

COMPREHENSIVE CEASEFIRE AGREEMENT

BETWEEN

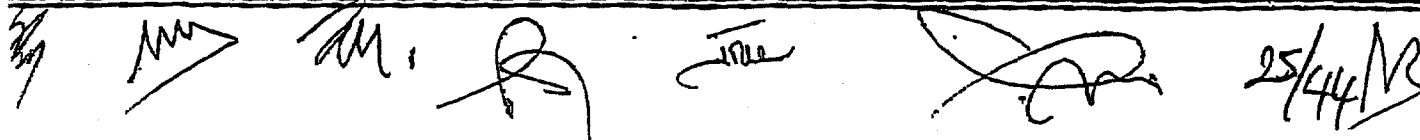
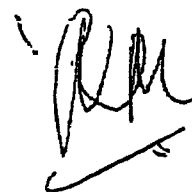
**THE GOVERNMENT OF THE REPUBLIC OF
BURUNDI**

AND

THE PALIPEHUTU - FNL

DAR ES SALAAM

07 SEPTEMBER 2006



COMPREHENSIVE CEASEFIRE AGREEMENT

**We, the Government of the Republic of Burundi
Acting in terms of the Constitution of the Country**

and

**The Palipehutu – FNL
Hereinafter referred to as “the Parties”**

Recalling the Dar es Salaam Agreement of Principles towards Lasting Peace, Security and Stability in Burundi, signed on 18 June 2006;

Reaffirming our unwavering determination to overcome our differences in all their forms of manifestations to promote our aspirations for unity and the consolidation of the common good for all the Burundi people;

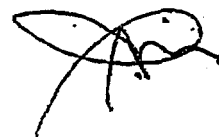
Determined to respect and faithfully implement all Agreements reached between the Parties with a view to stopping war and reconstructing Burundi.

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 Mwale, Special Envoy of Zambia to the Great Lakes Region
- ❖ Amb. N Satti, UN Special Envoy to the Great Lakes Region



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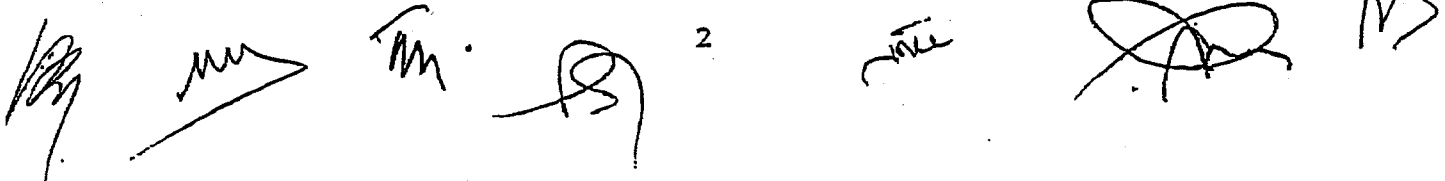
We, the Parties, the Government of Burundi and the Palipehutu – FNL, solemnly declare to be bound by the following stipulations of the Comprehensive Ceasefire Agreement:

Article I:

1. A ceasefire between the parties is hereby established throughout the territory of the Republic of Burundi.
2. The ceasefire shall enter into force within seventy-two (72) hours after the signing of this Agreement.

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;
 - 1.1.1 The suspension of supplies of ammunition and weaponry;
 - 1.1.2 The banning of the distribution of lethal logistical supplies to or from any of the forces;
 - 1.1.3 The banning of any mine-laying operations or the hindering of operations to remove mines;
 - 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;
 - 1.1.6 Cessation of all attacks by air, land and lake, as well as all acts of sabotage;
 - 1.1.7 Cessation of any actions likely to impede the normal implementation of the peace process.



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.

Article IV

1. The Regional Initiative on Burundi shall remain the guarantors of this process.
2. The Facilitator shall continue in his role as a moral guarantor, recourse authority and conciliation agent.

Article V

1. Annexures marked "I", "II", "III" and "IV" of the Comprehensive Ceasefire Agreement attached hereto are an integral part of this Agreement.

