

Primary Texts

from the Mozambican

Peace Process

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Copies of the General Peace Agreement are available from the United Nations Department of Public Information, New York, NY 10017, USA. (UN ref. no. S/24635).

* These texts are published to the rear of this section.
They were not included in the official General Peace Agreement.

The Nkomati Talks

Agreement on Non-Aggression and Good Neighbourliness Between the Government of the People's Republic of Mozambique and the Government of the Republic of South Africa

The Government of the People's Republic of Mozambique and the Government of the Republic of South Africa, hereinafter referred to as the High Contracting Parties;

RECOGNISING the principles of strict respect for sovereignty and territorial integrity, sovereign equality, political independence and the inviolability of the borders of all states;

REAFFIRMING the principle of non-interference in the internal affairs of other states;

CONSIDERING the internationally recognised principle of the right of people to self-determination and independence and the principle of equal rights of all peoples;

CONSIDERING the obligation of all states to refrain, in their international relations, from the threat or use of force against the territorial integrity or political independence of any state;

CONSIDERING the obligation of all states to settle conflicts by peaceful means, and thus safeguard international peace and security and justice;

RECOGNISING the responsibility of states not to allow their territory to be used for acts of war, aggression or violence against other states;

CONSCIOUS of the need to promote relations of good neighbourliness based on the principles of equality of rights and mutual advantage;

CONVINCED that relations of good neighbourliness between the High Contracting Parties will contribute to peace, security, stability and progress in Southern Africa, the Continent and the World;

Have Solemnly agreed to the following:

Article one

The High Contracting Parties undertake to respect each other's sovereignty and independence and, in fulfilment of this fundamental obligation, to refrain from interfering in the internal affairs of the other.

Article two

1. The High Contracting Parties shall resolve differences and disputes that may arise between them and that may or are likely to endanger mutual peace and security or peace and security in the region, by means of negotiation, enquiry, mediation, conciliation, arbitration or other peaceful means, and undertake not to resort, individually or collectively, to the threat or use of force against each other's sovereignty, territorial integrity or political independence.
2. For the purposes of this article, the use of force shall include inter alia -
 - a) attacks by land, air or sea forces;
 - b) sabotage;
 - c) unwarranted concentration of such forces at or near the international boundaries of the High Contracting Parties;
 - d) violation of the international land, air or sea boundaries of either of the High Contracting Parties.
3. The High Contracting Parties shall not in any way assist the armed forces of any state or group of states deployed against the territorial sovereignty or political independence of the other.

Article three

1. The High Contracting Parties shall not allow their respective territories, territorial waters or air space to be used as a base, thoroughfare, or in any other way by another state, government,

foreign military forces, organisations or individuals which plan or prepare to commit acts of violence, terrorism or aggression against the territorial integrity or political independence of the other or may threaten the security of its inhabitants.

2. The High Contracting Parties, in order to prevent or eliminate the acts or the preparation of acts mentioned in paragraph (1) of this article, undertake in particular to-

a) forbid and prevent in their respective territories the organisation of irregular forces or armed bands, including mercenaries, whose objective is to carry out the acts contemplated in paragraph (1) of this article;

b) eliminate from their respective territories bases, training centres, places of shelter, accommodation and transit for elements who intend to carry out acts contemplated in paragraph (1) of this article;

c) eliminate from their respective territories centres or depots containing armaments of whatever nature, destined to be used by the elements contemplated in paragraph (1) of this article;

d) eliminate from their respective territories command posts or other places for the command, direction and co-ordination of the elements contemplated in paragraph (1) of this article;

e) eliminate from their respective territories communication and telecommunication facilities between the command and the elements contemplated in paragraph (1) of this article;

f) eliminate and prohibit the installation in their respective territories of radio broadcasting stations, including unofficial or clandestine broadcasts, for the elements that carry out the acts contemplated in paragraph (1) of this article;

g) exercise strict control, in their respective territories, over elements which intend to carry out or plan the acts contemplated in paragraph (1) of this article;

