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|---------------------------------|--|
| Country/entity | Burundi |
| Region | Africa (excl MENA) |
| Agreement name | Comprehensive Ceasefire Agreement between the Government of the Republic of Burundi and the Palipehutu - FNL |
| Date | 7 Sep 2006 |
| 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 (CNND) 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 | Ceasefire/related |
| Conflict nature | Government |
| Peace process | Burundi: Arusha and related peace process |

Parties

The Government of Burundi:
His Excellency Pierre Nkurunzisa - President of the Republic of Burundi

For the Palipehutu - FNL:
Mr. Agathon Rwasa - Chairperson

Third parties

In the presence of:

- H.E. Yoweri Kaguta Museveni, President of the Republic of Uganda.
- H.E. Jakaya Mrisho Kikwete, President of the United Republic of Tanzania.
- H.E. Thabo Mbeki, President of the Republic of South Africa.
- Hon Charles Nqakula, Facilitator.
- H.E. Bernard Makuza, Prime Minister of Rwanda.
- Hon R. Tuju, Minister of Foreign Affairs, Kenya.
- H.E. P Mazimhaka, Deputy Chairperson of the African Union Commission.
- Hon Dr SG Mwaie, Special Envoy of Zambia to the Great Lakes Region.
- Amb. N Satti, UN Special Envoy to the Great Lakes Region.

Guarantors:

H.E President YK Museveni - Chairperson of the Regional Initiative for Peace In Burundi (President Uganda),
H.E President JM Kikwete - Vice Chairperson of the Regional Initiative for Peace in Burundi.

Witnesses:

H.E. P Mazimhaka - Rep of African Union,
H.E Ambassador N Satti - Special Envoy to the Great Lakes Region

Description

This agreement establishes a comprehensive ceasefire. Its annexes are dealing with what the ceasefire means (I), modalities for implementation (II) transformation and modernisation of defence of security forces (III), modalities for leaders and combatants of the FNL (IV).

Agreement document

[BI_060907_Comprehensive Ceasefire Agreement Government of Burundi and the Palipehutu FNL.pdf \(opens in new tab\)](#) | [Download PDF](#)

Groups

Children/youth

Groups→Children/youth→Substantive

Page 3, Article II:

1. Ceasefire Agreement shall imply:

...

1.1.5 Cessation of all acts of violence against the civilian population: acts of vengeance; summary executions; torture; harassment; detention and persecution of civilians on the basis of ethnic origin; religious beliefs; and or political affiliation; arming of civilians; use of child soldiers; sexual violence; sponsoring or promotion of terrorist or genocide "Ideologies;

Page 10, Annexure I, Annexure I To the Comprehensive Cease-fire Agreement Obligations of the Parties, 4. Definitions:

...

4.2 Ceasefire

4.2.1.6 Cessation of all acts of violence against the civilian population; acts of vengeance; summary executions; torture; harassment; detention and persecution of civilians on the basis of ethnic origin; religious beliefs; and or political affiliation; arming of civilians; use of child soldiers; sexual violence; sponsoring or promotion of terrorist or genocide ideologies.

Page 9, ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT - OBLIGATIONS OF THE PALIPEHUTU-FNL:

3 Obligations of the Palipehutu-FNL:

3.1 From the time the Agreement takes effect

...

3.1.2 The Palipehutu-FNL shall hand over to-JVMM, a certified list of their combatants, weapons, military equipment and inventory. The said list must entail the particulars of all the individuals and formally indicate the number and location of children and families who shall benefit from special programmes. The list must contain the following details:

...

b. An Indication of male, female, child soldier;

Page 16, ANNEXURE III TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT THE DEFENCE AND SECURITY FORCES, 2. Integration and the Disarmament, Demobilisation and Reintegration (DDR) process:

2.1. ...

The JVMM shall supervise the successful implementation of the process in conjunction with the Executive Secretariat of the National Commission for Demobilisation, Reinsertion and Reintegration (ES/NCDRR) and all other partners' e.g, UNICEF to support demobilisation of children associated with combatants.

Disabled persons

No specific mention.

Elderly/age

No specific mention.

Migrant workers

No specific mention.

**Racial/ethnic/
national group**

Groups→Racial/ethnic/national group→Substantive
Page 3, Article II:

1. Ceasefire Agreement shall imply:

...

1.1.4 Cessation of all propaganda between the Parties, incitement of ethnic hatred both within and outside the country;

1.1.5 Cessation of all acts of violence against the civilian population: acts of vengeance; summary executions; torture; harassment; detention and persecution of civilians on the basis of ethnic origin; religious beliefs; and or political affiliation; arming of civilians; use of child soldiers; sexual violence; sponsoring or promotion of terrorist or genocide "Ideologies;

Page 10, Annexure I, Annexure I To the Comprehensive Cease-fire Agreement Obligations of the Parties, 4. Definitions:

...