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Article VI

1. This Agreement is drawn up in French and English and shall be translated into Kirundi and Kiswahili. The French text shall take precedence and shall be filed with Offices of the Secretary General of the United Nations, the Chairperson of the African Union Commission and the Parties.

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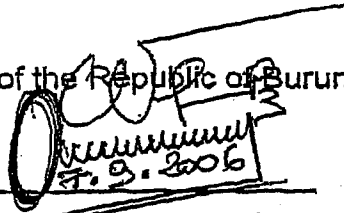
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SIGNED at DAR ES SALAAM on this 7th day of September 2006.

1. Signatory Parties:

For the Government of the Republic of Burundi



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Name of Representative: His Excellency Pierre Nkurunziza

Title: President of the Republic

For the Palipehutu -FNL



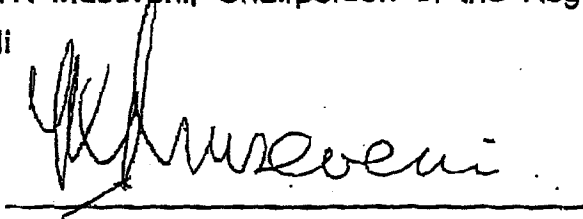
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Name of Representative: Mr Agathon Rwasa

Title: Chairperson

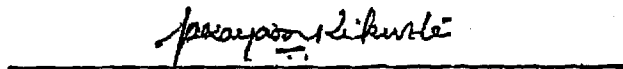
2. Guarantors

H.E President YK Museveni, Chairperson of the Regional Initiative for Peace in Burundi



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H.E President JM Kikwete, Vice Chairperson of the Regional Initiative for Peace in Burundi



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H.E President T Mbeki, Representative of the Facilitating country, South Africa



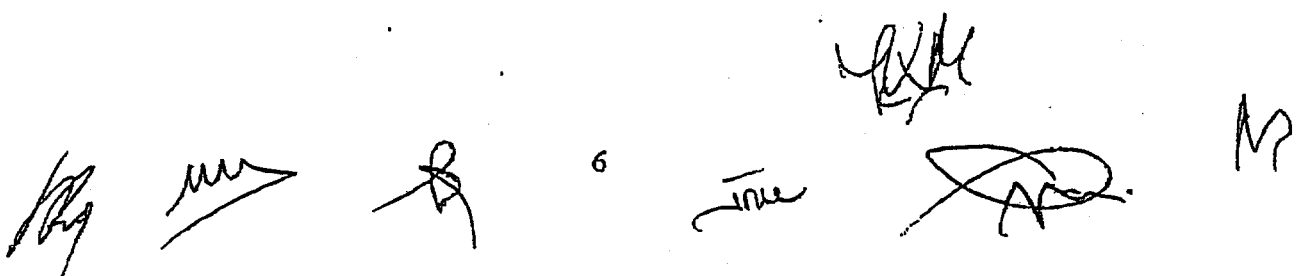
3: Witnesses

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



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

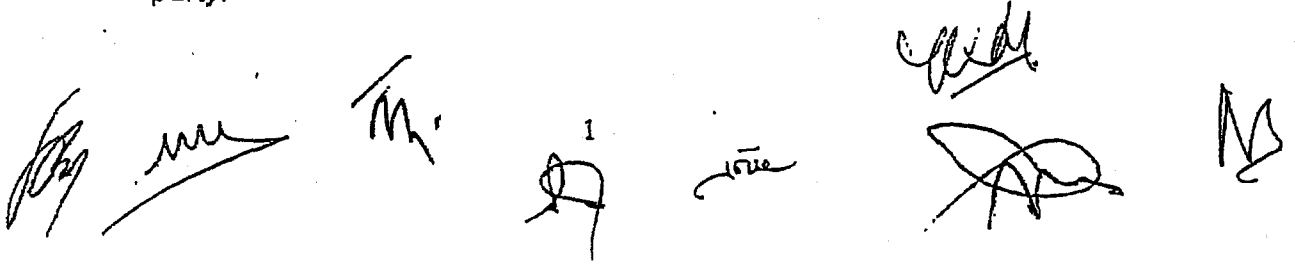




ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT
OBLIGATIONS OF THE PARTIES

