

## **General Peace Agreement for Mozambique**

Joaquim Alberto Chissano, President of the Republic of Mozambique and Afonso Macacho Marceta Dhlakama, President of Renamo, meeting at Rome, under the chairmanship of the Italian Government, in the presence of the Minister for Foreign Affairs of the Italian Republic, Emilio Colombo, and in the presence of:

H.E. Robert Gabriel Mugabe, President of the Republic of Zimbabwe;

H.E. Ketumile Masire, President of the Republic of Botswana;

H.E. George Saitoti, Vice-President of the Republic of Kenya;

H.E. Roelof F. Botha, Minister for Foreign Affairs of the Republic of South Africa;

The Hon. John Tembo, Minister in the Office of the President of the Republic of Malawi;

Ambassador Ahmed Haggag, Assistant Secretary-General of OAU:

And of the mediators: Mario Raffaelli, representative of the Italian Government and co-ordinator of the mediators, Jaime Gonçalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi of the Community of Sant' Egidio;

And representatives of the observers: Dr. James O. C. Jonah, Under-Secretary-General for Political Affairs of the United Nations; H.E. Ambassador Herman J. Cohen, Assistant Secretary of State, for the Government of the United States of America; H.E. Ambassador Philippe Cuvillier for the Government of France; H.E. Dr. José Manuel Durão Barroso, Secretary of State for Foreign Affairs, for the Government of Portugal; and H.E. Sir Patrick Fairweather for the Government of the United Kingdom:

At the conclusion of the negotiating process in Rome for the establishment of a lasting peace and effective democracy in Mozambique, accept as binding the following documents which constitute the General Peace Agreement:

1. Protocol I (Basic principles);
2. Protocol II (Criteria and arrangements for the formation and recognition of political parties);
3. Protocol III (Principles of the Electoral Act);
4. Protocol IV (Military questions);
5. Protocol V (Guarantees);
6. Protocol VI (Cease-fire);

## 7. Protocol VII (Donors' Conference).

They also accept as integral parts of the General Peace Agreement for Mozambique the following documents:

- (a) The Joint Communiqué of 10 July 1990;
- (b) The Agreement of 1 December 1990;
- (c) The Declaration of the Government of the Republic of Mozambique and Renamo on guiding principles for humanitarian assistance, signed in Rome on 16 July 1992;
- (d) The Joint Declaration signed in Rome on 7 August 1992.

The President of the Republic of Mozambique and the President of Renamo undertake to do everything within their power for the achievement of genuine national reconciliation.

The above-mentioned Protocols have been duly initialed and signed by the respective heads of delegation and by the mediators. The present General Peace Agreement shall enter into force immediately upon its signature.

Joaquim Alberto Chissano  
President of the Republic of Mozambique

Afonso Macacho Marceta Dhlakama  
President of Renamo

The mediators:

Mario Raffaelli  
Jaime Gonçalves  
Andrea Riccardi  
Matteo Zuppi

Signed at Rome on 4 October 1992.

### **Protocol I: Basic principles**

On 18 October 1991, the delegation of the Government of the Republic of Mozambique, headed by Armando Emilio Guebuza, Minister of Transport and Communications, and composed of Aguiar Mazula, Minister of State Administration, Teodato Hunguana, Minister of Labour, and Francisco Madeira, Diplomatic Adviser to the President of the

Republic, and the delegation of Renamo, headed by Raul Manuel Domingos, Chief of the External Relations Department, and composed of Vicente Zacarias Ululu, Chief of the Information Department, Agostinho Semende Murrial, Deputy Chief of the Political Affairs Department and João Francisco Almirante, member of the President's cabinet, meeting at Rome in the context of the peace talks, in the presence of the mediators, Mario Raffaelli, representative of the Government of the Italian Republic and co-ordinator of the mediators, Jaime Gonçalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi of the Community of Sant' Edigio,

Determined to secure the higher interests of the Mozambican people, reaffirm that dialogue and collaboration are the indispensable means of achieving a lasting peace in the country.

Accordingly:

1. The Government undertakes to refrain from taking any action that is contrary to the provisions of the Protocols to be concluded and from adopting laws or measures or applying existing laws which may be inconsistent with those Protocols.
2. Renamo, for its part, undertakes, beginning on the date of entry into force of the cease-fire, to refrain from armed combat and instead to conduct its political struggle in conformity with the laws in force, within the framework of the existing State institutions and in accordance with the conditions and guarantees established in the General Peace Agreement.
3. The two parties commit themselves to concluding as soon as possible a General Peace Agreement, containing Protocols on each of the items of the agenda adopted on 28 May 1991 and to take the necessary steps to that end. In that connection, the Government shall endeavour not to hamper international travel by representatives of Renamo and external contacts of Renamo in connection with the peace negotiations. Contacts within the country between Renamo and the mediators or the members of the Joint Verification Commission shall likewise be permitted for the same purpose. Specific arrangements for such contacts shall be made on a case-by-case basis in response to requests by the mediators to the Government.
4. The Protocols to be concluded in the course of these negotiations shall form an integral part of the General Peace Agreement and shall enter into force on the date of signature of the Agreement, with the exception of paragraph 3 of this Protocol, which shall enter into force immediately.
5. The parties agree on the principle of establishing a commission to supervise and monitor compliance with the General Peace Agreement. The commission shall be composed of representatives of the Government, Renamo, the United Nations and other organisations or Governments to be agreed upon between the parties.

For the delegation of the Government of the Republic of Mozambique:

Armando Emílio Guebuza

For the delegation of Renamo:

Raul Manuel Domingos

The mediators:

Mario Raffaelli

Jaime Gonçalves

Andrea Riccardi

Matteo Zuppi

Done at Sant' Edigio, Rome, on 18 October 1991.

## **Protocol II : Criteria and arrangements for the formation and recognition of political parties**

On 13 November 1991, the delegation of the Government of the Republic of Mozambique, headed by Armando Emílio Guebuza, Minister of Transport and Communications, and composed of Aguiar Mazula, Minister of State Administration, Teodato Hunguana, Minister of Labour, and Francisco Madeira, Diplomatic Adviser to the President of the Republic, and the delegation of Renamo, headed by Raul Manuel Domingos, Chief of the External Relations Department, and composed of Vicente Zacarias Ululu, Chief of the Information Department, Agostinho Semende Murrial, Deputy Chief of the Political Affairs Department and, João Francisco Almirante, member of the President's cabinet, meeting in Rome in the context of the peace talks, in the presence of the mediators, Mario Raffaelli, representative of the Government of the Italian Republic and co-ordinator of the mediators, Jaime Gonçalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi of the Community of Sant' Edigio, took up item 1 of the Agreed Agenda of 28 May 1991, concerning "Criteria and arrangements for the formation and recognition of political parties".

At the conclusion of their talks, the parties agreed on the necessity of guaranteeing the workings of a multi-party democracy in which the parties would freely co-operate in shaping and expressing the will of the people and in promoting democratic participation by the citizens in the Government of the country.

In this connection, and bearing in mind the provisions of Protocol I on "Basic principles", the parties have agreed on the following principles:

### 1. The nature of political parties

(a) Political parties shall be independent, voluntary and free associations of citizens, national in scope, whose primary purpose shall be to give democratic expression to the

will of the people and to provide for democratic participation in the exercise of political power in accordance with the fundamental rights and freedoms of citizens and on the basis of electoral processes at all levels of State organisation.

(b) Associations whose primary purpose is to promote local or sectoral interests or the exclusive interests of a given social group or class of citizens shall be different from political parties and may not enjoy the status provided for by law for such parties.

(c) The Political Parties Act shall determine the conditions for the acquisition of the status of juridical person by political parties.

(d) Political parties shall be granted specific privileges, which shall be guaranteed by law.

(e) For the operation and full development of a multi-party democracy based on respect for and guarantees of basic rights and freedoms and based on pluralism of democratic political expression and organisation under which political power belongs exclusively to the people and is exercised in accordance with principles of representative and pluralistic democracy, the parties must have fundamentally democratic principles by which they must abide in practice and in their political activities.