4.2 Ceasefire

4.2.1.5 Cessation of of propaganda between the parties, incitement of ethnic hatred both within and outside the country;

4.2.1.6 Cessation of all acts of violence against the civilian population; acts of vengeance; summary executions; torture; harassment; detention and persecution of civilians on the basis of ethnic origin; religious beliefs; and or political affiliation; arming of civilians; use of child soldiers; sexual violence; sponsoring or promotion of terrorist or genocide ideologies.

Religious groups

Groups→Religious groups→Substantive
Page 3, Article II:

1. Ceasefire Agreement shall imply:

...

1.1.5 Cessation of all acts of violence against the civilian population: acts of vengeance; summary executions; torture; harassment; detention and persecution of civilians on the basis of ethnic origin; religious beliefs; and or political affiliation; arming of civilians; use of child soldiers; sexual violence; sponsoring or promotion of terrorist or genocide ideologies;

Page 10, Annexure I, Annexure I To the Comprehensive Cease-fire Agreement Obligations of the Parties, 4. Definitions:

4.1. The definitions shall serve as implementation principles of the present Ceasefire Agreement.

...

4.2.1.6 Cessation of all acts of violence against the civilian population; acts of vengeance; summary executions; torture; harassment; detention and persecution of civilians on the basis of ethnic origin; religious beliefs; and or political affiliation; arming of civilians; use of child soldiers; sexual violence; sponsoring or promotion of terrorist or genocide ideologies.

Indigenous people

No specific mention.

Other groups

No specific mention.

Refugees/displaced persons Groups→Refugees/displaced persons→Substantive
Page 14, ANNEXURE II TO THE COMPREHENSIVE AGREEMENT MODALITIES FOR THE IMPLEMENTATION OF THE COMPREHENSIVE CEASEFIRE AGREEMENT, 4. Implementation Phases:
4.1 This Agreement will be implemented in the following phases:
4.1.1 Phase 1 shall include the following activities:
...
e. It shall be ensured that the dependants of the combatants will not form part of this process. They shall be referred to the UNHCR and other established mechanisms to be processed separately.

Social class No specific mention.

Gender

Women, girls and gender

Page 3, Article II:

1. Ceasefire Agreement shall imply:

...

1.1.5 Cessation of all acts of violence against the civilian population: acts of vengeance; summary executions; torture; harassment; detention and persecution of civilians on the basis of ethnic origin; religious beliefs; and or political affiliation; arming of civilians; use of child soldiers; sexual violence; sponsoring or promotion of terrorist or genocide "Ideologies;

...

1.1.5. Cessation of all acts of violence against the civilian population: acts of vengeance: summary executions; torture; harassment; detention and persecution of civilians on the basis of ethnic origin; religious beliefs; and or political affiliation; arming of civilians; use of child soldiers: sexual violence; sponsoring or promotion of terrorist or genocide ideologies;

Page 9, Annexure I, To the Comprehensive Cease-fire Agreement Obligations of the Parties, 3. Obligations of the Government of Burundi:

3.1.2 The Palipehutu-FNL shall hand over to JVMM a certified list of their combatants, weapons, military equipment and inventory. The said list must entail the particulars of all the individuals and formally indicate the number and location of children and families who shall benefit from special programmes. The list must contain the following details:

- a. Name and military rank;
- b. An Indication of male, female, child soldier;

Page 10, Annexure I, Annexure I To the Comprehensive Cease-fire Agreement Obligations of the Parties, 4. Definitions:

4.2.1.6 Cessation of all acts of violence against the civilian population; acts of vengeance: summary executions; torture; harassment; detention and persecution of civilians on the basis of ethnic origin; religious beliefs; and or political affiliation; arming of civilians; use of child soldiers; sexual violence; sponsoring or promotion of terrorist or genocide ideologies.

Page 9, ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT - OBLIGATIONS OF THE PALIPEHUTU-FNL:

3 Obligations of the Palipehutu-FNL:

3.1 From the time the Agreement takes effect

...

3.1.2 The Palipehutu-FNL shall hand over to-JVMM, a certified list of their combatants, weapons, military equipment and inventory. The said list must entail the particulars of all the individuals and formally indicate the number and location of children and families who shall benefit from special programmes. The list must contain the following details:

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- b. An Indication of male, female, child soldier;

Page 10, Annexure I, Annexure I To the Comprehensive Cease-fire Agreement Obligations of the Parties, 4. Definitions:

4.1. The definitions shall serve as implementation principles of the present Ceasefire Agreement.

...

