission** | Page 15, CHAPTER IV: Specialised Commisions, Article 24:<br>In addition to the Commissions already agreed upon in the previous Agreements, the following broad-based specialised Commissions shall be established:<br>C. ELECTORAL COMMISSION<br>This Commission shall be responsible for the preparation and organisation of local, legislative and presidential elections. |
| **Political parties reform** | No specific mention. |
| **Civil society** | No specific mention. |
| **Traditional/ religious leaders** | No specific mention. |

**Public administration**

Page 4-5, CHAPTER III: THE EXECUTIVE POWER SECTION, Section 1: The President of the Republic and the Head of State, Article 11:
In pursuance of the decisions of the Cabinet and in conformity with the procedure defined under Article 9 of the present Protocol, the President of the Republic shall sign Presidential Orders with regard to the following:
...
5. the appointment and termination of services of the following senior civil servants:
- the Principal Private Secretary to the President of the Republic;
- the Chancellor for National Orders;
- the Governor of the National Bank of Rwanda;
- the Rector of the National University of Rwanda;
- Ambassadors;
- the Secretary to the Cabinet;
- the Personal Secretary to the President of the Republic;
- Advisors in the Presidency of the Republic:
- Principal Private Secretaries in Ministries;
- Advisors in Ministries;
- Head of the Prosecution Department at the Supreme Court;

Page 8-10, 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:
The Prime Minister shall:
...
6. In pursuance of the decisions of the Cabinet, sign Prime Ministerial Orders for the appointment and termination of services of the following senior civil servants:
- the Principal Private Secretary to the Prime Minister;
- Deputy Governors of the National Bank of Rwanda;
- Vice-Rectors of the National University of Rwanda;
- Advisers and "Chefs de Service" in the Prime Minister's Office;
- the "Prefets de Prefecture" [District Commissioners].
- Director in Public Enterprises;
- Directors General in the Ministries;
- Planning and Coordination Officers in Public Enterprises;
- Directors In Public Enterprises and Representatives of the Government in Parastatals;
- Directors and Heads of Division in the Ministries;
- "Sous-Prefets"[Assistant District Commissioners];
- Bourgmestres [County Administrators],
- Deputy Directors of Public Prosecution at the Supreme Court;
- Head of the Prosecution Department of the Courts of Appeal;
- Deputy Directors of the Courts of Appeal;
- Head of the Prosecution Department at the Courts of First Instance;
- Assistant State Attorneys.
- Upon delegation of power by the Cabinet,
(a) the Minister responsible for the Civil Service shall sign Ministerial Orders with regard to appointments and termination of services of Civil Servants from the rank of Chief Clerk of equivalent and lower-Level posts.

Page 12-13, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 5: Outline of the Broad-based Transitional Government Programme, Article 23:
The Broad-based Transitional Government shall implement the programme comprising the following:
C. National Unity and National Reconciliation
...
c) Establishing a recruitment system for senior government posts, for all other posts, and

**Constitution**

Governance→Constitution→Constitutional reform/making
Page 15, CHAPTER IV: Specialised Commisions, Article 24:
In addition to the Commissions already agreed upon in the previous Agreements, the following broad-based specialised Commissions shall be established:
B. Legal and Constitutional Commission
This Commission shall be responsible for:
2) Prepare a preliminary draft of the Constitution which shall govern the country after the Transitional Period.

Page 17, Chapter V: The Judiciary; Section 3: The Supreme Court, Article 27:
The Supreme Court shall particular exercise the following functions:
...
(b) ensure the constitutionality of laws and Orders in Council. In so doing, it shall ensure their constitutionality before promulgation;

Page 18, Chapter V: The Judiciary; Section 3: The Supreme Court, Article 28:
The Supreme Court shall comprise the following five sections:
...
(c) The Constitutional Court;

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**Power sharing**

**Political power sharing**

Power sharing→Political power sharing→General
State level
Pages 1-2,

Article 1
The two parties reaffirm the acceptance of the principle of power-sharing within the framework of a Broad-Based Transitional Government, in conformity with Article V.3. of the N'sele Ceasefire Agreement, as amended at GBADOLITE on 16th September, 1991 and at ARUSHA on 12th July, 1992. The modalities of implementation of this principle are the object of the present Protocol of Agreement on Power-sharing.