## 2. General principles

In their formation, structure and operations, political parties shall observe and apply the following general principles with the aim of controlling their actions:

(a) They must pursue democratic purposes;

(b) They must pursue national and patriotic interests;

(c) The political objectives pursued must be non-regional, non-tribal, non-separatist, non-racial, non-ethnic and non-religious;

(d) The members of political parties must be citizens of Mozambique;

(e) The parties must have a democratic structure and the bodies must be transparent;

(f) The parties must accept democratic methods for the pursuit of their aims;

(g) Joining a political party must be a voluntary act reflecting the freedom of citizens to associate with others who share the same political outlook.

## 3. The rights of parties

The purpose of the Political Parties Act shall be to protect the freedom of action and operation of political parties, with the exception of those which espouse anti-democratic, totalitarian or violent aims, or which conduct their activities in a manner contrary to law.

Parties shall enjoy the following rights:

- (a) Equal rights and duties before the law;
- (b) Every Party shall have the right freely and publicly to propound its policies;
- (c) Specific guarantees shall be provided with respect to access to the mass media, sources of public funding and public facilities, in accordance with the principle of non-discrimination and on the basis of criteria of representativeness to be specified in the Electoral Act;
- (d) Exemption from taxes and fees as provided for by law;
- (e) No citizen shall be persecuted or discriminated against because of membership in a political party or political opinion;
- (f) Other aspects specific to individual political parties shall be determined in their respective statutes or regulations, which must conform with the law. Public notice shall be given of such statutes or regulations.

#### 4. Duties of parties

Political parties shall fulfill the following requirements:

- (a) They shall be identified by name, acronym and symbol. The use of names, acronyms or symbols which may be considered offensive by the inhabitants or which incite to violence and may have divisive connotations based on race, region, tribe, gender or religion shall be prohibited;
- (b) They shall not call into question the country's territorial integrity and national unity;
- (c) They must establish their organs and organise their internal structure on the basis of the principle of democratic election and responsibility of all individuals holding party office;
- (d) They must ensure that their statutes and programmes are approved by a majority of their members or by assemblies representing those members;
- (e) As regards their internal organisation, Parties must fully respect the principle of free adherence of their members, who may not be compelled to join or remain in a party against their will;

(f) They must be registered and disclose annually their accounts and sources of funding.

## 5. Registration

(a) The purpose of registration is to certify that the founding and existence of parties is in accordance with the applicable legal principles and, consequently, to confer on parties the status of juridical person;

(b) For the purposes of registration, each Party must have collected at least 2,000 signatures;

(c) Responsibility for registering parties shall rest with the Government;

(d) The Commission provided for in paragraph 5 of Protocol I on basic principles shall consider and settle any disputes which may arise in connection with the registration of parties. For that purpose the Government shall make available to the Commission the documents required by law.

## 6. Implementation

(a) The Parties agree that, immediately following the signature of the General Peace Agreement, Renamo shall commence its activities as a political party, with the privileges provided for by law; it shall, however, be required to submit at a later date the documents required by law for registration;

(b) Pursuing the method of dialogue, collaboration and regular consultation, the parties agree to establish, in connection with the discussion of item 5 of the Agreed Agenda, the timetable of activities necessary for the proper implementation of this Protocol.

In witness whereof, the Parties have decided to sign this Protocol.

For the delegation of the Government of the Republic of Mozambique:

Armando Emilio Guebuza

For the delegation of Renamo:

Raul Manuel Domingos

The mediators:

Mario Raffaelli  
Jaime Gonçalves  
Andrea Riccardi

Matteo Zuppi

Done at Sant' Edigio, Rome, on 13 November 1991.

### **Protocol III**

On 12 March 1992, the delegation of the Government of the Republic of Mozambique, headed by Armando Emílio Guebuza, Minister of Transport and Communications, and composed of Aguiar Mazula, Minister of State Administration, Teodato Hunguana, Minister of Labour, and Francisco Madeira, Diplomatic Adviser to the President of the Republic, and the delegation of Renamo, headed by Raul Manuel Domingos, Chief of the Organisation Department, and composed of Vicente Zacarias Ululu, Chief of the Information Department, Agostinho Semende Murrial, Deputy Chief of the Organisation Department, and Virgílio Namalue, Director of the Information Department, meeting in Rome in the context of the peace talks, in the presence of the mediators, Mario Raffaelli, representative of the Government of the Italian Republic and co-ordinator of the mediators, Jaime Gonçalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi of the Community of Sant' Edigio, took up the item of the agenda signed on 28 May 1991 concerning the Electoral Law and agreed as follows:

This Protocol sets forth the general principles which should guide the drafting of the Electoral Act and any possible amendments to the laws in connection with the conduct of the electoral process.

The Electoral Act shall be drafted by the Government, in consultation with Renamo and all other political parties.

#### **I. Freedom of the press and access to the media**

(a) All citizens shall enjoy the right of freedom of the press and freedom of information. These freedoms shall encompass, specifically, the right to establish and operate newspapers and other publications, radio and television broadcasting stations and other forms of written or sound communication, such as posters, leaflets and other media. These rights shall not be abridged by censorship;

(b) Administrative and tax regulations shall in no case be used to hamper or prevent the exercise of this right on political grounds;

(c) Freedom of the press shall also include freedom of expression and creation for journalists and the protection of their independence and professional secrecy;

(d) The Government-controlled mass media shall enjoy editorial independence and shall guarantee, in accordance with the specific regulations envisaged in section V.3.b.1 of this Protocol, the right of all parties to access without political discrimination. Provision should be made in such regulations for access by all parties free of charge;

(e) Advertisements which conform to the prevailing commercial practice may not be refused on political grounds;

(f) The mass media may not discriminate against or refuse on political grounds any party or its candidates the exercise of the right of reply or the publication of corrections or retractions. Access to the courts shall be guaranteed in cases of defamation, slander, libel and other press offences.

## II. Freedom of association, expression and political activity

(a) All citizens shall have the right to freedom of expression, association, assembly, demonstration and political activity. Administrative and tax regulations shall in no case be used to prevent or hamper the exercise of these rights for political reasons. These rights shall not extend to the activities of unlawful private paramilitary groups or groups which promote violence in any form or terrorism, racism or separatism;

(b) Freedom of association, expression and political activity shall encompass access, without discrimination, to the use of public places and facilities. Such use shall be conditional on submission of an application to the competent administrative authorities, who must give a decision within 48 hours after the submission of the application. Applications may be rejected only for reasons of public order or for organisational considerations.

## III. Liberty of movement and freedom of residence

All citizens shall have the right to move about throughout the country without having to obtain administrative authorisation.

All citizens have the right to choose to reside anywhere in the national territory and to leave or return to the country.

## IV. Return of Mozambican refugees and displaced persons and their social reintegration

(a) The parties undertake to co-operate in the repatriation and reintegration of Mozambican refugees and displaced persons in the national territory and the social integration of war-disabled;

(b) Without prejudice to the liberty of movement of citizens, the Government shall draw up a draft agreement with Renamo to organise the necessary assistance to refugees and displaced persons, preferably in their original places of residence. The parties agree to seek the involvement of the competent United Nations agencies in the drawing up and implementation of this plan. The International Red Cross and other organisations to be agreed upon shall be invited to participate in the implementation of the plan;

(c) Mozambican refugees and displaced persons shall not forfeit any of the rights and freedoms of citizens for having left their original places of residence;

(d) Mozambican refugees and displaced persons shall be registered and included in the electoral rolls together with other citizens in their places of residence;

(e) Mozambican refugees and displaced persons shall be guaranteed restitution of property owned by them which is still in existence and the right to take legal action to secure the return of such property from individuals in possession of it.

## V. Electoral procedures: system of democratic, impartial and pluralistic voting

### 1. General Principles

(a) The Electoral Act shall establish an electoral system which is consonant with the principles of the direct, equal, secret and personal ballot;

(b) Elections to the Assembly of the Republic and for President of the Republic shall be held simultaneously;

(c) The elections shall take place within one year after the date of the signing of the General Peace Agreement. This period may be extended if it is determined that circumstances exist which preclude its observance.

