

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)

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)

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

Parties	<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>
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 (opens in new tab) Download PDF
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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

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.

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:
...
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	<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>
DDR	<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>
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	<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>
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
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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/>
