

**LAW No 1/024 OF NOVEMBER 21, 2003 AMENDING THE TRANSITION CONSTITUTION OF THE
REPUBLIC OF BURUNDI**

THE PRESIDENT OF THE REPUBLIC,

In light of the Arusha Agreement for Peace and Reconciliation in Burundi, signed on August 28, 2000;

In light of the Transition Constitution, in particular articles 103,133,134,141,143 and 255;

In light of law no 1/023 of November 21 on adoption of the Global Ceasefire Agreement;

PROMULGATION

Article 1

Article 103 is amended as follows:

The National Union Transition Government is composed of at least twenty-six members.

The widely representative National Union Transition Government is composed of the representatives of the political parties and armed political movements who are signatories of the ceasefire agreement, in order to promote cohesion and unity amongst the people of Burundi, taking into account the different ethnic and political groups in the country and in accordance with the Arusha Agreement for Peace and Reconciliation in Burundi.

Article 2

Article 133 is amended as follows:

Assuming the co-optation of members of the Transition National Assembly to the Transition Senate in accordance with the provisions of article 141, the Transition National Assembly is made up as follows:

1. Members of the National Assembly elected on June 29, 1993. Any vacant seats will be occupied by a replacement member with a relevant function.
2. Four members appointed by each of the participating parties, or parties and armed political movements who are signatories to a ceasefire agreement but do not have a seat by virtue of the 1993 elections, including those who already hold a seat if such exist.

However, the number of seats available to the parties and armed political movements who are signatories to the Ceasefire Agreements will be as specified in those agreements.

3. The 28 civilian representatives currently members of the National Assembly.

4. Those nominated members currently sitting in the National Assembly, regardless of the election of members of the National Assembly elected in 1993.
5. However, the members or replacement members outside the National Assembly, are entitled to take back their seat within sixty days of the establishment of the Transition National Assembly. After this date they will be given priority as replacements.
6. The allocations resulting from the Arusha Agreement for Peace and Reconciliation in Burundi must be guaranteed by co-optation by the Office of the National Assembly, the President and the Vice-President of the Republic.

The National Assembly members co-opted to the Transition Senate shall not be replaced.

Article 3

Article 134 is amended as follows:

The Internal Regulations of the Transition National Assembly are those of the National Assembly elected in 1993, until such time as they are duly amended.

The National Assembly will hold its first full session on the first working day following the seventh day after its inauguration. The agenda will include the election of the Office of the National Assembly.

The Office of the Transition National Assembly shall include a President, two Vice-Presidents, a General Secretary and as many Deputy-General Secretaries as needed. It should be representative of the politico-ethnic distribution of the political families participating in the Arusha Agreement for Peace and Reconciliation in Burundi. The President and the First Vice-President of the Transition National Assembly must come from two different political families.

The President and the other members of the Office of the Transition National Assembly are elected until the legislative elections to be held during the transition period. However their duties during the transition period may cease, as determined by the internal regulations of the Transition National Assembly.

Article 4

Article 141 is amended as follows:

The Transition Senate is appointed by the President of the Republic, the Vice-President of the Republic and the Office of the Transition National Assembly, with due regard to the distribution of political, ethnic and religious groups.

It consists of:

1. The former Heads of State;
2. Three persons of Twa ethnicity;

3. At least two citizens from each province, from different ethnic groups, co-opted to the Transition National Assembly, and outside it.

In all circumstances the Senate will be ethnically and politically representative.

Article 5

Article 143 is amended as follows:

The Office of the Transition Senate is made up of a President, two Vice-Presidents, a General Secretary and as many Deputy-General Secretaries as needed.

It must be ethnically representative. The President and the First Vice-President of the Transition Senate must not come from the same politico-ethnic family.

The members of the Office of the Transition Senate may only be replaced according to terms specified in the internal regulations of the Transition Senate.

Article 6

All regulations which pre-date this law are revoked.

Article 7

The present law enters in to force on the date of its promulgation.

Done at Bujumbura, November 21, 2003

Domitien NDAYIZE

SEEN AND RATIFIED BY THE SEAL OF THE REPUBLIC,

THE MINISTER OF JUSTICE AND ATTORNEY GENERAL

Fulgence DWIMA BAKANA