Article 2
The two parties agree that those modalities shall consist of:
(a) the maintenance of the current structure of the Coalition Government with appropriate adjustments to be mutually agreed upon in this Protocol, with a view to making room for the participation of the RPF and other political forces in the country;
(b) appropriate adjustments to be mutually agreed upon in this Protocol, to be made at the level of the State powers with a view to enabling the RPF and other political forces in the country to participate in and make for the efficient management of the transition, in compliance principle of separation of powers.

Page 6,
Article 14.
The political parties participating in the Coalition Government established on 16th April, 1992 as well as the

Rwandese Patriotic Front shall have the responsibility to set up the Broad-Based Transitional Government.
They shall decide, by consensus, on the other political formations which may participate in that Government.
Power sharing→Political power sharing→Executive coalition
State level
Page 1-2, Chapter I General Principles, Article 2, Para A & B
The two parties agree that those modalities shall consist of:
- the maintenance of the current structure of the Coalition Government with appropriate adjustments to be mutually agreed upon In this Protocol, with a view to making room for the participation of the RPF and other political forces in the country,
- appropriate adjustments to be mutually agreed upon in this protocol, to be made at the level of the State powers with a view to enabling the RPF and other political forces in the country to participate in and make for the efficient management of the transition, in compliance with the principle of separation of powers.

Page 2, Chapter III The Executive Power, Article 4:
The Executive power shall be exercised collectively through decisions taken in Cabinet meetings, by the President of the Republic and by the Government.

Page 6, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Article 14:
The political parties participating in the Coalition Government established on 16th April. 1992 as well as the Rwandese Patriotic Front shall have the responsibility to set up the Broad-Based Transitional Government. They shall decide, by consensus, on the other political formations which may participate in that Government.
Power sharing→Political power sharing→Form of 'veto' or communal majority
State level
Page 4, Chapter III The Executive Power, Section 1 The President of the Republic and

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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**

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| **Human rights/RoL general** | Page 12, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 5: Outline of the Broad-based Transitional Government Programme, Article 23:<br>The Broad-based Transitional Government shall implement the programme comprising the following:<br>A. Democracy<br>1. Consolidate the democratic process by establishing the necessary mechanisms for the implementation of the provisions of the Protocol on the Rule of Law.<br>B. Defence and Security<br>1. Consolidate peace by taking the necessary measures for the eradication of the causes of war, especially those stemming from the non-respect of National Unity, Human Rights and Democracy,<br><br>Page 15, CHAPTER IV: Specialised Commisions, Article 24:<br>In addition to the Commissions already agreed upon in the previous Agreements, the following broad-based specialised Commissions shall be established:<br>B. Legal and Constitutional Commission<br>This Commission shall be responsible for:<br>1) Drawing up a list of adaptations of national legislation to the provisions of the Peace Agreement, in particular those provisions relating to the Rule of Law. |
| **Bill of rights/similar** | No specific mention. |
| **Treaty incorporation** | No specific mention. |
| **Civil and political rights** | No specific mention. |
| **Socio-economic rights** | Social and economic reintegration of refugees mentioned (article 13). Post-war rehabilitation programme set out for govenrment. Economy set out for programme of government. |