4.2.1.6 Cessation of all acts of violence against the civilian population; acts of vengeance; summary executions; torture; harassment; detention and persecution of civilians on the basis of ethnic origin; religious beliefs; and or political affiliation; arming of civilians; use of child soldiers; sexual violence; sponsoring or promotion of terrorist or genocide

| | |
|---------------------|--|
| Men and boys | <p>Gender→Men and boys→Gender neutral wording Annexure I, Article 3 3.1.2 The Palipehutu-FNL shall hand over to JVMM a certified list of their combatants, weapons, military equipment and inventory. The said list must entail the particulars of all the individuals and formally indicate the number and location of children and families who shall benefit from special programmes. The list must contain the following details: a. Name and military rank: b. An Indication of male, female, child soldier;</p> <p>Annexure I, Article 4 4.2.1.6 Cessation of all acts of violence against the civilian population; acts of vengeance: summary executions; torture; harassment; detention and persecution of civilians on the basis of ethnic origin; religious beliefs; and or political affiliation; arming of civilians; use of child soldiers; sexual violence; sponsoring or promotion of terrorist or genocide ideologies.</p> |
| LGBTI | No specific mention. |
| Family | <p>Page 14, ANNEXURE II TO THE COMPREHENSIVE AGREEMENT MODALITIES FOR THE IMPLEMENTATION OF THE COMPREHENSIVE CEASEFIRE AGREEMENT, 4. Implementation Phases: 4.1 This Agreement will be implemented in the following phases: 4.1.1 Phase 1 shall include the following activities: ... e. It shall be ensured that the dependants of the combatants will not form part of this process. They shall be referred to the UNHCR and other established mechanisms to be processed separately.</p> |

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 No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

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 No specific mention.

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing

Power sharing→Military power sharing→Merger of forces

Page 9, ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT - OBLIGATIONS OF THE PARTIES:

1. Obligations of both parties:

...

1.10 The Parties shall ensure that all foreign armed elements within their ranks are declared, surrendered and do not form part of the certified list for integration purposes.

Page 9, ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT - OBLIGATIONS OF THE PALIPEHUTU-FNL:

3. Obligations of the Palipehutu-FNL:

...

3.1.2 The Palipehutu-FNL shall hand over to-JVMM, a certified list of their combatants, weapons, military equipment and inventory. The said list must entail the particulars of all the individuals and formally indicate the number and location of children and families who shall benefit from special programmes. The list must contain the following details:

...

d. A clear indication of member's choice to select between demobilisation or integration into the defence and security forces.

Page 11, ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT - Definitions:

4. Definitions

4.5 Assembly Area

The location designated in the agreement or subsequently by the parties and international stakeholders as an area in which forces are to be assembled for the purpose of control and safety, to allow the combatants to be processed for demobilisation or integration.

Page 14, ANNEXURE II TO THE COMPREHENSIVE AGREEMENT MODALITIES FOR THE IMPLEMENTATION OF THE COMPREHENSIVE CEASEFIRE AGREEMENT, 4. Implementation Phases:

4.1 This Agreement will be implemented in the following phases:

4.1.1 Phase 1 shall include the following activities:

...

4.1.3 Phase 3 shall include the following activities:

- a. Transportation of members selected for integration into the Defence and Security Forces to the relevant training areas within 48 hours;
- b. Commencement of harmonisation training.

Page 16, ANNEXURE III TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT THE DEFENCE AND SECURITY FORCES, 2. Integration and the Disarmament, Demobilisation and Reintegration (DDR) process:

2.2 The JVMM shall develop the mechanisms to address criteria for integration, strength, rank harmonisation, post allocation and career path for individuals in the Defence and Security forces. This process shall be monitored, and evaluated by the African Union working in consonance with the United Nations and other International fora.

Page 19, ANNEXURE IV TO THE COMPREHENSIVE CEASEFIRE AGREEMENT, MODALITIES FOR THE IMPLEMENTATION OF THE CEASEFIRE AGREEMENT IN RESPECT OF THE LEADERS AND COMBATANTS OF THE PALIPEHUTU-FNL:

...

3.2 Phase 2

Human rights and equality

Human rights/RoL general Page 18, ANNEXURE IV TO THE COMPREHENSIVE CEASEFIRE AGREEMENT, MODALITIES FOR THE IMPLEMENTATION OF THE CEASEFIRE AGREEMENT IN RESPECT OF THE LEADERS AND COMBATANTS OF THE PALIPEHUTU-FNL:
...
2. The process of repatriation will be handled in keeping with the relevant international norms and schedules that have been used in the past.