### 2. The right to vote

(a) Mozambican citizens 18 years of age and over shall have the right to vote, with the exception of individuals suffering from certified mental incapacity or insanity;

(b) As envisaged by item 4 (a) of the Agreed Agenda, Mozambican citizens who are detained or have been sentenced to a prison term for a criminal offense under ordinary law shall not have the right to vote until they complete their sentence. In any event, this restriction shall not apply to individuals belonging to the Parties in respect of acts committed in the course of military operations;

(c) Exercise of the right to vote shall be conditional on registration in the electoral rolls;

(d) With the aim of promoting the broadest possible participation in the elections, the parties agree to encourage all Mozambican citizens 18 years of age and over to register and to exercise their right to vote.

### 3. National elections commission

(a) For the purpose of organising and conducting the electoral process, the Government shall set up a National Elections Commission, composed of individuals whose professional and personal qualities afford guarantees of balance, objectivity and

independence vis-à-vis all political parties. One third of the members to be appointed to the Commission shall be nominated by Renamo;

(b) The Commission shall have the following functions:

1. To draw up, in consultation with the political parties, regulations governing election campaigning, regulations on the distribution of broadcast air time and regulations on the utilisation of public and private places and facilities during the election campaign;
2. To oversee the compilation of electoral rolls, the legal filing of candidacies, the public announcement of candidacies and checking and recording the election results;
3. To monitor the electoral process and ensure compliance with the laws;
4. To ensure equality of treatment for citizens in all acts relating to the elections;
5. To receive, consider and settle complaints with respect to the validity of the elections;
6. To ensure equal opportunity and treatment for the different candidates;
7. To review the election accounts;
8. To draw up and have published in the national gazette (Boletim da Republica) the lists of the results of the final vote tally.

#### 4. Voting Assemblies

(a) At each polling place there shall be a Voting Assembly composed of:

- All citizens who are to exercise their right to vote at the given polling place;
- Representative of the various candidates and parties.

(b) Each Voting Assembly shall be presided over by a Ballot Board composed of a Chairman, a vice-chairman-cum-secretary and tellers which shall oversee the electoral operations;

(c) The members of the Ballot Board shall be appointed from among the voters belonging to the Voting Assembly in question, with the agreement of the representatives of the various candidates;

(d) The ballot boards shall be responsible for monitoring all electoral operations and transmitting the results to the National Elections Commission;

(e) Delegates of the candidates or parties in the Voting Assembly shall have the right:

1. To monitor all electoral operations;
2. To examine the rolls compiled or utilised by the Board;
3. To be heard and to receive clarifications with respect to all matters relating to the conduct of the Assembly;
4. To submit complaints;
5. To occupy the places closest to the Assembly Board;
6. To initial and sign the official records of the Assembly and to monitor all acts related to the electoral operations.

(f) Any complaints shall be included in the official records and transmitted to the National Elections Commission.

#### 5. Election to the Assembly of the Republic

(a) The country's provinces shall constitute electoral districts. The National Elections Commission shall decide on the apportionment of seats to each electoral district on the basis of population;

(b) The Electoral Act shall provide for an electoral system based on the principle of proportional representation for election to the Assembly;

(c) Parties which intend to stand jointly for elections to the Assembly must submit lists under a single emblem;

(d) Once the election campaign has begun, the combining of electoral lists for the purpose of pooling votes shall not be permitted;

(e) Citizens 18 years of age and over shall be eligible to stand for election to the Assembly of the Republic. The parties agree, however, on the desirability of raising the minimum age to 25 for the forthcoming elections as a transitional measure;

(f) A minimum percentage of votes cast nationwide shall be established, below which competing political parties may not have a seat in the Assembly. This percentage shall be agreed in consultation with all political parties in the country and shall not be less than 5 per cent or more than 20 per cent;

(g) Representatives of the parties in each electoral district shall be elected in the order in which they appear on the lists.

## 6. Election of the President of the Republic

(a) The President of the Republic shall be elected by an absolute majority of ballots cast. If no candidate obtains an absolute majority, a second ballot shall be held restricted to the two candidates who have received the highest number of votes;

(b) The second ballot shall take place within one to three weeks after the announcement of the results of the first ballot. Having regard to organisational considerations, the date of the ballot shall be indicated before the commencement of the election campaign;

(c) Individuals 35 years of age and over who are citizens and registered voters shall be eligible to stand for election to the office of President of the Republic;

(d) Candidacies for President of the Republic must have the support of at least 10,000 signatures of Mozambican citizens 18 years of age and over who are currently registered voters.

## 7. Financing and facilities

(a) The National Elections Commission shall guarantee the distribution to all parties competing in the elections, without discrimination, of subsidies and logistic support for the election campaign apportioned on the basis of the number of each party's candidates and under the supervision of all parties competing in the elections;

(b) The Government undertakes to assist in obtaining facilities and means so that Renamo may secure the accommodation and transport and communications facilities it needs to carry out its political activities in all the provincial capitals, and in other locations to the extent that the available resources so permit;

(c) For these purposes the Government shall seek support from the international community and, in particular, from Italy.

## VI. Guarantees for the electoral process and role of international observers

(a) Supervision and monitoring of the implementation of this Protocol shall be guaranteed by the Commission envisaged in Protocol I on basic principles;

(b) With a view to ensuring the highest degree of impartiality in the electoral process, the parties agree to invite as observers the United Nations, OAU and other organisations, as well as appropriate private individuals from abroad as may be agreed between the Government and Renamo. The observers shall perform their function from the commencement of the electoral campaign to the time when the Government takes office;

(c) With the aim of expediting the peace process, the parties also agree on the necessity of seeking technical and material assistance from the United Nations and OAU following the signature of the General Peace Agreement;

(d) The Government shall address formal requests to the United Nations and OAU in pursuance of the provisions of this section.

In witness whereof, the parties have decided to sign this Protocol.

For the delegation of the Government of the Republic of Mozambique:

Armando Emílio Guebuza

For the delegation of Renamo:

Raul Manuel Domingos

The mediators:

Mario Raffaelli  
Jaime Gonçalves  
Andrea Riccardi  
Matteo Zuppi

Done at Rome, on 12 March 1992.

#### **Protocol IV**

On 4 October 1992, the delegation of the Government of the Republic of Mozambique, headed by Armando Emílio Guebuza, Minister of Transport and Communications, and composed of Mariano de Araujo Matsinha, Minister without Portfolio, Aguiar Mazula, Minister of State Administration, Teodato Hunguana, Minister of Labour, Lieutenant-General Tobías Dai, Francisco Madeira, Diplomatic Advisor to the President of the Republic, Brigadier Aleixo Malunga, Colonel Fideles De Sousa, Major Justino Nrepo, Major Eduardo Lauchande, and the delegation of Renamo, headed by Raul Manuel Domingos, Chief of the Organisation Department, and composed of José De Castro, Chief of the External Relations Department, Agostinho Semende Murrial, Chief of the Information Department, José Augusto Xavier, Director-General of the Internal Administration Department, Major-General Herminio Morais, Colonel Fernando Canivete, Lieutenant-Colonel Arone Julai, Lieutenant António Domingos, meeting at Rome in the presence of the mediators, Mario Raffaelli, representative of the Italian Government and co-ordinator of the mediators, Jaime Gonçalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi of the Community of Sant' Edigio, and the observers of the United Nations and the Governments of the United States of America, France, the

United Kingdom and Portugal, took up item 3 of the Agreed Agenda of 28 May 1991, entitled "Military questions", and agreed as follows:

A. Formation of the Mozambican Defence Force

i. General principles

1. The Mozambican Defence Force (FADM) shall be formed for service throughout the national territory.

2. The FADM:

(a) Has as its general purpose the defence and safeguarding of the country's sovereignty, independence and territory. During the period between the cease-fire and the time when the new Government takes office, the FADM may, under the FADM High Command, act in co-operation with the Police Command to protect civilian inhabitants against crime and violence of all kinds. Additional functions of the FADM shall be to provide assistance in crisis or emergency situations arising in the country as a result of natural disasters and to provide support for reconstruction and development efforts;

(b) Shall be non-partisan, career, professionally trained, and competent: it shall be made up exclusively of Mozambican citizens who are volunteers and are drawn from the forces of both Parties. It shall serve the country with professionalism and respect the democratic order and the rule of law. The composition of the FADM should preclude all forms of racial or ethnic discrimination or discrimination based on language or religious affiliation.