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**Rights related issues**

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| **Citizenship** | Rights related issues→Citizenship→Citizenship other<br>Page 12-13, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 5: Outline of the Broad-based Transitional Government Programme, Article 23:<br>The Broad-based Transitional Government shall implement the programme comprising the following:<br>[…]<br>C. National Unity and National Reconciliation<br>1. Restore national unity, in particular and as a matter of urgency by:<br>...<br>c) Establishing a recruitment system for senior government posts, for all other posts, and for admission to schools, based on fair competition giving equal opportunity to all citizens. |
| **Democracy** | Page 12, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 5: Outline of the Broad-based Transitional Government Programme, Article 23:<br>The Broad-based Transitional Government shall implement the programme comprising the following:<br>A. Democracy<br>1. Consolidate the democratic process by establishing the necessary mechanisms for the implementation of the provisions of the Protocol on the Rule of Law.<br>2. Prepare and organise general elections to be held at the end of the Transition Period.<br>B. Defence and Security<br>1. Consolidate peace by taking the necessary measures for the eradication of the causes of war, especially those stemming from the non-respect of National Unity Human Rights and Democracy.<br><br>Page 22, Chapter VI Other Areas of Agreement, Article 46:<br>As a matter of urgency and priority, the Broad-based Transitional Government shall rid the administrative apparatus of all incompetent elements as well as authorities who were involved in the social strife or whose activities are an obstacle to the democratic process and to national reconciliation. |
| **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**

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| **NHRI** | No specific mention. |
| **Regional or international human rights institutions** | No specific mention. |

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**Justice sector reform**

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| **Criminal justice and emergency law** | Justice sector reform→Criminal justice and emergency law→Criminal Justice System reform<br>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:<br>...<br>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. |
| **State of emergency provisions** | No specific mention. |

**Judiciary and courts**

Page 8-10, 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:
The Prime Minister shall:
... 6. In pursuance of the decisions of the Cabinet, sign Prime Ministerial Orders for the appointment and termination of services of the following senior civil servants:
... - Deputy Directors of Public Prosecution at the Supreme Court;
- Head of the Prosecution Department of the Courts of Appeal;
- Deputy Directors of the Courts of Appeal;
- Head of the Prosecution Department at the Courts of First Instance;
- Assistant State Attorneys.
... (b) The Minister of Justice shall sign Ministerial Orders for the appointment and termination of services of judicial staff other than magistrates.
... 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.

Page 15, Chapter V The Judiciary, Section 1, General Principles, Article 25:
1. The powers of the Judiciary shall be exercised by Courts Tribunals and other Jurisdictions. The Judiciary is independent of the Legislature and the Executive. Justice shall be rendered on the territory of the Republic in the name of the people.

Page 16, Chapter V The Judiciary, Section 2: Jurisdictions, Article 26:
The following ordinary jurisdictions shall be recognized:
Canton Courts, Courts of First Instance. Courts of Appeal and the Supreme Court.
The following Military Jurisdictions shall aslo be recognized:
Court Martials and the Military Court.
The law may establish any other specialized Courts. However, no special Courts may be established.

Page 16-17, Chapter V The Judiciary, Section 3: The Supreme Court, Article 27:
The Supreme Court shall particular exercise the following functions:
(a) direct and coordinate the activities of the Courts and Tribunals of the Republic. It shall be the guarantor of the independence of the Judiciary. To this effect it shall be responsible for the professional code of ethics;
(b) ensure the constitutionality of laws and Orders in Council. In so doing, it shall ensure their
constitutionality before promulgation;
(c) give a ruling on the petition for annulment of regulations, orders and decisions issued by administrative authorities.
(d) ensure the regularity of popular consultations;
(e) provide, upon request, legal opinions on the regularity of draft Presidential, Prime Ministerial and Ministerial orders as well as on other draft public administration regulations;
(f) give the authentic interpretation on customary practice in case written law is silent thereon;
(g) give a ruling on appeals to the Court of Cassation to have a new trial ordered and on transfer of cases from one Court to another;
(h) arbitrate on institutional conflicts between various State organs;
(i) judge the Accounts of all Public Institutions;
(j) have criminal jurisdiction over the President of the Republic, the Speaker of the National Assembly, the Presiding Judge of the Supreme Court, the Prime Minister, the Deputy Prime Minister, Ministers, Secretaries of State, the Deputy-Presiding Judges of the Supreme Court. Deputies in the National Assembly, the Presiding Judges of the Courts of Appeal, the Public Prosecutors and Deputy Directors of the Supreme Court and of the Courts of Appeal.