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 Page 16, ANNEXURE III TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT THE DEFENCE AND SECURITY FORCES, 1. Transformation and modernization:
Pursuant to the Dar es Salaam Agreement of Principles signed by the Parties on 18 June 2006, the ongoing transformation and modernisation of the Defence and Security Forces shall be:
...
d. The transformation or the ongoing reform and modernisation of the Defence and Security forces shall be subject to the ongoing national dialogue by all people of Burundi to ensure that the forces shall always be subject to the national agenda in Burundi for democracy, peace, justice, reconciliation, security, stability, development and prosperity.

Detention procedures No specific mention.

Media and communication Rights related issues→Media and communication→Media roles
Page 8, ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT - OBLIGATIONS OF THE PARTIES:
1. Obligations of both parties:
...
1.8 Within seventy two (72) hours after the signing of the Agreement, the Parties shall cease all acts of violence, public campaigning against each other, including the use of media or any other public forum for inflammatory purposes. Parties further undertake not to engage in any reprisals or acts of intimidation against persons who were involved in activities in support of operations of the other party.

Mobility/access

Page 11, ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT - Definitions:

4. Definitions

4.6 Transit route

A route agreed and guaranteed by the parties on which a designated party may move on the open in safety.

Page 13, ANNEXURE II TO THE COMPREHENSIVE AGREEMENT MODALITIES FOR THE IMPLEMENTATION OF THE COMPREHENSIVE CEASEFIRE AGREEMENT, 1. Joint Verification and Monitoring Mechanism (JVMM):

...

1.2 The JVMM shall establish the Joint Liaison Teams (JLTs) as its subsidiary structures.

1.3 The JVMM shall be responsible for the following:

1.3.1 Demarcation of the Assembly Areas, Disengagement Areas and Transit Routes;

1.3.2 Supervision of the movement of combatants towards the Assembly Areas;

Page 14, ANNEXURE II TO THE COMPREHENSIVE AGREEMENT MODALITIES FOR THE IMPLEMENTATION OF THE COMPREHENSIVE CEASEFIRE AGREEMENT, 4. Implementation Phases:

4.1 This Agreement will be implemented in the following phases:

4.1.1 Phase 1 shall include the following activities:

...

d. Disarmament, first screening by the Joint Liaison Teams with the non qualifiers being disallowed, preliminary registration and transportation to the Demobilisation Centre (DC);

Protection measures

Rights related issues→Protection measures→Other

Page 4, Art III

4. The AU shall establish a Special Task Force for the protection of the leadership and combatants of Palipehutu-FNL, including their movement towards the Assembly Areas.

Page 13, ANNEXURE II TO THE COMPREHENSIVE AGREEMENT MODALITIES FOR THE IMPLEMENTATION OF THE COMPREHENSIVE CEASEFIRE AGREEMENT, 1. Joint Verification and Monitoring Mechanism (JVMM)

1.4 The AU will be required to assist with the provision of security for combatants during their movement towards the Assembly Areas as well as the protection of the leadership.

Page 19, 3.2 Phase 2

3.2.1 Processes will be defined for this phase to enable the armed combatants to leave, under the protection of the Special Task Force, the areas where they are based to the Assembly Areas. The arrangements will include combatants:

5.1 Leadership

The Special Task Force will provide static and close protection for the Palipehutu-FNL leadership from the time they enter Burundi as part of the Reconnaissance Team.

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 Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Page 16, ANNEXURE III TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT THE DEFENCE AND SECURITY FORCES, 1. Transformation and modernization:
Pursuant to the Dar es Salaam Agreement of Principles signed by the Parties on 18 June 2006, the ongoing transformation and modernisation of the Defence and Security Forces shall be:
...
d. The transformation or the ongoing reform and modernisation of the Defence and Security forces shall be subject to the ongoing national dialogue by all people of Burundi to ensure that the forces shall always be subject to the national agenda in Burundi for democracy, peace, justice, reconciliation, security, stability, development and prosperity.

National economic plan No specific mention.

Natural resources No specific mention.

International funds Page 19, ANNEXURE IV TO THE COMPREHENSIVE CEASEFIRE AGREEMENT, MODALITIES FOR THE IMPLEMENTATION OF THE CEASEFIRE AGREEMENT IN RESPECT OF THE LEADERS AND COMBATANTS OF THE PALIPEHUTU-FNL:

...

4. ROLE PLAYERS: The repatriation programme will require substantial material resources, especially funding. The Donor Community, therefore, will be a key role player. However, the African Union (AU) and the Regional Initiative on Peace in Burundi will have to be the nucleus of all efforts to give impetus to the project working together, of course, with the Government of Burundi, Palipehutu-FNL and ONUB.