3. The process of forming the FADM shall begin after the entry into force of the cease-fire immediately following the inauguration of the Commission provided for in Protocol I of 18 October 1991, to be called the Supervisory and Monitoring Commission (CSC). This process shall be completed prior to the commencement of the election campaign.

4. The process of forming the FADM shall be conducted simultaneously with the concentration, disarmament and integration into civilian life of the personnel demobilised in stages as a result of the cease-fire. The Government and Renamo shall be responsible for contributing units drawn from the existing forces of each side; this process shall proceed until the new units of the FADM have been formed, with all existing units being demobilised when the FADM has reached full strength.

5. The neutrality of the FADM during the period between the cease-fire and the time when the new Government takes office shall be guaranteed by the Parties through the Commission referred to in section I.iii.l.a of this Protocol.

6. By the time of the elections, only the FADM shall exist and shall have the structure agreed upon between the Parties; no other forces may remain in existence. All elements

of the existing armed forces of the two Parties which are not incorporated into the FADM shall be demobilised during the period envisaged in section VI.i.3 of this Protocol.

ii. Personnel

1. The Parties agree that the troop strength of the FADM up until the time when the new Government takes office shall be as follows:

- (a) Army: 24,000
- (b) Air Force: 4,000
- (c) Navy: 2,000

2. The personnel of the FADM in each of the service branches shall be provided by the FAM and the forces of Renamo, each side contributing 50 per cent.

iii. FADM command structures

1. The parties agree to establish a Joint Commission for the Formation of the Mozambican Defence Force (CCFADM) on the following basis:

(a) CCFADM shall have specific responsibility for overseeing the process of forming the FADM and shall operate under the authority of CSC;

(b) CCFADM is the body responsible for the formation of the FADM until the time when the new Government takes office. FADM shall be headed by a High Command (CS), which shall be subordinate to CCFADM. After the new Government takes office, the FADM shall be placed under the authority of the new Ministry of Defence or any other body which the new Government may establish;

(c) CCFADM shall be composed of representatives of the FAM and the Renamo forces as members, who shall be assisted by representatives of the countries selected by the Parties to advise in the process of forming the FADM. CCFADM shall be inaugurated on the date of the entry into force of the cease-fire (E-Day);

(d) CCFADM shall draw up directives on the phasing of the establishment of the FADM structures and shall propose to CSC:

- The rules governing the FADM;
- The budget to be provided for the FADM until the new Government takes office;
- The criteria for selection and the selection of FAM personnel and Renamo forces for the formation of the FADM;

- The names of the commanding officers of the main commands.

## 2. FADM High Command

(a) The general mission of CS shall be to act on the directives issued by CCFADM, taking into account the establishment of the FADM structures and support for the FADM;

(b) Until the new Government takes office, the command of FADM shall be exercised by two general officers of equal rank, appointed by each of the Parties. Decisions of the command shall be valid only when signed by these two general officers;

(c) The FADM command structure shall be strictly non-political and shall receive directives and orders only through the appropriate chain of command;

(d) The FADM shall have a single logistics service for all three branches. To that end, a Logistics and Infrastructure Command shall be established under the authority of the FADM High Command;

(e) Appointments to the FADM High Command and the commands of the three branches of the FADM and the Logistics Command shall be proposed by CCFADM and approved by CSC;

(f) Until the new Government takes office, the FADM High Command shall be assisted by the General Staff, with departments headed by general officers or senior officers proposed by CCFADM and approved by CSC.

## 3. Command of the Army, Air Force and Navy and the Logistics Command:

The FADM High Command shall have authority over the Commands of the three service branches (Army, Air Force and Navy) and the Logistics Command, which shall be organised as follows:

### (a) Army Command

1. The structure of the Army Command shall encompass the military regions under the direct authority of the Army Commander, whose functions are to be determined but which may include the organisation and preparation of forces, training, justice, discipline and logistic support to assigned forces.

2. Each military region shall have a commanding officer holding the rank of general, who shall be assisted by a deputy commander.

3. The headquarters of the military regions shall be proposed by the Commander of the Army and approved by CS.

### (b) Air Force Command

The Air Force shall be formed having regard to the training and skills of the personnel of the existing Air Force and the existing Renamo forces, in accordance with the provisions of the directives issued by CCFADM;

(c) Navy Command

The Navy shall be formed having regard to the training and skills of the personnel of the existing Navy and the Renamo forces, in accordance with the provisions of the directives issued by CCFADM;

(d) Logistics and Infrastructure Command

1. A Logistics and Infrastructure Command shall be set up under the direct authority of the FADM High Command.

2. The Logistics and Infrastructure Command shall have the overall mission of planning and providing administrative and logistic support for the FADM (Army, Air Force and Navy) and ensuring delivery of such support through the FADM General Services. It shall, in particular, be responsible for production and procurement logistics.

3. The Logistics and Infrastructure Command shall be headed by a general, assisted by a deputy commander and a general staff which shall, initially, include the following sections:

- Infrastructure;
- General services;
- Equipment;
- Finance.

4. The Logistics and Infrastructure Command shall have authority over such support units as may be assigned to it.

iv. Timetable for the process

(a) The formation of the FADM shall commence with the appointment of the following:

- CCFADM, prior to the entry in force of the cease-fire (E-Day);
- The FADM High Command on E-Day + 1;
- The commanders of the three service branches and the logistics command;

- The commanders of the military regions;
- The unit commanders.

(b) General staffs shall be organised immediately following the appointment of each command;

(c) The system of administrative and logistics support shall be organised taking into account the new size of the FADM, in accordance with the principle of utilising or transforming existing structures on the basis of the plans of the FADM High Command, as approved by CCFADM.

v. Technical assistance of foreign countries

The parties shall inform the mediators within 7 (seven) days after the signing of the cease-fire Protocol the countries which are to be invited to provide assistance in the process of forming the FADM.

## II. Withdrawal of foreign troops from Mozambican territory

1. The withdrawal of foreign troops from Mozambican territory shall be initiated following the entry into force of the cease-fire (E-Day).

The Government of the Republic of Mozambique undertakes to negotiate the complete withdrawal of foreign forces and contingents from Mozambican territory with the Governments of the countries concerned.

The modalities and time-frame for the withdrawal shall not contravene any provision of the Cease-fire Agreement or the General Peace Agreement.

2. The Government of the Republic of Mozambique shall submit to CSC the deadlines and plans for implementation of the withdrawal, specifying the exact numbers of troops present in Mozambican territory and their location.

3. The complete withdrawal of foreign forces and contingents from Mozambican territory shall be monitored and verified by the Cease-fire Commission (CCF) referred to in paragraph VI.(i).2 of this Protocol. CCF shall inform CSC of the conclusion of the complete withdrawal of foreign forces from the national territory.

4. In accordance with its mandate CSC, through CCF, will, following the withdrawal of the foreign troops, assume immediate responsibility for verifying and ensuring security of strategic and trading routes, adopting the measures it deems necessary for the purpose.

## III. Activities of private and irregular armed groups

1. Except as provided in paragraph 3 below, paramilitary, private and irregular armed groups active on the day of entry into force of the cease-fire shall be disbanded and prohibited from forming new groups of the same kind.

2. CCF shall monitor and verify the disbanding of the private and irregular armed groups and shall collect their weapons and ammunition. CSC shall decide the final disposition of the weapons and ammunition collected.

3. CSC may as a temporary measure organise the continued existence of security organisations for the purpose of ensuring the security of specified public or private infrastructures during the period between the cease-fire and the time when the new Government takes office.

4. These security organisations may be authorised to use weapons in the discharge of their duties. The activities of these organisations shall be monitored by CCF.