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| **Prisons and detention** | No specific mention. |
| **Traditional Laws** | No specific mention. |

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**Socio-economic reconstruction**

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| **Development or socio-economic reconstruction** | Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development<br>Page 6, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Article 13<br>The current structure of the Government, namely, the number and appellation of Ministries shall remain unchanged. However, a Secretariat of State in the Prime Minister's Office in charge of Social Rehabilitation and Integration shall be established.<br>It shall be responsible for:<br>[…]<br>2. A Post-War Rehabilitation Programme as defined under Item 23.D of the present Protocol.<br><br>Page 13-14, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 5: Outline of the Broad-based Transitional Government Programme, Article 23:<br>The Broad-based Transitional Government shall implement the programme comprising the following:<br>[…]<br>D. Post-war Rehabilitation Programme<br>1. Provide humanitarian assistance, especially through the supply of foodstuffs, seeds and some building materials in a bid to contribute In the resettlement of those displaced as a result of the war and social strife encountered since the outbreak of the war, in their original property.<br>2. Rehabilitate and rebuild the areas devastated by war and social strife encountered since the outbreak of war, especially through mine-clearance and rebuilding of socio-educatlonal and administrative facilities.<br>3. Set up a programme of assistance to the victims of war (both civilian and military) and of social strife encountered since the outbreak of the war, to the physically handicapped, orphans. widows and widowers.<br>4. Set up appropriate programmes for the economic and social Integration of the demobilised military personnel.<br>....<br>F. The Economy<br>1. Stimulate the economy by, as a priority, orienting economic programmes towards the disadvantaged regions and social strata;<br>2. Review the country's priorities with the aim of promoting food security (application of selected seeds and fertilizers, storage, etc.);<br>3. Diversify export products;<br>4. Encourage small and medium scale industries;<br>5. Draw up and apply strategies for better utilization of the country's resources (natural and human). |
| **National economic plan** | No specific mention. |

**Natural resources** Page 14, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 5: Outline of the Broad-based Transitional Government Programme, Article 23:
The Broad-based Transitional Government shall implement the programme comprising the following:
[…]
F. The Economy
5. Draw up and apply strategies for better utilization of the country's resources (natural and human).

**International funds** No specific mention.

**Business** Page 8-10, 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:
The Prime Minister shall:
...
6. In pursuance of the decisions of the Cabinet, sign Prime Ministerial Orders for the appointment and termination of services of the following senior civil servants:
...
- Director in Public Enterprises;
...
- Planning and Coordination Officers in Public Enterprises;
- Directors In Public Enterprises and Representatives of the Government in Parastatals;
...
- Deputy Directors of Public Prosecution at the Supreme Court;
- Head of the Prosecution Department of the Courts of Appeal;
- Deputy Directors of the Courts of Appeal;
- Head of the Prosecution Department at the Courts of First Instance;
- Assistant State Attorneys.
...
(c) In Public Enterprises, senior staff shall be appointed by the Board of Directors and the rest of the staff by the relevant Director.