h) prevent the transit of elements who intend to plan to commit the acts contemplated in paragraph (1) of this article, from a place in the territory of either to a place in the territory of the other or to a place in the territory of any third state which has a common boundary with the High Contracting Party against which such elements intend or plan to commit the said acts;

i) take appropriate steps in their respective territories to prevent the recruitment of elements of whatever nationality for the purpose of carrying out the acts contemplated in paragraph (1) of this article;

j) prevent the elements contemplated in paragraph (1) of this article from carrying out from their respective territories by any means acts of abduction or other acts, aimed at taking citizens of any nationality hostage in the territory of the other High Contracting Party; and

k) prohibit the provision on their respective territories of any logistic facilities for carrying out the acts contemplated in paragraph (1) of this article;

3. The High Contracting Parties will not use the territory of third states to carry out or support the acts contemplated in paragraphs (1) and (2) of this article.

Article four

The High Contracting Parties shall take steps, individually and collectively, to ensure that the international boundary between their respective territories is effectively patrolled and that the border posts are efficiently administered to prevent illegal crossings from the territory of a High Contracting Party to the territory of the other, and in particular, by elements contemplated in Article Three of this Agreement.

Article five

The High Contracting Parties shall prohibit within their territory acts of propaganda that incite a war of aggression against the other High Contracting Party and shall also prohibit acts of propaganda aimed at inciting acts of terrorism and civil war in the territory of the other High Contracting Party.

Article six

The High Contracting Parties declare that there is no conflict between their commitments in treaties and international obligations and the commitment undertaken in this Agreement.

Article seven

The High Contracting Parties are committed to interpreting this Agreement in good faith and will maintain periodic contact to ensure the effective application of what has been agreed.

Article eight

Nothing in this Agreement shall be construed as detracting from the High Contracting Parties' right to self-defence in the event of armed attacks, as provided for in the Charter of the United Nations.

Article nine

1. Each of the High Contracting Parties shall appoint high-ranking representatives to serve on a Joint Security Commission with the aim of supervising and monitoring the application of this Agreement.
2. The Commission shall determine its own working procedure.
3. The Commission shall meet on a regular basis and may be specially convened whenever circumstances require.
4. The Commission shall-
 - a) Consider all allegations of infringements of the provisions of this Agreement;
 - b) advise the High Contracting Parties of its conclusions; and
 - c) make recommendations to the High Contracting Parties concerning measures for the effective application of this Agreement and the settlement of disputes over infringements or alleged infringements.
5. The High Contracting Parties shall determine the mandate of their respective representatives in order to enable interim measures to be taken in cases of duly recognised emergency.
- 6) The High Contracting Parties shall make available all the facilities necessary for the effective functioning of the Commission and will jointly consider its conclusions and recommendations.

Article ten

This Agreement will also be known as "The Accord of Nkomati."

Article eleven

1. This agreement shall enter force on the date of the signature thereof.

2. Any amendment to this Agreement agreed to by the High Contracting Parties shall be affected by the Exchange of Notes between them.

IN Witness WHEREOF, the signatories, in the name of their respective governments, have signed and sealed this Agreement, in quadruplicate in the Portuguese and English languages, both texts being equally authentic.

THUS DONE AND SIGNED AT the common border on the banks of the Nkomati River, on this the sixteenth day of March 1984.

Samora Moisés Machel

Marshal of the People's Republic of Mozambique
President of the Council of Ministers for the Government of the People's Republic of Mozambique

Pieter Willem Botha

Prime Minister of the Republic of South Africa for the Government of the Republic of South Africa

Joint Declaration on a Cessation of Armed Activity and Conflict

1. Samora Moisés Machel is acknowledged as the President of the People's Republic of Mozambique;
2. Armed activity and conflict within Mozambique, from whatever quarter or source, must stop;
3. The South African government is requested to consider playing a role in the implementation of the declaration;
4. A commission will be established immediately to work towards an early implementation of this declaration.