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).
- 1.2 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.
- 1.4 The Parties must ensure that the contents, implications and expectations of the Agreement are transmitted to the rank and file of their organisations.
- 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.
- 1.7 Before moving from their areas of operation, Parties shall ensure that mines and booby traps are marked, rendered safe and reported.
- 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.
- 1.9 From the time the Agreement takes effect, Parties will agree not to:
 - 1.9.1 Recruit additional forces;
 - 1.9.2 Re-supply, stockpile reserves or acquire additional combat material, weaponry and ammunition that could be used for future operations;
 - 1.9.3 Undertake reprisals or acts of intimidation against persons who were involved in the previous activities in support of operations of the other party.



ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT

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.

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.

2 Obligations of the Government of Burundi

2.1 From the time the Agreement takes effect:

2.1.1 The government forces shall disengage and stop their operations against Palipehutu -FNL;

2.1.2 Tactical deployments by the government forces in the agreed Assembly Areas, Disengagement Areas and Transit Routes shall be withdrawn;

2.1.3 The government shall stop conducting flights that could be construed as aerial reconnaissance against the Palipehutu-FNL;

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;

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.

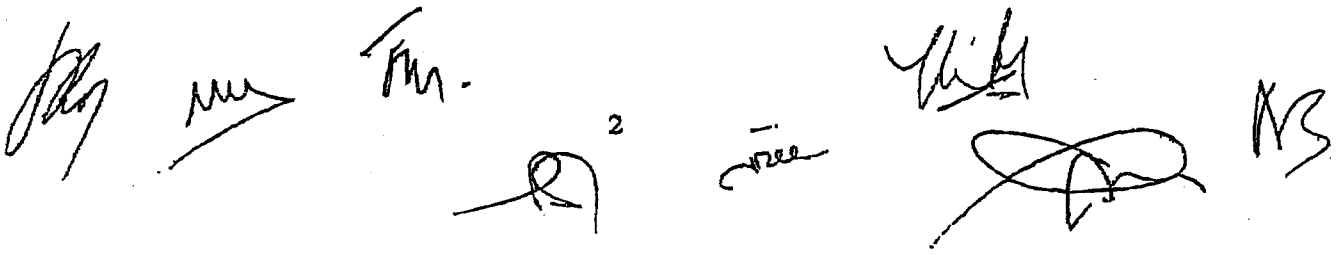
3 Obligations of the Palipehutu-FNL

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;

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ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT

- 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.

4 DEFINITIONS

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

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:

4.2.1.1 The suspension of supplies of ammunition and weaponry;

4.2.1.2 The banning of the distribution of lethal logistical supplies to or from any of the forces;

4.2.1.3 Upon signing the ceasefire agreement, the parties shall address the issues of war/political prisoners;

4.2.1.4 The banning of any mine-laying operations or the hindering of operations to remove mines;

4.2.1.5 Cessation of all 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.

4.2.1.7 Cessation of all attacks by air, land and lake, as well as all acts of sabotage.

4.2.1.8 Cessation of any action likely to impede the normal implementation of the peace process.

ANNEXURE I TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT

4.3 Disengagement of forces

The total breaking (stopping) of tactical contact between opposing combat forces at a place of direct contact to allow one or the other force to move towards the Assembly Area.

4.4 Separation distance

The establishment of a minimum distance between opposing forces in which there is no armed presence of any kind:

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.