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| **Taxation** | No specific mention. |
| **Banks** | Socio-economic reconstruction→Banks→Central bank<br>Page 4, CHAPTER III: THE EXECUTIVE POWER SECTION, 1: THE PRESIDENT OF THE REPUBLIC AND HEAD OF STATE, Article 11:<br>In pursuance of the decisions of the Cabinet and in conformity with the procedure defined under Article 9 of the present Protocol, the President of the Republic shall sign Presidential Orders with regard to the following:<br>...<br>2. the minting of currency;<br><br>Page 5, CHAPTER III: THE EXECUTIVE POWER SECTION, Section 1: The President of the Republic and the Head of State, Article 11:<br>In pursuance of the decisions of the Cabinet and in conformity with the procedure defined under Article 9 of the present Protocol, the President of the Republic shall sign Presidential Orders with regard to the following:<br>...<br>5. the appointment and termination of services of the following senior civil servants:<br>...<br>the Governor of the National Bank of Rwanda;<br><br>Page 8, 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:<br>The Prime Minister shall:<br>...<br>6. In pursuance of the decisions of the Cabinet, sign Prime Ministerial Orders for the appointment and termination of services of the following senior civil servants:<br>...<br>Deputy Governors of the National Bank of Rwanda; |

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**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** | No specific mention. |
| **Water or riparian rights or access** | No specific mention. |

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**Security sector**

**Security Guarantees**

Page 12, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 5: Outline of the Broad-based Transitional Government Programme, Article 23:
The Broad-based Transitional Government shall implement the programme comprising the following:
...
B. Defence and Security
1. Consolidate peace by taking the necessary measures for the eradication of the causes of war, especially those stemming from the non-respect of National Unity, Human Rights and Democracy,
2. Ensure internal and external security,
3. Take the necessary measures for guaranteeing the security of all the people and their property,
4. Organise defence and security institutions.

Page 13, Chapter III: The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 5: Outline of the Broad-based Transitional Government Programme, Article 23:
The Broad-based Transitional Government shall implement the programme comprising the following:
[…]
D. Post-war Rehabilitation Programme
...
2. Rehabilitate and rebuild the areas devastated by war and social strife encountered since the outbreak of war, especially through mine-clearance and rebuilding of socio-educatlonal and administrative facilities.

**Ceasefire**

No specific mention.

**Police**

Page 12, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 5: Outline of the Broad-based Transitional Government Programme, Article 23:
The Broad-based Transitional Government shall implement the programme comprising the following:
[…]
B. Defence and Security
1. Consolidate peace by taking the necessary measures for the eradication of the causes of war, especially those stemming from the non-respect of National Unity, Human Rights and Democracy,
2. Ensure internal and external security,
3. Take the necessary measures for guaranteeing the security of all the people and their property,
4. Organise defence and security institutions.

**Armed forces**

Page 2, Chapter III The Executive Power, Section 1 The President of the Republic and Head of State, Article 6
As Head of State, the President of the Republic shall have the following prerogatives:
[…]
(e) He shall declare war and sign armistice upon the decision of the Cabinet and after authorization by the National Assembly. To this end, he shall bear the title of Commander-in -Chief of the Armed Forces. The Army and other security forces shall be accountable to the Cabinet, In accordance with the modalities specified in the Peace Agreement.

Page 11, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 4:. Mode of Decision-Making within the Government, Article 21:
Prior to the deliberations, the Cabinet meeting shall adopt its agenda.
Cabinet decisions shall be taken by consensus. Where consensus is not reached, the issue at hand shall be returned to the relevant Minister for further study.
Consensus on the issue shall once again be required subsequent discussions, and if no consensus is reached, a decision shall be taken on the basis of a partial consensus of a 2/3 of the members of the Government present.
For the following issues, however, consensus shall be mandatory:
...
- declaration of war;
...
- defence and security matters.

Page 12, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 5: Outline of the Broad-based Transitional Government Programme, Article 23:
The Broad-based Transitional Government shall implement the programme comprising the following:
[…]
B. Defence and Security
1. Consolidate peace by taking the necessary measures for the eradication of the causes of war, especially those stemming from the non-respect of National Unity, Human Rights and Democracy,
2. Ensure internal and external security,
3. Take the necessary measures for guaranteeing the security of all the people and their property,
4. Organise defence and security institutions.