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** No specific mention.

Ceasefire Security sector→Ceasefire→Ceasefire provision
The agreement in its entirety provides for a comprehensive ceasefire.

Police

On-going transformation and modernisation of defence and security forces, to be monitored and evaluated by UN and other international forums (Ann II 1.a).

Page 8, ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT - OBLIGATIONS OF THE PARTIES:

1. Obligations of both parties:

...

1.5 The Parties remain responsible for command and control of their organisations throughout the implementation process. They shall also recognise the authority of the JVMM and act in accordance with its directives.

1.6 The Parties agree to participate in and cooperate with the Joint Liaison Teams for actions related to defence, police and security, as well as DDR programmes and also cooperate with the JVMM.

Page 9, ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT - OBLIGATIONS OF THE GOVERNMENT OF BURUNDI:

2.1 From the time the Agreement takes effect:

...

2.1.4 All law enforcement activities and public security operations within the Assembly Areas shall be carried out by the police in collaboration with the JVMM and JLTs;

Page 9, ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT - OBLIGATIONS OF THE PALIPEHUTU-FNL:

3. Obligations of the Palipehutu-FNL:

3.1 From the time the Agreement takes effect

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3.1.2 The Palipehutu-FNL shall hand over to-JVMM, a certified list of their combatants, weapons, military equipment and inventory. The said list must entail the particulars of all the individuals and formally indicate the number and location of children and families who shall benefit from special programmes. The list must contain the following details:

.

d. A clear indication of member's choice to select between demobilisation or integration into the defence and security forces.

Page 16, ANNEXURE III TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT THE DEFENCE AND SECURITY FORCES, 1. Transformation and modernization:

Pursuant to the Dar es Salaam Agreement of Principles signed by the Parties on 18 June 2006, the ongoing transformation and modernisation of the Defence and Security Forces shall be:

...

b. The current mechanism for the oversight of the Defence and Security forces shall be strengthened.

c. The Palipehutu-FNL shall commit human resources to every level in the process of transformation or ongoing reform and modernisation of the Defence and Security forces.

d. The transformation or the ongoing reform and modernisation of the Defence and Security forces shall be subject to the ongoing national dialogue by all people of Burundi to ensure that the forces shall always be subject to the national agenda in Burundi for democracy, peace, justice, reconciliation, security, stability, development and prosperity.

Page 16, ANNEXURE III TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT THE DEFENCE AND SECURITY FORCES, 2. Integration and the Disarmament, Demobilisation and Reintegration (DDR) process:

...

2.2 The JVMM shall develop the mechanisms to address criteria for integration, strength, rank harmonisation, post allocation and career path for individuals in the Defence and

Armed forces

Page 16, ANNEXURE III TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT THE DEFENCE AND SECURITY FORCES, 1. Transformation and modernization:

Pursuant to the Dar es Salaam Agreement of Principles signed by the Parties on 18 June 2006, the ongoing transformation and modernisation of the Defence and Security Forces shall be:

- a. Monitored and evaluated by the African Union working in consonance with the United Nations and other International fora. The Regional initiative shall remain the guarantor of this process.
- b. The current mechanism for the oversight of the Defence and Security forces shall be strengthened.
- c. The Palipehutu-FNL shall commit human resources to every level in the process of transformation or ongoing reform and modernisation of the Defence and Security forces.
- d. The transformation or the ongoing reform and modernisation of the Defence and Security forces shall be subject to the ongoing national dialogue by all people of Burundi to ensure that the forces shall always be subject to the national agenda in Burundi for democracy, peace, justice, reconciliation, security, stability, development and prosperity.

Page 16, ANNEXURE III TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT THE DEFENCE AND SECURITY FORCES, 2. Integration and the Disarmament, Demobilisation and Reintegration (DDR) process:

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2.2 The JVMM shall develop the mechanisms to address criteria for integration, strength, rank harmonisation, post allocation and career path for individuals in the Defence and Security forces. This process shall be monitored, and evaluated by the African Union working in consonance with the United Nations and other International fora.

Page 19, ANNEXURE IV TO THE COMPREHENSIVE CEASEFIRE AGREEMENT, MODALITIES FOR THE IMPLEMENTATION OF THE CEASEFIRE AGREEMENT IN RESPECT OF THE LEADERS AND COMBATANTS OF THE PALIPEHUTU-FNL:

...

3.2 Phase 2

...

3.2.2 The phase will also see the unfolding of the DDR and Integration Processes under the direction of ONUB and other key stakeholders.