4.6 Transit route

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

4.7 Violation of the Ceasefire Agreement/Joint Verification and Monitoring Mechanism

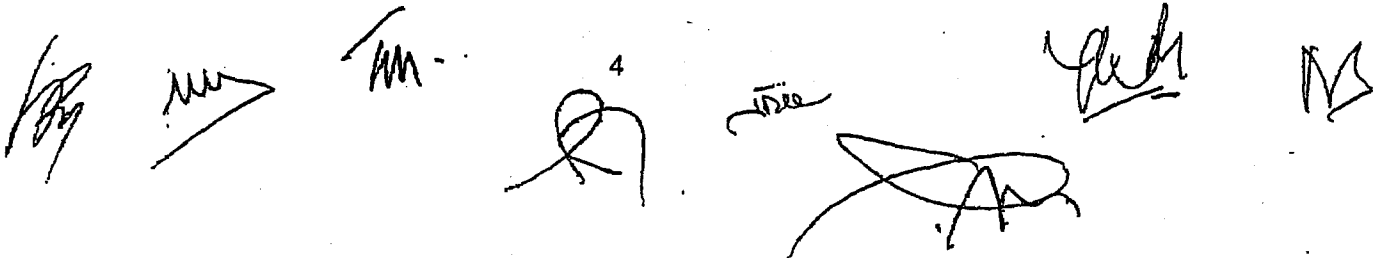
Violation of the Ceasefire Agreement means the non-observance of any of the points mentioned above. A Joint Verification and Monitoring Mechanism (JVMM) with international presence will be established at the earliest possible time to deal with such cases.

4.8 The Joint Liaison Teams

Teams established from members of the parties to the conflict and international observers to share information and facilitate communication between parties. This will help to reduce the likelihood of violations of ceasefire, thereby clarifying alleged violations of the Agreement and assist in building confidence between the parties and the population. The JLTs shall report to the JVMM.

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

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ANNEXURE II TO THE COMPREHENSIVE AGREEMENT

MODALITIES FOR THE IMPLEMENTATION OF THE COMPREHENSIVE CEASEFIRE AGREEMENT

1. Joint Verification and Monitoring Mechanism (JVMM)

- 1.1 The Joint Verification and Monitoring Mechanism (JVMM) composed of the representatives from the Burundian government, the Palipehutu-FNL, the African Union and the United Nations. The Regional Peace Initiative shall remain the guarantor of the process.
- 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;
 - 1.3.3 Establishment of the command structures and modalities for inner and outer perimeter security of the Assembly Areas, in conjunction with UN force;
 - 1.3.4 Supervision of the registration and verification processes of the combatants in the Assembly Areas.
- 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.
- 1.5 The International Donor Community shall be requested to provide support for maintenance in terms of medical and logistical requirements to the combatants in the Assembly Areas.

2. Disengagement of Forces

- 2.1 The JVMM shall supervise the following:
 - 2.1.1 The disengagement of forces;
 - 2.1.2 The cessation of tactical deployments and operations directed by one party against the other;
 - 2.1.3 The cessation of flights by the Government that could be construed as aerial reconnaissance against the Palipehutu-FNL;
 - 2.1.4 All law enforcement activities and public security operations within the disengagement areas by the police.

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ANNEXURE II TO THE COMPREHENSIVE 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 Ceasefire Agreement. A procedure for the release of political prisoners and prisoners of war shall also start.

4. Implementation Phases

- 4.1 This Agreement will be implemented in the following phases:

- 4.1.1 Phase 1 shall include the following activities:

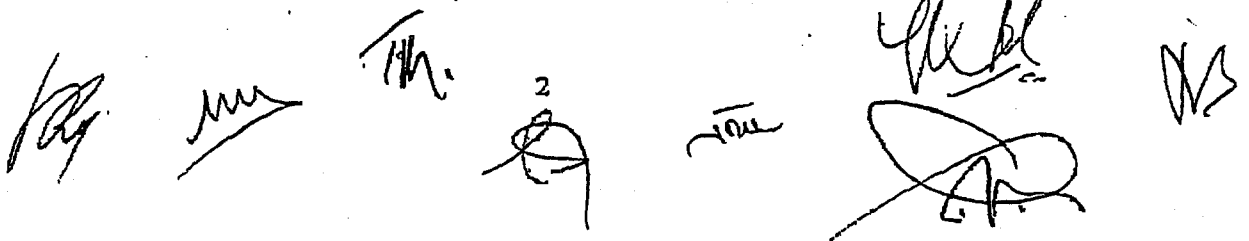
- a. Demarcation of Assembly Areas;
- b. Reporting to the agreed Assembly Areas;
- c. Release of political prisoners and prisoners of war;
- d. Disarmament, first screening by the Joint Liaison Teams with the non qualifiers being disallowed, preliminary registration and transportation to the Demobilisation Centre (DC);
- 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.