Pretoria, October 3, 1984.

The Nairobi Talks

Twelve Principles for Peace of the Mozambican Government

1. We are faced with an operation of destabilisation which should not be confused with a struggle between two parties.
2. The operation has been mounted through brutal acts of terrorism which provoke immense suffering falling, above all, on the population and their property. Hundreds of thousands of people have already died. Many economic and social infrastructures in the country have been destroyed or paralysed, impeding the normal life of citizens and turning millions of people into displaced persons.
3. The aim is to put an end to this inhuman situation. The first action should be to stop all terrorist and bandit actions.
4. Afterwards, conditions should be created for all Mozambican citizens to lead normal lives in such a way that they can participate on the one hand in the political, economic, social and cultural life of the country, and on the other in the discussion and definition of the policies which will guide the country in each of these aspects (political, economic, social and cultural).
5. The policies are established by national consensus, formulated through a process of consultation and debate with the people or social groups involved. The principal law relating to land, health and education were approved after consultation with the people. The on-going revision of the constitution has been taking place through a debate which aims at introducing factors of democratic participation in the working of the State. Religious institutions are being consulted in the process of the preparation of legislation on religious liberties.
6. Dialogue will aim at clarifying these positions and giving guarantees of participation in it to all individuals, including those who until then had been involved in violent actions of destabilisation.
7. This participation and enjoyment of rights applies immediately to the processes which are already underway regarding the affirmation of the principles defined in the Constitution in relation to: the protection of individual and collective liberties; the protection of human rights; the protection of democratic rights.
8. Individual and social liberties, such as freedom of worship, freedom of expression and freedom of assembly, are guaranteed. They should not be used against the general interests of the nation. They should not be used to destroy national unity, national independence and the integrity of persons and property. They should not be used to propagate tribalism, racism, regionalism or any form of divisionism or sectarianism. They should not be used for the preparation of acts punishable by law, such as robbery, assassination or aggression. They cannot be used for the preparation or perpetration of violent acts against the State and the Constitution, such as secessionist movements or coups d'etat.
9. Policy or constitutional changes or revisions, or changes or revisions to the principal law of the country, where in many cases debate or consultation with citizens has already occurred or is in process, can be brought and should be brought about only through the ample participation of all citizens.
10. It is unacceptable for a group to use intimidation or violence to impose themselves on the whole society. It is anti-democratic to alter the constitution and principal laws of the country through the violence of a group.
11. The normalisation of life and the integration of those until now involved in violent actions of destabilisation implies, in a general way, their participation in economic and social life through suitable ways agreed by them, and guaranteed by the government.
12. The acceptance of these principles could lead to a dialogue about the modalities for ending violence, establishing peace and normalising life for all in the country.

Taken from statement made by President Chissano in Maputo, on 17 July 1989; published by *informação Pública*.

Sixteen Point Declaration of the Mozambique National Resistance (Renamo)