DDR

Security sector→DDR→DDR programmes

Page 8, ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT - OBLIGATIONS OF THE PARTIES:

1. Obligations of both parties:

...

1.5 The Parties remain responsible for command and control of their organisations throughout the implementation process. They shall also recognise the authority of the JVMM and act in accordance with its directives.

1.6 The Parties agree to participate in and cooperate with the Joint Liaison Teams for actions related to defence, police and security, as well as DDR programmes and also cooperate with the JVMM.

Page 9, ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT - OBLIGATIONS OF THE PALIPEHUTU-FNL:

3. Obligations of the Palipehutu-FNL:

3.1. From the time the Agreement takes effect

3.1.1. The Palipehutu-FNL combatants shall be in possession of all their weapons, ammunition and military equipment, as they move to the Assembly Areas.

3.1.2. The Palipehutu-FNL shall hand over to-JVMM, a certified list of their combatants, weapons, military equipment and inventory. The said list must entail the particulars of all the individuals and formally indicate the number and location of children and families who shall benefit from special programmes. The list must contain the following details:

a, Name and military rank;

b. An Indication of male, female, child soldier;

c. Clear indication of number and type of weapons/ military equipment in their possession;

d. A clear indication of member's choice to select between demobilisation or integration into the defence and security forces.

Page 10, ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT - Definitions:

4. Definitions

4.5 Assembly Area

The location designated in the agreement or subsequently by the parties and international stakeholders as an area in which forces are to be assembled for the purpose of control and safety, to allow the combatants to be processed for demobilisation or integration.

Page 10-11, Annexure I, To the Comprehensive Cease-fire Agreement Obligations of the Parties, 4. Definitions:

...

4.9 Cessation of hostilities

Decision effected on a temporary basis to cease all military, military-like attacks and any other actions that can be construed to be hostile towards other party or civilian population. It does not involve disengagement of forces or disarmament. Cessation of hostilities shall come into effect immediately upon the signing of the Agreement. It is a step leading to a definite ceasefire agreement.

Page 11, Annexure I, To the Comprehensive Cease-fire Agreement Obligations of the Parties, 4. Definitions:

...

4.10 DDR programs

Programs that are based on beliefs that demobilisation and reintegration will not occur in a spontaneous manner and that if not in place may derail or affect the achievements of a peace process. They are normally divided into short, medium and long term

Intelligence services

No specific mention.

**Parastatal/rebel
and opposition
group forces**

Page 3, Article II:

1. Ceasefire Agreement shall imply:

1.1 Cessation of all military operations and paramilitary actions by the parties against each other and the general civilian population including;

...

Page 10, Annexure I, Annexure I To the Comprehensive Cease-fire Agreement Obligations of the Parties, 4. Definitions:

...

4.2 Ceasefire

4.2.1 Ceasefire means the cessation of all combat, combat related, military operations and paramilitary actions by all belligerents for or against signatories to the ceasefire agreement and the general civilian population. Ceasefire will further include the following:

~

Page 3, Article II:

1, Ceasefire Agreement shall imply:

1.1 Cessation of all military operations and paramilitary actions by the parties against each other and the general civilian population including;

Page 4, Article III:

7. The JVMM and JLTs shall assist in the registration and verification processes of the combatants in the Assembly Areas.

Page 8, ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT - OBLIGATIONS OF THE PARTIES:

1. Obligations of both parties:

...

1.5 The Parties remain responsible for command and control of their organisations throughout the implementation process. They shall also recognise the authority of the JVMM and act in accordance with its directives.

1.6 The Parties agree to participate in and cooperate with the Joint Liaison Teams for actions related to defence, police and security, as well as DDR programmes and also cooperate with the JVMM.

Page 9-10, ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT - OBLIGATIONS OF THE PALIPEHUTU-FNL:

3 Obligations of the Palipehutu-FNL:

3.1 From the time the Agreement takes effect

3.1.1 The Palipehutu-FNL combatants shall be in possession of all their weapons, ammunition and military equipment, as they move to the Assembly Areas.