- 4.1.2 Phase 2 shall include the following activities:

- a. Movement to the DC;
- b. Registration and verification by the Joint Liaison Teams;
- c. Orientation/ Sensitisation on the demobilisation process;
- d. Candidates for demobilisation shall follow seven days procedure and leave the DC for the purpose of Reinsertion and Reintegration into the communities according to the procedures of the Executive Secretariat of the National Commission for Demobilisation, Reinsertion and Reintegration (ES, CNDRR).

- 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.

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ANNEXURE II TO THE COMPREHENSIVE AGREEMENT

5 Time lines for Implementation

- 5.1 Signing of the Ceasefire Agreement and proclamation of Cessation of hostilities (D Day).
- 5.2 The Parties shall provide names of members who will be part of the JVMM and JLTs to the Facilitator (D Day).
- 5.3 Entry into force of the Ceasefire (D+3).
- 5.4 Establishment of the JVMM and JLTs (D+7).
- 5.5 The Palipehutu-FNL shall provide the list of combatants and equipment to the JVMM (D+7).
- 5.6 Movement to Assembly Areas and activities of phase 1 (D+7 to D+14).
- 5.7 Movement to the DC and activities of phase 2 (D+14 to D+21).
- 5.8 DRR to be completed before (D+30).
- 5.9 The JVMM is empowered to adjust the implementation time lines according to conditions on the ground.

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**ANNEXURE III TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT
THE DEFENCE AND SECURITY FORCES**

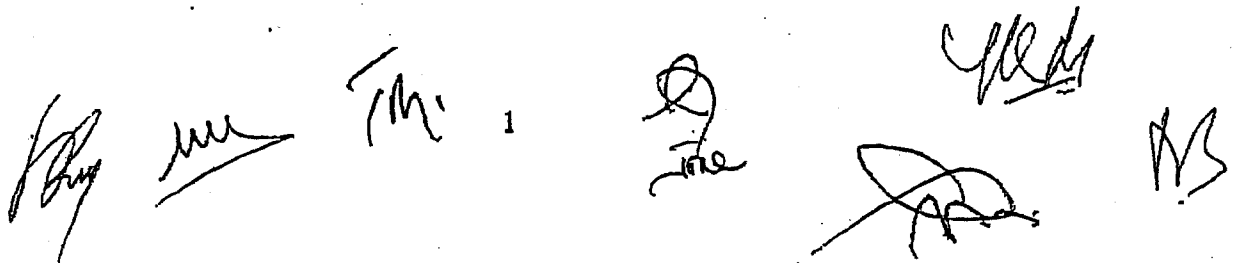
1. Transformation and modernization

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.

2. Integration and the Disarmament, Demobilisation and Reintegration (DDR) process

- 2.1 Following the disarmament process at the agreed assembly areas, the combatants shall be transported to the Demobilisation Centres for verification and orientation to choose between Integration into the defence and security forces or demobilisation. 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.
- 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.

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ANNEXURE III TO THE COMPREHENSIVE CEASE-FIRE AGREEMENT

3. Bridging Training

There shall be bridging training to harmonise ethics, standardise skills, techniques, procedures and regulations. This will ensure that the Defence and Security forces are accountable to the Burundian government and its people.