#### IV. Functioning of the National Service for People's Security

1. The parties agree that it is essential that the State information service should continue to function during the period between the entry into force of the cease-fire and the time when the new Government takes office, in order to ensure that the strategic information required by the State is made available and for the purpose of protecting the sovereignty and independence of the Republic of Mozambique.

2. For the purposes indicated above, the Parties agree that the State Information and Security Service (SISE) established by Act No. 20/91 of 23 August 1991 shall continue to perform its functions under the direct authority of the President of the Republic of Mozambique and subject to the following principles:

3. SISE shall:

(a) perform its duties and functions strictly in accordance with the spirit and the letter of internationally recognised democratic principles;

(b) respect the civil and political rights of citizens, as well as the internationally recognised human rights and fundamental freedoms;

(c) be guided in the performance of its functions by the interests of the State and the common welfare, in a manner free from any partisan or ideological considerations or regard for social standing and from any other form of discrimination;

(d) act at all times and in all respects in conformity with the terms and spirit of the General Peace Agreement.

4. SISE shall be composed, at all levels of the service, of citizens selected on the basis of criteria that are in conformity with the principles specified above.

5. (a) The measures taken by SISE, as well as all actions of its agents, shall at all times be governed by the law in force in the Republic of Mozambique and by the principles agreed upon in the General Peace Agreement;

(b) The activities and prerogatives of SISE shall be confined to the production of information required by the President of the Republic, within the limits authorised by the juridical order and in strict respect for the principles of the State ruled by law and for human rights and fundamental freedoms. The information thus obtained may in no case be used to limit the exercise of the democratic rights of citizens or to favour any political party;

(c) In no case may police functions be assigned to SISE.

6. The Director-General and Deputy Director-General of SISE shall be appointed by the President of the Republic of Mozambique.

7. (a) For purposes of verifying that the actions of SISE do not violate the legal order or result in violation of the political rights of citizens, a National Information Commission (COMINFO) shall be established;

(b) COMINFO shall be composed of 21 members whose professional and personal qualities and past record afford guarantees of balance, effectiveness and independence vis-à-vis all political parties;

(c) COMINFO shall be established by the President of the Republic of Mozambique within 15 days following the entry into force of the General Peace Agreement and shall be composed of six citizens nominated by Renamo, six nominated by the Government, and nine selected as a result of consultations to be held by the President of the Republic with the political forces in the country from among citizens meeting the requirements specified in subparagraph (b);

(d) COMINFO shall have full powers to investigate any matter relating to the activity of SISE that is held to be contrary to the legal order and to the principles specified in paragraphs 1, 2, 3, and 5. A request for investigation may be rejected only by a two-thirds majority of its membership;

(e) COMINFO shall provide CSC with the reports and clarifications called for by the latter Commission;

COMINFO shall inform the competent State authorities of any irregularities detected, in order that they may take the appropriate police or disciplinary measures.

V. Depoliticisation and restructuring of the police forces

1. During the period between the entry into force of the cease-fire and the assumption of power by the new Government, the Police of the Republic of Mozambique (PRM) shall continue to perform its functions under the responsibility of the Government.

2. The Police of the Republic of Mozambique shall:

- (a) perform its duties and functions strictly in accordance with the spirit and the letter of internationally recognised democratic principles;
- (b) respect the civil and political rights of citizens, as well as the internationally recognised human rights and fundamental freedoms;
- (c) be guided in the performance of its functions by the interests of the State and common welfare, in a manner free from any partisan or ideological considerations or regard for social standing and from any other form of discrimination;
- (d) act at all times in conformity with the terms and spirit of the General Peace Agreement;
- (e) act at all times with impartiality and independence vis-à-vis all political parties.

3. The PRM shall be composed of citizens selected on the basis of criteria that are in conformity with the principles specified above.

4. The basic tasks of the PRM shall be:

- (a) to ensure respect for and defence of the law;
- (b) to maintain public order and tranquillity and to prevent and suppress crime;
- (c) to guarantee the existence of a climate of social stability and harmony.

5. (a) The measures taken by the PRM, as well as all actions of its agents, shall at all times be governed by the law and the legislative provisions in force in the Republic of Mozambique and by the principles agreed upon in the General Peace Agreement;

(b) The activities and prerogatives of the PRM shall be exercised within the limits authorised by the juridical order, but with strict respect for the principles of the State ruled by law and for human rights and fundamental freedoms. These activities may not be directed towards limiting the exercise of the democratic rights of citizens or favouring any political party.

6. The Commander and Deputy Commander of the PRM shall be appointed by the President of the Republic of Mozambique.

7. (a) For purposes of verifying that the actions of the PRM do not violate the legal order or result in violation of the political rights of citizens, a National Police Affairs Commission (COMPOL) shall be established;

(b) COMPOL shall be composed of 21 members whose professional and personal qualities and past record afford guarantees of balance, effectiveness and independence vis-à-vis all political parties;

(c) COMPOL shall be established by the President of the Republic of Mozambique within 15 days following the entry into force of the General Peace Agreement and shall be composed of six citizens nominated by Renamo, six nominated by the Government, and nine selected as a result of consultations to be held by the President of the Republic with the political forces in the country from among citizens meeting the requirements specified in subparagraph (b);

(d) COMPOL shall have full powers to investigate any matter relating to the activity of PRM that is held to be contrary to the legal order and to the principles specified in paragraphs 1, 2, 4 and 5. On being apprised of a matter, the Commission shall conduct a preliminary internal analysis in order to determine whether it falls within the sphere of police activities. The Commission shall decide to proceed with the investigations if more than half of its members so agree;

(e) COMPOL shall submit systematic reports on its activities to CSC;

(f) COMPOL shall inform the competent State authorities of any irregularities detected, in order that they may take the appropriate judicial or disciplinary measures.

## VI. Economic and social reintegration of demobilised soldiers

### (i) Demobilisation

1. Demobilisation of the FAM and the forces of Renamo means the process whereby, at the decision of the respective Parties, soldiers who on E-Day were members of those forces revert for all purposes to the status of civilians.

### 2. Cease-fire Commission

(a) On E-Day, the Cease-fire Commission (CCF) shall be established and begin its functions under the direct supervision of CSC;

(b) CCF shall be composed of representatives of the Government, Renamo, the invited countries and the United Nations. CCF shall be presided over by the United Nations;

(c) CCF shall be based in Maputo and shall be structured as follows:

- Regional offices (North, Centre and South);
- Offices at the assembly and billeting locations of the two Parties.

(d) CCF shall have, inter alia, the function of implementing the demobilisation process, with the following tasks:

- Planning and organisation;
- Regulation of procedures;
- Direction and supervision;
- Registration of troops to be demobilised and issue of the respective identity cards;
- Collection, registration and custody of weapons, ammunition, explosives, equipment, uniforms and documentation;
- Destroying or deciding on the other disposition of weapons, ammunition, explosives, equipment, uniforms and documentation as agreed by the Parties;
- Medical examinations;
- Issue of demobilisation certificates.

(e) The United Nations shall assist in the implementation, verification and monitoring of the entire demobilisation process.

### 3. Timetable

- E-Day: Installation of CCF and commencement of its functions
- E-Day + 30: Definition by both Parties of the troops to be demobilised; activation of demobilisation structures and initiation of the process
- E-Day + 60: Demobilisation of at least 20 per cent of the total troops to be demobilised
- E-Day + 90: Demobilisation of at least a further 20 per cent of the total troops to be demobilised
- E-Day + 120: Demobilisation of at least a further 20 per cent of the total troops to be demobilised
- E-Day + 150: Demobilisation of at least a further 20 per cent of the total troops to be demobilised
- E-Day + 180: End of demobilisation of the troops to be demobilised.

#### (ii) Reintegration

1. The term “demobilised soldier” means an individual who:

- up until E-Day was a member of the FAM or the Renamo forces;
- subsequent to E-Day was demobilised at the decision of the relevant command, and handed over the weapons, ammunition, equipment, uniform and documentation in his possession
- has been registered and has received the relevant identity card
- has received the demobilisation certificate.