3.1.2 The Palipehutu-FNL shall hand over to-JVMM, a certified list of their combatants, weapons, military equipment and inventory. The said list must entail the particulars of all the individuals and formally indicate the number and location of children and families who shall benefit from special programmes. The list must contain the following details:

a, Name and military rank;

b. An Indication of male, female, child soldier;

c. Clear indication of number and type of weapons/ military equipment in their possession;

| | |
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| Withdrawal of foreign forces | <p>Page 9, ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT - OBLIGATIONS OF THE PARTIES:</p> <p>1. Obligations of both parties:</p> <p>...</p> <p>1.10 The Parties shall ensure that all foreign armed elements within their ranks are declared, surrendered and do not form part of the certified list for integration purposes.</p> |
| Corruption | No specific mention. |
| Crime/organised crime | No specific mention. |
| Drugs | No specific mention. |
| Terrorism | <p>Page 3, Article II:</p> <p>1, Ceasefire Agreement shall imply:</p> <p>...</p> <p>1.1.5 Cessation of all acts of violence against the civilian population: acts of vengeance; summary executions; torture; harassment; detention and persecution of civilians on the basis of ethnic origin; religious beliefs; and or political affiliation; arming of civilians; use of child soldiers; sexual violence; sponsoring or promotion of terrorist or genocide ideologies;</p> <p>Page 10, Annexure I, Annexure I To the Comprehensive Cease-fire Agreement Obligations of the Parties, 4. Definitions:</p> <p>4.1. The definitions shall serve as implementation principles of the present Ceasefire Agreement.</p> <p>...</p> <p>4.2.1.6 Cessation of all acts of violence against the civilian population; acts of vengeance; summary executions; torture; harassment; detention and persecution of civilians on the basis of ethnic origin; religious beliefs; and or political affiliation; arming of civilians; use of child soldiers; sexual violence; sponsoring or promotion of terrorist or genocide ideologies.</p> |

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon Transitional justice→Amnesty/pardon→Amnesty/pardon proper
Page 9, ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT - OBLIGATIONS OF THE GOVERNMENT OF BURUNDI:
2.1 From the time the Agreement takes effect:
...
2.1.5 The government shall proclaim provisional immunity for members of the Palipehutu-FNL for acts committed during the armed struggle until the signing of the Agreement.

Page 14, ANNEXURE II TO THE COMPREHENSIVE AGREEMENT MODALITIES FOR THE IMPLEMENTATION OF THE COMPREHENSIVE CEASEFIRE AGREEMENT, 3. Release of Prisoners:

3.1 From the start of the effective implementation of the ceasefire, the members of the Palipehutu-FNL shall enjoy provisional immunity for acts committed during the armed struggle until the signing of the Ceasafire Agreement.

Page 18, ANNEXURE IV TO THE COMPREHENSIVE CEASEFIRE AGREEMENT, MODALITIES FOR THE IMPLEMENTATION OF THE CEASEFIRE AGREEMENT IN RESPECT OF THE LEADERS AND COMBATANTS OF THE PALIPEHUTU-FNL:

1. The Ceasefire Agreement between the Government of Burundi and the Palipehutu-FNL creates conditions for the return to Burundi, under conditions of temporary immunity, of the political leadership and the combatants of the rebel movement, starting, thereby, a process that must culminate in the reintegration of those members into the social, economic and political life of Burundi.

Courts No specific mention.

Mechanism No specific mention.

| | |
|-------------------------|--|
| Prisoner release | <p>Page 9, ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT - OBLIGATIONS OF THE PARTIES:</p> <p>1. Obligations of both parties:</p> <p>...</p> <p>1.11 The Parties shall ensure the release of political prisoners and prisoners of war based on a procedure agreed "upon after the—signing of the Agreement.</p> <p>Page 10, Annexure I, Annexure I To the Comprehensive Cease-fire Agreement Obligations of the Parties, 4. Definitions:</p> <p>...</p> <p>4.2 Ceasefire</p> <p>4.2.1 Ceasefire means the cessation of all combat, combat related, military operations and paramilitary actions by all belligerents for or against signatories to the ceasefire agreement and the general civilian population. Ceasefire will further include the following:</p> <p>...</p> <p>4.2.1.3 Upon signing the ceasefire agreement, the parties shall address the issues of war/ political prisoners;</p> <p>Page 14, ANNEXURE II TO THE COMPREHENSIVE AGREEMENT MODALITIES FOR THE IMPLEMENTATION OF THE COMPREHENSIVE CEASEFIRE AGREEMENT, 3. Release of Prisoners:</p> <p>3.1. ...</p> <p>A procedure for the release of political prisoners and prisoners of war shall also start.</p> <p>Page 14, ANNEXURE II TO THE COMPREHENSIVE AGREEMENT MODALITIES FOR THE IMPLEMENTATION OF THE COMPREHENSIVE CEASEFIRE AGREEMENT, 4. Implementation Phases:</p> <p>4.1 This Agreement will be implemented in the following phases:</p> <p>4.1.1 Phase 1 shall include the following activities:</p> <p>...</p> <p>c. Release of political prisoners and prisoners of war;</p> |
| Vetting | No specific mention. |
| Victims | No specific mention. |
| Missing persons | No specific mention. |

Reparations No specific mention.