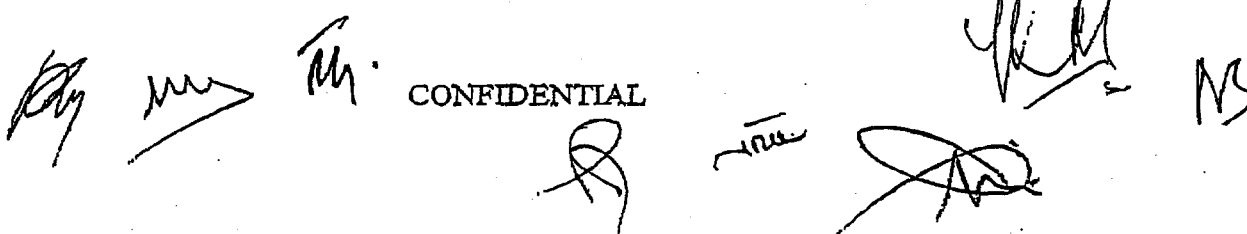

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ANNEXURE IV TO THE COMPREHENSIVE CEASEFIRE AGREEMENT

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.
2. The process of repatriation will be handled in keeping with the relevant international norms and schedules that have been used in the past.
3. The repatriation programme will extend over the following phases:
 - 3.1 Phase 1**
 - 3.1.1 Palipehutu-FNL will submit to the Facilitation a Certified Personnel Register of the movement's members.
 - 3.1.2 A separate list will be submitted of leadership and members who will be deployed on the Joint Verification Monitoring Mechanism and the Joint Liaison Teams.
 - 3.1.3 Palipehutu-FNL will also provide an indication of the location of its combatants to facilitate the planning of the movement to the Assembly and Cantonment Areas.
 - 3.1.4 A Facilitation Team will be established comprising the Regional Technical Team, Burundi Government and the Palipehutu-FNL.
 - 3.1.5 A Special Task Force will be established to provide security to the Facilitation Team which, soon after its establishment, will visit Burundi to:
 - 3.1.5.1 Assess the security situation in the country;
 - 3.1.5.2 Check possibilities for the accommodation and welfare of returning leaders;
 - 3.1.5.3 Look for office space;
 - 3.1.5.4 Determine the protection and security needs for the Palipehutu-FNL leaders, and
 - 3.1.5.5 Evaluate the identified Assembly and Cantonment Areas.

 CONFIDENTIAL  NB

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:

- 3.2.1.1 walking on foot to the Assembly Areas, or
- 3.2.1.2 being ferried from their bases in various modes of transport (trucks, aircraft, etc).

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.

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.

5. SECURITY

A high premium will have to be placed on the question of security. The matter will be designed as follows:

5.1 Leadership

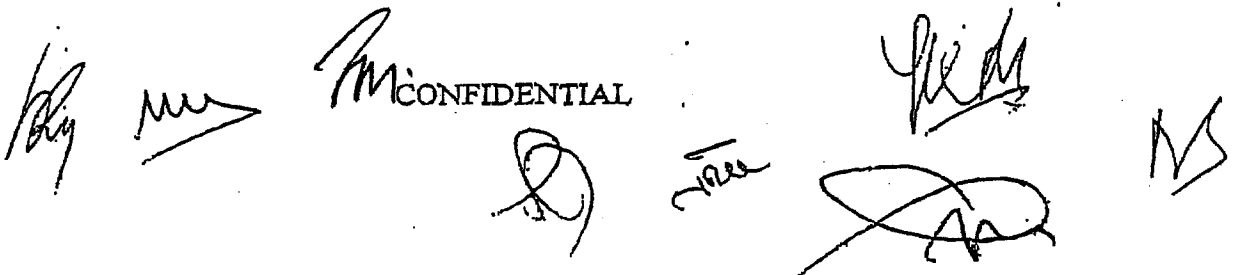
The Special Task Force will provide static and close protection for the Palipehutu-FNL leadership from the time they enter Burundi as part of the Reconnaissance Team.

5.2 Palipehutu-FNL will have the right, in coordination with the Special Task Force, to provide additional personnel for the protection of their leadership.

5.3 Combatants

The Special Task Force will provide protection and security to Palipehutu-FNL combatants as they move from their base areas to the Assembly Points.

5.4 ONUB will provide security to the combatants at the Assembly Areas and Cantonment Sites.

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5.5 The protection and security arrangements for the Palipehutu-FNL leadership will be in place for six months, whereupon they will be reviewed. Should the review indicate the necessity, the period of protection and security will be extended to meet the need.

Mr. [Signature]

[Signature]

[Signature]

[Signature]