For all purposes, demobilised soldiers of both Parties shall become civilians and shall be accorded equal treatment by the State.

## 2. Reintegration Commission

(a) A Reintegration Commission (CORE) shall be established. CORE shall operate under the direct authority of CSC and shall initiate its functions on E-Day;

(b) CORE shall be composed of representatives of the Government and Renamo, representatives of the invited countries, a representative of the United Nations, who shall preside, and representatives of other international organisations;

(c) CORE shall be based at Maputo and shall be structured as follows:

- Regional offices (North, Centre and South);
- Provincial offices in each provincial capital.

(d) The assignment of CORE shall be to effect the economic and social reintegration of demobilised soldiers, and it shall for this purpose conduct the following tasks:

- Planning and organisation;
- Regulation of procedures;
- Direction and supervision;
- Monitoring.

## 3. Resources

The economic and social reintegration of demobilised soldiers (demobilisation allowances, technical and/or vocational training, transport, etc.) will depend on the resources made available within the framework of the Donors Conference as referred to in item 6 of the Agreed Agenda of 28 May 1991.

In witness whereof, the Parties have decided to sign the present Protocol.

For the delegation of the Government of the Republic of Mozambique:

Armando Emilio Guebuza

For the delegation of Renamo:

Raul Manuel Domingos

The mediators:

Mario Raffaelli  
Jaime Gonçalves  
Andrea Riccardi  
Matteo Zuppi

Sant' Edigio, Rome, 4 October 1992

### **Protocol V**

On 4 October 1992, the delegation of the Government of the Republic of Mozambique, headed by Armando Emilio Guebuza, Minister of Transport and Communications, and composed of Mariano de Araujo Matsinha, Minister without Portfolio, Aguiar Mazula, Minister of State Administration, Teodato Hunguana, Minister of Labour, Lieutenant-General Tobías Dai, Francisco Madeira, Diplomatic Advisor to the President of the Republic, Brigadier Aleixo Malunga, Colonel Fideles De Sousa, Major Justino Nrepo, Major Eduardo Lauchande, and the delegation of Renamo, headed by Raul Manuel Domingos, Chief of the Organisation Department, and composed of José De Castro, Chief of the External Relations Department, Agostinho Semende Murrial, Chief of the Information Department, José Augusto Xavier, Director-General of the Internal Administration Department, Major-General Herminio Morais, Colonel Fernando Canivete, Lieutenant-Colonel Arone Julai, and Lieutenant António Domingos, meeting at Rome in the presence of the mediators, Mario Raffaelli, representative of the Italian Government and co-ordinator of the mediators, Jaime Gonçalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi of the Community of Sant' Edigio, and the observers of the United Nations and the Governments of the United States of America, France, the United Kingdom and Portugal, took up item 5 of the Agreed Agenda of 28 May 1991, entitled "Guarantees", and agreed as follows:

#### **I. Timetable for the conduct of the electoral process**

1. The elections to the Assembly of the Republic and the post of President of the Republic shall be held simultaneously and shall take place one year after the date of signature of the General Peace Agreement, as provided for in Protocol III.

2. Further to the provisions set forth in Protocol III, the Parties also agree as follows:

- a) By E-Day + 60, the Government shall establish the National Elections Commission provided for in Protocol III;

(b) Immediately following the signature of the General Peace Agreement, the Government, for purposes of the provisions of Protocol III, shall request technical and material support from the United Nations and OAU;

(c) The Government shall draft the Electoral Act in consultation with Renamo and the other parties within at most two months from the adoption by the Assembly of the Republic of the legal instruments incorporating the Protocols and guarantees, as well as the General Peace Agreement, into Mozambican law. The approval and publication of the Electoral Act shall take place within at most one month following the completion of its drafting;

(d) Within 60 days following the signature of the General Peace Agreement, the Government and Renamo shall agree on the observers to be invited for the electoral process. The Government shall draw up the corresponding invitations;

(e) The election campaign shall begin 45 days before the date of the elections;

(f) By the date of commencement of the election campaign, all parties taking part must have been registered and have submitted their lists of candidates as well as their respective symbols;

(g) By the date of commencement of the election campaign, the candidates for the Presidency of the Republic must have submitted their candidacies in conformity with the legally prescribed requirements;

(h) The election campaign shall conclude 48 hours before the start of voting;

(i) The elected Assembly of the Republic shall take office 15 days after the publication of the lists giving the results of the election. The lists giving the results of the election shall be published not more than eight days after the closure of voting;

(j) The investiture of the elected President of the Republic shall take place one week after the elected Assembly of the Republic has taken office.

II. Commission to supervise the cease-fire and monitor respect for and implementation of the agreements between the Parties within the framework of these negotiations: its composition and powers

1. Pursuant to Protocol I, the Supervisory and Monitoring Commission (CSC) is established, which shall begin operating upon appointment of its Chairman by the Secretary General of the United Nations.

2. This Commission shall be composed of representatives of the Government, Renamo, the United Nations, OAU and the countries to be agreed upon by the Parties. The Commission shall be chaired by the United Nations and shall be based at Maputo.

3. The decisions of CSC shall be taken by consensus between the two Parties
4. CSC shall draw up its own Rules of Procedure and may whenever it sees fit establish sub-commissions additional to those provided for in paragraph II.7 of the present Protocol.
5. CSC shall in particular:
  - (a) Guarantee the implementation of the provisions contained in the General Peace Agreement;
  - (b) Guarantee respect for the timetable specified for the cease-fire and the holding of the elections;
  - (c) Assume responsibility for the authentic interpretation of the agreements;
  - (d) Settle any disputes that may arise between the Parties;
  - (e) Guide and co-ordinate the activities of the subsidiary commissions referred to in paragraph II.7 of this Protocol.
6. CSC shall cease to function when the new Government takes office.
7. CSC shall have under it the following Commissions:
  - (a) The Joint Commission for the Formation of the Mozambican Defence Force (CCFADM). Its powers shall be those specified in Protocol IV, paragraph I (iii) on the formation of the Mozambican Defence Force. CCFADM shall be composed of representatives of the Parties and of the Governments selected by the Parties before the signing of the General Peace Agreement to provide assistance in the process of formation of the FADM in conformity with the provisions of Protocol IV, section I;
  - (b) The Cease-fire Commission (CCF). Its composition and powers shall be those indicated in Protocol IV, section VI and Protocol VI, section I;
  - (c) Reintegration Commission (CORE). Its composition and powers shall be those specified in Protocol IV, section VI.

### III. Specific guarantees for the period from the cease-fire to the holding of the elections

1. The Government of the Republic of Mozambique shall submit a formal request to the United Nations for its participation in monitoring and guaranteeing the implementation of the General Peace Agreement, in particular the cease-fire and the electoral process, with immediate priority to co-ordinating and making available food, medical attention and all

other forms of support necessary at the assembly and billeting locations for the forces as provided in Protocol VI.

2. With the means available to it and with the assistance of the international community, the Government of the Republic of Mozambique shall make available to CSC and its subsidiary commissions the logistical support required for their functioning.

3. The Government of the Republic of Mozambique shall send formal requests to the Governments and organisations selected by the two Parties to participate in the commissions agreed upon above.

4. The resources and facilities specified in Protocol III, paragraph 7 (b) shall be made available by the Government of Mozambique as from the date of incorporation of the General Peace Agreement into Mozambican law by the Assembly of the Republic. The major part of this process shall have been concluded by E-day.

5. The committee provided for in the Joint Declaration of 16 July 1992 shall exercise its functions before CSC takes office. CSC may if necessary decide to extend the activities of that committee, and establish guidelines for its operations to that end.

6. The Government of the Republic of Mozambique shall draw up in agreement with Renamo and the relevant United Nations agencies, in accordance with Protocol III, the plan for assistance to refugees and displaced persons, which shall be submitted to the donors' conference the holding of which is agreed upon in Protocol VII.

7. Between the entry into force of the cease-fire and the time when the new Government takes office, the entry of foreign troops or contingents into Mozambican territory shall not be permitted except in the cases agreed to by CSC.