**DDR**

Security sector→DDR→DDR programmes
Page 13, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 5: Outline of the Broad-based Transitional Government Programme, Article 23:
The Broad-based Transitional Government shall implement the programme comprising the following:
[…]
D. Post-war Rehabilitation Programme
[…]
4. Set up appropriate programmes for the economic and social integration of the demobilised military personnel.

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| **Intelligence services** | No specific mention. |
| **Parastatal/rebel and opposition group forces** | No specific mention. |
| **Withdrawal of foreign forces** | No specific mention. |
| **Corruption** | Page 14, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 5: Outline of the Broad-based Transitional Government Programme, Article 23:<br>The Broad-based Transitional Government shall implement the programme comprising the following:<br>[…]<br>G. National Ethics<br>[…]<br>2. Establish a system for the eradication of all forms of corruption.<br><br>Page 22, Chapter VI Other Areas of Agreement, Article 46:<br>As a matter of urgency and priority, the Broad-based Transitional Government shall rid the administrative apparatus of all incompetent elements as well as authorities who were involved in the social strife or whose activities are an obstacle to the democratic process and to national |
| **Crime/organised crime** | No specific mention. |
| **Drugs** | No specific mention. |
| **Terrorism** | No specific mention. |

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**Transitional justice**

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| **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** Page 13, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 5: Outline of the Broad-based Transitional Government Programme, Article 23:
The Broad-based Transitional Government shall implement the programme comprising the following:
[…]
D. Post-war Rehabilitation Programme
[…]
3. Set up a programme of assistance to the victims of war (both civilian and military) and of social strife encountered since the outbreak of the war, to the physically handicapped, orphans, widows and widowers.

**Missing persons** No specific mention.

**Reparations** No specific mention.

**Reconciliation** Page 12, Chapter III The Executive Power, Section 2 The Broad-based Transitional Government, Sub-section 5: Outline of the Broad-based Transitional Government Programme, Article 23:
The Broad-based Transitional Government shall implement the programme comprising the following:
[…]
C. National Unity and National Reconciliation
1. Restore national unity, in particular and as a matter of urgency by:
a) Setting up efficient mechanisms aimed at eliminating all types of discrimination and exclusion;
b) Working out appropriate legislation in this regard;
c) Establishing a recruitment system for senior government posts, for all other posts, and for admission to schools, based on fair competition giving equal opportunity to all citizens.
2. Organise a national debate on National Unity and National Reconciliation.

Page 14-15, CHAPTER IV: Specialised Commisions, Article 24:
In addition to the Commissions already agreed upon in the previous Agreements, the following broad-based specialised Commissions shall be established:
A. Commission for National Unity and National Reconciliation
This commission, which reports to the Government, shall be responsible for:
1. Preparing a national debate on national unity and national reconciliation.
2. Prepare and distribute information aimed at educating the population and achieving national unity and national reconciliation.

Page 22, Chapter VI Other Areas of Agreement, Article 46:
As a matter of urgency and priority, the Broad-based Transitional Government shall rid the administrative apparatus of all incompetent elements as well as authorities who were involved in the social strife or whose activities are an obstacle to the democratic process and to national reconciliation.

**Implementation**

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| **UN signatory** | No specific mention. |
| **Other international signatory** | Facilitator: Hon. Ahamed Hassan Diria, Minister for Foreign Affairs and International Cooperation (United Republic of Tanzania)<br>Witnesses: Papa Louis Fall, Ambassador of Senegal to Ethiopia and Representative to the OUA as the Represenative of the Current Chairman of the OAU; and Dr. T Mapuranga, Assistant Secretary General of the OUA in charge of Political Affairs for the Secretary General of the OUA, Representative of the Secretary General of the OAU |
| **Referendum for agreement** | No specific mention. |
| **International mission/force/ similar** | No specific mention. |
| **Enforcement mechanism** | A number of commissions established: Commission for National Unity and National Reconciliation, a Legal and Constituitonal Commission. Electoral commission. |