Reconciliation Page 16, ANNEXURE III TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT THE DEFENCE AND SECURITY FORCES, 1. Transformation and modernization:
Pursuant to the Dar es Salaam Agreement of Principles signed by the Parties on 18 June 2006, the ongoing transformation and modernisation of the Defence and Security Forces shall be:
...
d. The transformation or the ongoing reform and modernisation of the Defence and Security forces shall be subject to the ongoing national dialogue by all people of Burundi to ensure that the forces shall always be subject to the national agenda in Burundi for democracy, peace, justice, reconciliation, security, stability, development and prosperity.

Implementation

UN signatory In the presence of:
...
• Amb. N Satti, UN Special Envoy to the Great Lakes Region.

Guarantors:

...
H.E. Ambassador N Satti, UN Special Envoy to the Great Lakes Region

Other international signatory In the presence of:
• H.E. Yoweri Kaguta Museveni, President of the Republic of Uganda.
• H.E. Jakaya Mrisho Kikwete, President of the United Republic of Tanzania.
• H.E. Thabo Mbeki, President of the Republic of South Africa.
• Hon Charles Nqakula, Facilitator.
• H.E. Bernard Makuza, Prime Minister of Rwanda.
• Hon R. Tuju, Minister of Foreign Affairs, Kenya.
• H.E. P Mazimhaka, Deputy Chairperson of the African Union Commission.
• Hon Dr SG Mwaie, Special Envoy of Zambia to the Great Lakes Region.

Guarantors: H.E President YK Museveni, Chairperson of the Regional Initiative for Peace in Burundi, H.E President JM Kikwete, Vice Chairperson of the Regional Initiative for Peace in Burundi, H.E President T Mbeki, Representative of the Facilitating country, South Africa

Witnesses: H.E. P Mazimhaka, Representative of the African Union

Referendum for agreement No specific mention.

International mission/force/similar

Page 4, Article III:

1. The verification and control of the Ceasefire shall be conducted by the Joint Verification and Monitoring Mechanism (JVMM), which shall involve the Parties, United Nations (UN) and African Union (AU).
2. All violations of this Ceasefire Agreement shall be reported to, and addressed through, the JVMM.
3. The JVMM and the Joint Liaison Teams (JLTs) shall supervise the movement of combatants towards Assembly Areas.
4. The AU shall establish a Special Task Force for the protection of the leadership and combatants of Palipehutu-FNL, including their movement towards the Assembly Areas.
5. The UN and other international donors shall be requested to provide support for the establishment and maintenance of the Assembly Areas.
6. The JVMM shall, in conjunction with the UN, address the issue of command structures and modalities for inner and outer perimeter security of the Assembly Areas;
7. The JVMM and JLTs shall assist in the registration and verification processes of the combatants in the Assembly Areas.

Page 8, ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT - OBLIGATIONS OF THE PARTIES:

1. Obligations of both parties:
 - 1.1 The Parties shall put in place mechanisms required to immediately effect the provisions of the Ceasefire Agreement (Agreement).
 - 1.1.2 A Joint Verification and Monitoring Mechanism (JVMM) and Joint Liaison Teams (JLTs) shall be established and shall be composed of members of the Parties with neutral international presence and act in accordance with provisions and spirit of the Agreement.
 - 1.3 The Parties shall nominate their members to the JVMM and the JLTs on the day of the signing of the Agreement.
 - ...
 - 1.5 The Parties remain responsible for command and control of their organisations throughout the implementation process. They shall also recognise the authority of the JVMM and act in accordance with its directives.
 - 1.6 The Parties agree to participate in and cooperate with the Joint Liaison Teams for actions related to defence, police and security, as well as DDR programmes and also cooperate with the JVMM.

Page 9, ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT - OBLIGATIONS OF THE GOVERNMENT OF BURUNDI:

- 2.1 From the time the Agreement takes effect:
 - ...
 - 2.1.4 All law enforcement activities and public security operations within the Assembly Areas shall be carried out by the police in collaboration with the JVMM and JLTs;

Page 9-10, ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT - OBLIGATIONS OF THE PALIPEHUTU-FNL:

- 3 Obligations of the Palipehutu-FNL:
 - ...
 - 3.1.2 The Palipehutu-FNL shall hand over to-JVMM, a certified list of their combatants, weapons, military equipment and inventory. The said list must entail the particulars of all the individuals and formally indicate the number and location of children and families who shall benefit from special programmes. The list must contain the following details:
 - a, Name and military rank; Page 27 of 28
 - b. An Indication of male, female, child soldier;
 - c. Clear indication of number and type of weapons / military equipment in their

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source <http://www.peacemaker.un.org/>