8. Renamo shall be responsible for the immediate personal security of its top leaders. The Government of the Republic of Mozambique shall grant police status to the members of Renamo assigned to guarantee that security.

9. Guarantee of legality, stability and tranquillity throughout the territory of the Republic of Mozambique.

(a) The Parties recognise that the public administration in the Republic of Mozambique during the period between the entry into force of the cease-fire and the time when the new Government takes office will continue to obey the law in force and to be conducted through the institutions provided for by law;

(b) The public administration shall guarantee public tranquillity and stability, and seek to ensure the maintenance of peace and the creation of the climate required for the holding of fair and free general and presidential elections in accordance with the provisions of the General Peace Agreement and the Electoral Act;

(c) The two Parties undertake to guarantee that the laws and legislative provisions of the Republic of Mozambique, as well as the civil and political rights of citizens and human rights and fundamental freedoms, shall be respected and guaranteed in all parts of the national territory in conformity with Protocol I of 18 October 1991;

(d) In order to ensure greater tranquillity and stability in the period between the entry into force of the cease-fire and the time when the new Government takes office, the Parties agree that the institutions provided for by law for the conduct of the public administration in the areas controlled by Renamo shall employ only citizens resident in those areas, who may be members of Renamo. The State shall accord such citizens and the institutions staffed by them the respect, treatment and support required for the discharge of their duties, on the basis of strict equality and without any discrimination in relation to others performing similar functions and institutions at the same level in other areas of the country.

The relationship between the Ministry of State Administration and the administration in the areas controlled by Renamo shall be conducted through a National Commission constituted by the Parties for the purpose of facilitating collaboration and good understanding. This Commission shall be composed of four representatives of each of the Parties and shall begin operating 15 days after the signature of the General Peace Agreement;

(e) The Government undertakes to respect and not antagonise the traditional structures and authorities where they are currently *de facto* exercising such authority, and to allow them to be replaced only in those cases where that is called for by the procedures of local tradition themselves;

(f) The Government undertakes not to hold local, district or provincial elections or elections to administrative posts in advance of the forthcoming general elections;

(g) The Parties undertake to guarantee throughout the national territory the exercise of democratic rights and freedoms by all citizens, as well as the performance of party work by all political parties;

(h) The Parties guarantee access by the Commissions provided for in the General Peace Agreement, the representatives and officials of the State institutions provided for by law and their officials to any part of the national territory to which they may need to proceed on official business, as well as the right to freedom of movement in all locations not restricted by any legislative measure, instrument or rule.

#### IV. Constitutional issues

The joint declaration of 7 August 1992 signed by Joaquim Alberto Chissano, President of the Republic of Mozambique, and Afonso Macacho Marceta Dhlakama, President of Renamo, constitutes an integral part of the General Peace Agreement. Accordingly, the principles embodied in Protocol I shall also apply with respect to the problem of

constitutional guarantees raised by Renamo and illustrated in the document submitted to the President of the Republic of Zimbabwe, Robert Gabriel Mugabe, at Gaborone, Botswana, on 4 July 1992. To this end, the Government of the Republic of Mozambique shall submit to the Assembly of the Republic for adoption legal instruments incorporating the Protocols, the guarantees and the General Peace Agreement into Mozambican law.

In witness whereof, the Parties have decided to sign the present Protocol.

For the delegation of the Government of the Republic of Mozambique:

Armando Emílio Guebuza

For the delegation of Renamo:

Raul Manuel Domingos

The mediators:

Mario Raffaelli  
Jaime Gonçalves  
Andrea Riccardi  
Matteo Zuppi

Sant' Edigio, Rome, 4 October 1992.

### **Protocol VI**

On 4 October 1992, the delegation of the Government of the Republic of Mozambique, headed by Armando Emílio Guebuza, Minister of Transport and Communications, and composed of Mariano de Araujo Matsinha, Minister without Portfolio, Aguiar Mazula, Minister of State Administration, Teodato Hunguana, Minister of Labour, Lieutenant-General Tobías Dai, Francisco Madeira, Diplomatic Adviser to the President of the Republic, Brigadier Aleixo Malunga, Colonel Fideles de Sousa, Major Justino Nrepe and Major Eduardo Lauchande, and the delegation of Renamo, headed by Raul Manuel Domingos, Chief of the Organisation Department, and composed of José de Castro, Chief of the External Relations Department, Agostinho Semende Murrial, Chief of the Information Department, José Augusto Xavier, Director-General of the Internal Administration Department, Major General Herminio Morais, Colonel Fernando Canivete, Lieutenant Colonel Arone Julai and Lieutenant António Domingos, meeting at Rome in the presence of the mediators Mario Raffaelli, representative of the Italian Government and co-ordinator of the mediators, Jaime Gonçalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi, of the Community of Sant' Edigio, and observers from the United Nations and the Governments of the United States of America, France,

the United Kingdom and Portugal, took up item 4 of the Agreed Agenda of 28 May 1991, entitled "Cease-fire", and agreed as follows:

#### I Cessation of the armed conflict

1. The cessation of the armed conflict (CAC) is a brief, dynamic and irreversible process of predetermined duration which must be implemented throughout the national territory of Mozambique.

The implementation of the process shall be the responsibility of the Government of the Republic of Mozambique and of Renamo, acting within the framework of the Cease-fire Commission (CCF). The CCF is answerable to the CSC, the organ responsible for the overall political supervision of the cease-fire. The CCF shall be composed of representatives of the Government and of Renamo, representatives of countries accepted by them and a representative of the United Nations, who shall preside.

2. The CCF, which shall be structured as stipulated in Protocol IV, paragraph VI.i.2, shall have the following functions:

- to plan, verify and guarantee the implementation of the cease-fire rules;
- to set itineraries for the movement of forces, in order to reduce the risk of incidents;
- to organise and implement mine-clearing operations;
- to analyse and verify the accuracy of the statistics provided by the Parties on troop strength, arms and military equipment
- to receive, analyse and rule on complaints of possible cease-fire violations;
- to ensure the necessary co-ordination with organs of the United Nations verification system;
- the functions provided for in sections II, III and VI of Protocol IV.

3. The CAC shall begin on E-Day and end on E-Day + 180.

4. The CAC consists of 4 (four) phases:

- cease-fire;
- separation of forces;
- concentration of forces;

- demobilisation.

## 5. The cease-fire

The Parties agree that:

(a) the cease-fire shall enter into force on E-Day

E-Day is the day on which the General Peace Agreement is adopted by the Assembly of the Republic and incorporated into Mozambican law. The deployment of United Nations personnel in Mozambican territory to verify the cease-fire shall begin the same day;

b) As of E-Day, neither of the Parties shall carry out any hostile act or operation by means of forces or individuals under its control. Accordingly, they may not:

- carry out any kind of attack by land, sea or air;
- organise patrols or offensive manoeuvres;
- occupy new positions;
- lay mines and prevent mine-clearing operations;
- interfere with military communications;
- carry out any kind of reconnaissance operations;
- carry out acts of sabotage and terrorism;
- acquire or receive lethal equipment
- carry out acts of violence against the civilian population;
- restrict or prevent without justification the free movement of persons and property;
- carry out any other military activity which, in the opinion of the CCF and the United Nations, might jeopardise the cease-fire.

In performing their functions, the CCF and the United Nations shall enjoy complete freedom of movement throughout the territory of Mozambique;

(c) On E-Day, the United Nations shall begin official verification of compliance with the undertaking described in paragraph (b), investigating any alleged violation of the cease-fire. Any duly substantiated violation shall be reported by the United Nations at the appropriate level;

(d) During the period between the signing of the General Peace Agreement and E-Day, the two Parties agree to observe a complete cessation of hostilities and of the activities described in paragraph (b), in order to allow the United Nations to deploy its personnel in the territory to verify all aspects of the CAC as of E-Day.

## 6. Separation of forces

The Parties agree that:

(a) The purpose of the separation of forces is to reduce the risk of incidents, to build trust and to allow the United Nations effectively to verify the commitments assumed by the Parties;

(b) The separation of forces shall last 6 (six) days, from E-Day to E-Day + 5;

(c) During this period, the FAM shall proceed to the barracks, bases, existing semi-permanent facilities and other locations listed in annex A;

(d) During the same period, the Renamo forces shall proceed to the locations listed in annex B;

(e) The locations listed in the above-mentioned annexes shall be those agreed to between the Parties and the United Nations no later than 7 (seven) days after the signing of the General Peace Agreement. The lists shall specify the name and site of the 29 assembly and billeting points for the FAM and the 20 such points for the Renamo forces;

(f) Accordingly, by 2400 hours on E-Day + 5, the FAM and the Renamo forces must be in the locations listed in annexes A and B respectively;

(g) All movements shall take place under the supervision and co-ordination of the United Nations. Neither Party may prevent or jeopardise, the movements of the other Party's forces. The United Nations shall supervise all the locations listed in annexes A and B and shall in principle be present 24 hours a day in each of those locations as of E-Day;

(h) During this period of 6 (six) days, no force or individual shall be able to leave assembly and billeting points except to seek medical care or other humanitarian reasons, and then only with the authorisation and under the supervision of the United Nations. In each location, the commander of the troops shall be responsible for maintaining order and discipline and for ensuring that the troops conduct themselves in accordance with the principles and the spirit of this Protocol.

## 7. Concentration of forces

The Parties agree that:

- (a) The concentration of forces shall begin on E-Day + 6 and end on E-Day + 30;
- (b) During this period, the FAM shall concentrate in the normal peacetime barracks and military bases listed in annex C;
- (c) During the same period, the Renamo forces shall go to the assembly and billeting points listed in annex D;
- (d) All movements shall take place under the supervision and co-ordination of the United Nations and shall be subject to the same conditions as those established for the separation of forces;
- (e) All the main military facilities of the two Parties which cannot be moved to assembly and billeting points, such as military hospitals, logistical units and training facilities, shall be subject to verification in situ. These locations must also be specified no later than 7 (seven) days after the signing of the General Peace Agreement;
- (f) Each assembly and billeting point shall be run by a military commander appointed by the corresponding Party. The military commander is responsible for maintaining the order and discipline of troops, distributing food and ensuring liaison with the organs for the verification and supervision of the cease-fire. In the event of an incident or a cease-fire violation, the military commander must take immediate steps to avoid an escalation and put a stop to the incident or violation. Any incident or violation shall be reported to the senior level of the command structure and to the cease-fire verification and supervision organs;
- (g) Arrangements for the security of each assembly and billeting point shall be agreed between the corresponding commander and the CCF, with the knowledge of the United Nations. The military unit stationed in each location shall provide its own security. Each assembly and billeting point shall cover an area with a maximum radius of five kilometres. Individual weapons and the necessary ammunition shall be distributed only to the security staff of assembly and billeting points;
- (h) Each location must have the capacity to accommodate at least 1,000 soldiers.

## 8. Demobilisation

Shall take place as stipulated in section VI of Protocol IV.

## 9. Formation of the FADM

Shall take place as stipulated in section I of Protocol IV.

#### 10. Miscellaneous provisions.

(a) The Parties agree to the following:

1. To supply the United Nations with complete inventories of their troop strength, arms, ammunition, mines and other explosives on E-Day-6, E-Day, EDay + 6, E-Day + 30 and, thereafter, every 15 days;
  2. To allow the United Nations to verify the aspects and data referred to in the preceding paragraph;
  3. As of EDay + 31, all collective and individual weapons, including weapons on board aircraft and ships, shall be stored in warehouses under United Nations control;
4. (a) As of E-Day + 6, troops shall be able to leave their respective assembly and billeting points only with the authorisation and under the supervision of the United Nations;
- (b) As of E-Day, the naval and air force components of the FAM shall refrain from carrying out any offensive operation. They may carry out only such non-hostile missions as are necessary for the discharge of their duties unrelated to the armed conflict. All air force flight plans must be communicated in advance to the United Nations. Aircraft may not, in any case, be armed and may not overfly assembly and billeting points,
- (c) The foreign forces currently present in the territory of Mozambique must also respect the agreed cease-fire as of E-Day. In accordance with section II of Protocol IV, on E-Day the Government of the Republic of Mozambique shall communicate to the United Nations and the CSC the plans for the withdrawal of foreign troops from Mozambican territory. These plans shall include the numbers and equipment of such troops. the withdrawal shall begin on EDay +6 and end on E-Day +30. All movements must be co-ordinated and verified by the CCF;
- (d) The Parties agree that, as of EDay, they shall end all hostile propaganda, both internal and external;
- (e) Border control as of EDay shall be provided by the immigration services and the police.

#### II. Operational timetable for the cease-fire E-Day:

Entry into force of the cease-fire and beginning of United Nations verification Beginning of the cessation of the armed conflict (CAC) Beginning of the separation of forces phase

E-Day +5: End of the separation of forces phase

E-Day +6: Beginning of the concentration of forces phase Beginning of the withdrawal of foreign forces and contingents from the country

E-Day +30: End of the concentration of forces phase End of the withdrawal of foreign forces and contingents from the country

E-Day +180: End of the demobilisation phase and of the CAC

III. Release of prisoners, except for those being held for ordinary crimes

1. All prisoners who are being held on EDay, except for those held for ordinary crimes, shall be released by the Parties.

2. The International Committee of the Red Cross, together with the Parties shall agree on the arrangements for and the verification of the prisoner release process referred to in paragraph 1 above.

In witness whereof, the Parties have decided to sign this Protocol.

For the delegation of the Republic of Mozambique:

Armando Emílio Guebuza

For the delegation of Renamo:

Raul Manuel Domingos

The Mediators:

Mario Raffaelli  
Jaime Gonçalves  
Andrea Riccardi  
Matteo Zuppi

Sant' Edigio, Rome, 4 October 1992

## **Protocol VII**

On 4 October 1992, the delegation of the Government of the Republic of Mozambique, headed by Armando Emílio Guebuza, Minister of Transport and Communications, and composed of Mariano de Araujo Matsinha, Minister without Portfolio, Aguiar Mazula,

Minister of State Administration, Teodata Hunguana, Minister of Labour, Lieutenant-General Tobías Dai, Francisco Madeira, Diplomatic Adviser to the President of the Republic, Brigadier Aleixo Malunga, Colonel Fideles De Sousa, Major Justino Nrepo and Major Eduardo Lauchande, and the delegation of Renamo, headed by Raul Manuel Domingos, Chief of the Organisation Department, and composed of José De Castro, Chief of the External Relations Department, Agostinho Semende Murrial, Chief of the Information Department, José Augusto Xavier, Director-General of the Internal Administration Department, Major General Herminio Morais, Colonel Fernando Canivete, Lieutenant Colonel Arone Julai and Lieutenant António Domingos, meeting at Rome in the presence of the mediators, Mario Raffaelli, representative of the Italian Government and co-ordinator of the mediators, Jaime Gonçalves, Archbishop of Beira, Andrea Riccardi and Matteo Zuppi, of the Community of Sant' Edigio, and observers from the United Nations and the Governments of the United States of America, France, the United Kingdom and Portugal, took up item 6 of the Agreed Agenda of 28 May 1991, entitled "Donors' conference", and agreed as follows:

1. The Parties decide to request the Italian Government to convene a conference of donor countries and organisations to finance the electoral process, emergency programmes and programmes for the reintegration of displaced persons, refugees and demobilised soldiers.
2. The Parties agree to request that, of the funds provided by donor countries, an appropriate share should be placed at the disposal of political parties to finance their activities.
3. The Parties appeal for the donors' conference to be convened no later than 30 days after E-Day. In addition to donor countries and organisations, the Government and Renamo shall also be invited to send representatives.

In witness whereof, the Parties have decided to sign this Protocol.

For the delegation of the Republic of Mozambique:

Armando Emílio Guebuza

For the delegation of Renamo:

Raul Manuel Domingos

The mediators:

Mario Raffaelli  
Jaime Gonçalves  
Andrea Riccardi  
Matteo Zuppi

Sant' Edigio, Rome, 4 October 1992.