1. Since 1964, the people of Mozambique are dying daily, the victims of war.
2. It is imperative therefore, that all true nationalists and peace lovers, affiliated or not with any political organisation, should make all efforts to mobilise the effective means at their disposal in order to find a genuine Mozambican and African solution conducive to lasting peace and stability.
3. The people of Mozambique need freedom. It is freedom that precedes stability, prosperity and respect for individual traditions.
4. We believe it is a prevailing principle that the people are sovereign and have inalterable (sic) rights to elect their leader that will serve their expectations and essential traditions.
5. Renamo is an active political force in Mozambique's political arena. Any peace solution must take into consideration this reality as well as traditions, culture, present stage of development and other present realities.
6. It is not Renamo's intention to change the existing order in Mozambique through armed struggle.
7. Renamo will never consent that military force be utilised in order to impose leadership or political options contrary to the will of the people.
8. None of the involved parties in this conflict has anything to gain from the continuance of this war. Only the people's suffering is aggravated every day.
9. Verbal attacks should be avoided by those who are fighting as well as by those who are directly interested in our country and the region. We should emphasise the future and not the past.
10. Propaganda against Renamo will not change the political and military reality in Mozambique.
11. The presence of the foreign forces brought by Frelimo did not bring peace or well-being for our people. We in Renamo see this presence as an obstacle to peace. Additionally, it signifies an outrage to our dignity and loss of our sovereignty and independence.
12. For the resolution of the present conflict, Renamo takes into consideration the neighbouring and regional interests to continue the process.
13. Renamo has committed itself to continuing the present peace initiative. Renamo will make all efforts to continue the process.
14. Renamo stands for the population of Mozambique and is against any massacre or violation of the population. Renamo is a people's force. Its strength lies with the people.
15. Renamo is a guerrilla force, whose survival depends on the people and therefore is by nature against massacres or violations of the people. Renamo's reason for existence is the people.
16. Renamo wants a genuine negotiation conducive to national reconciliation without victors or vanquished and without recrimination followed by constitutional reform; to unite efforts in order to form a new Mozambique where brotherhood will be affirmed by free debate of ideas and decision of consensus; a new Mozambique where armed struggle need never be the last and only resort for the solution of our problems.

Taken from Renamo's Press Release "In Search for Peace: Renamo's Reply to Frelimo's Proposals," Nairobi, 15 August 1989.

The US Seven Point Proposal

1. There must be a peaceful solution to the conflict and a cessation of all attacks on civilians.
2. Democracy in Mozambique is based on freedom of expression, association and economic opportunity.
3. All Mozambican citizens have the right to participate in the political, social, cultural and economic life of the nation and in the determination of national policies.
4. The people are sovereign and have the right to make decisions involving their governance.
5. National reconciliation and unity shall be guiding principles in the peace process.
6. All parties shall recognise the legitimacy of the Republic of Mozambique and its constitution, institutions, and the fundamental laws emanating from them.
7. Fundamental changes in the existing order within the Republic of Mozambique are to be brought about peacefully and democratically.

Presented to Afonso Dhlakama in Nairobi by Ed Fugit, US Chargé d'affaires in Harare on 7 December 1989.

The Rome Process: 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 initialled 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.

(Signed) Joaquim Alberto Chissano
President of the Republic of Mozambique
(Signed) Afonso Macacho Marceta Dhlakama
President of Renamo

The mediators:

(Signed) Mario Raffaelli
(Signed) Jaime Gonçalves
(Signed) Andrea Riccardi
(Signed) 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 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 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:

(Signed) Armando Emilio Guebuza

For the delegation of Renamo:

(Signed) Raul Manuel Domingos

The mediators:

(Signed) Mario Raffaelli

(Signed) Jaime Gonçalves

(Signed) Andrea Riccardi

(Signed) 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 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 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 fulfil 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:

(signed) Armando Emilio Guebuza

For the delegation of Renamo:

(signed) Raul Manuel Domingos

The mediators:

(Signed) Mario Raffaelli

(Signed) Jaime Gonçalves

(Signed) Andrea Riccardi

(Signed) 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 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 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:

(Signed) Armando Emilio Guebuza

For the delegation of Renamo:

(Signed) Raul Manuel Domingos

The mediators:

(Signed) Mario Raffaelli

(Signed) Jaime Gonçalves

(Signed) Andrea Riccardi

(Signed) 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 Tobias Dai, Francisco Madeira, Diplomatic Advisor to the President of the Republic, Brigadier Aleixo Malunga, Colonel Fideles De Sousa, Major Justino Nrepro, 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:

I. 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.I.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 into 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;

(f) 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:

(Signed) Armando Emilio Guebuza

For the delegation of Renamo:

(Signed) Raul Manuel Domingos

The mediators:

(Signed) Mario Raffaelli

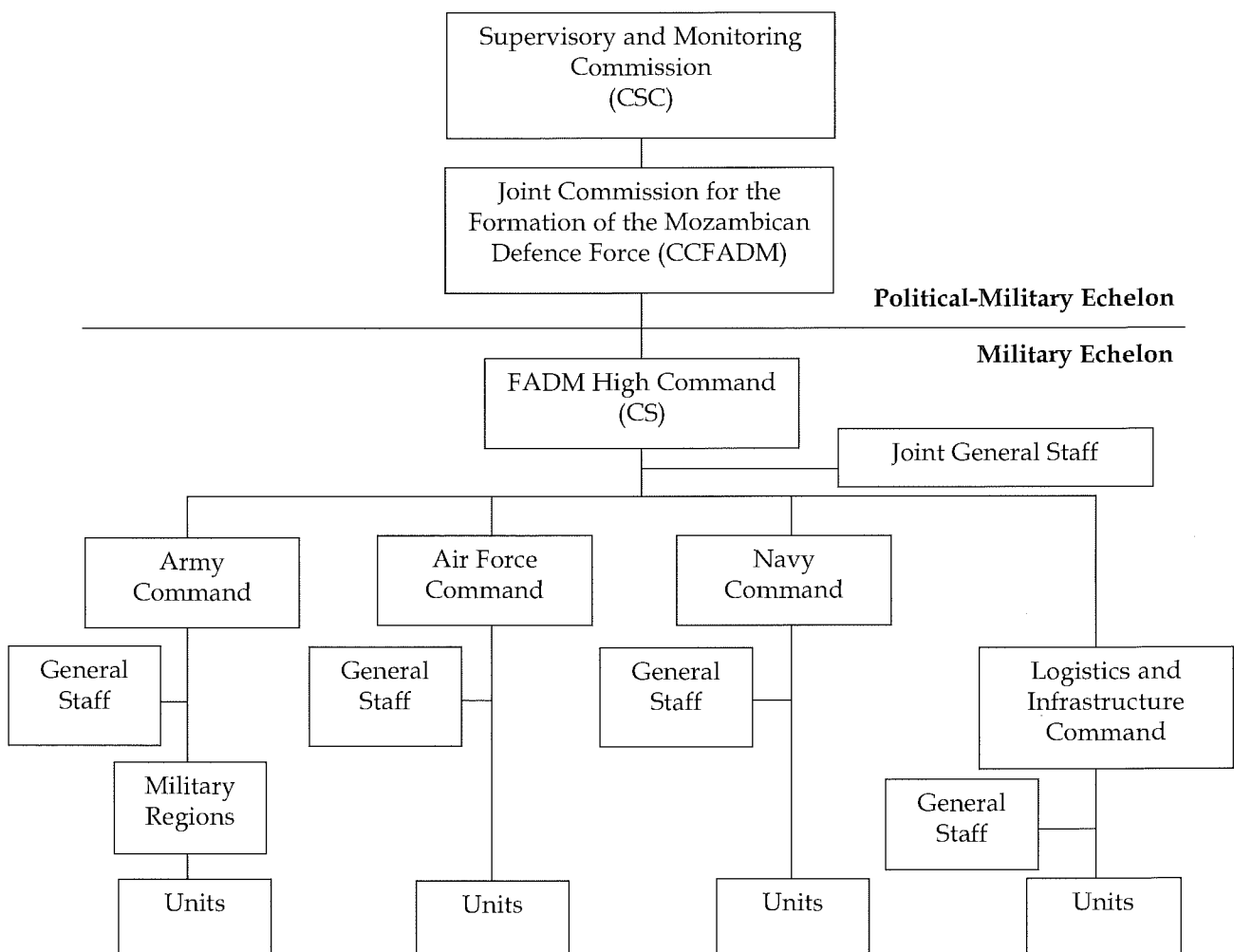
(Signed) Jaime Gonçalves

(Signed) Andrea Riccardi

(Signed) Matteo Zuppi

Sant' Edigio, Rome, 4 October 1992

Annex 1: Mozambican Defence Force Command Structure



Protocol V

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, 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:

(Signed) Armando Emilio Guebuza

For the delegation of Renamo:

(Signed) Raul Manuel Domingos

The mediators:

(Signed) Mario Raffaelli

(Signed) Jaime Gonçalves

(Signed) Andrea Riccardi

(Signed) 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 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 Tobias 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, E-Day + 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 E-Day + 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 E-Day +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 E-Day, they shall end all hostile propaganda, both internal and external;

(e) Border control as of E-Day 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 E-Day, 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:

(Signed) Armando Emilio Guebuza

For the delegation of Renamo:

(Signed) Raul Manuel Domingos

The Mediators:

(Signed) Mario Raffaelli

(Signed) Jaime Gonçalves

(Signed) Andrea Riccardi

(Signed) 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 Emilio 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 Tobias Dai, Francisco Madeira, Diplomatic Adviser to the President of the Republic, Brigadier Aleixo Malunga, Colonel Fideles De Sousa, Major Justino Nrepa 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:

(Signed) Armando Emilio Guebuza

For the delegation of Renamo:

(Signed) Raul Manuel Domingos

The mediators:

(Signed) Mario Raffaelli

(Signed) Jaime Gonçalves

(Signed) Andrea Riccardi

(Signed) Matteo Zuppi

Sant' Edigio, Rome, 4 October 1992

The Rome Process: Other Texts

Joint Communiqué

From 8 to 10 July 1990, at the headquarters of the Community of Sant' Egidio, Rome, a direct meeting took place between a delegation of the Government of the People's Republic of Mozambique, headed by Armando Emilio Guebuza, Minister of Transport and Communications, and a delegation of Renamo, headed by Raul Manuel Domingos, Chief of the External Relations Department.

Mario Raffaelli, representative of the Government of the Italian Republic, Andrea Riccardi and Matteo Zuppi, both of the Community of Sant' Egidio, and Jaime Gonçalves, Archbishop of Beira, attended the meeting as observers.

The two delegations, acknowledging themselves to be compatriots and members of the great Mozambican family, expressed satisfaction and pleasure at this direct, open and frank meeting, the first to take place between the two parties.

The two delegations expressed interest and willingness to do everything possible to conduct a constructive search for a lasting peace for their country and their people.

Taking into account the higher interests of the Mozambican nation, the two parties agreed that they must set aside what divides them and focus, as a matter of priority, on what unites them, in order to establish a common working basis so that, in a spirit of mutual understanding, they can engage in a dialogue in which they discuss their different points of view.

The two delegations affirmed their readiness to dedicate themselves fully, in a spirit of mutual respect and understanding, to the search for a working basis from which to end the war and create the necessary political, economic and social conditions for building a lasting peace and normalising the life of all Mozambican citizens.

At the close of the meeting, the two delegations decided to meet again in due course at Rome, in the presence of the same observers. They expressed satisfaction and gratitude for the spirit of friendship

and the hospitality and support shown them by the Italian Government and by all those who helped make this meeting possible.

Done at Sant' Egidio, Rome, on 10 July 1990.

For the delegation of the Government of the People's Republic of Mozambique:

(Signed) Armando Emilio Guebuza

For the delegation of Renamo:

(Signed) Raul Manuel Domingos

Observers

(Signed)

Sant' Egidio, Rome, 10 July 1990

Agreement on a Partial Ceasefire

Delegations of the Government of the Republic of Mozambique and Renamo, led respectively by Armando Emilio Guebuza, Minister of Transport and Communications, and Raul Manuel Domingos, Head of the Department of External Relations, met in Rome at the Sant' Egidio Community headquarters in the presence of the mediators, Mario Raffaelli, representative of the Government of the Italian Republic, Jaime Gonçalves, Archbishop of Beira, and Andrea Riccardi and Matteo Zuppi of the Community Sant' Egidio. Inspired by reciprocal commitment to and desire for the rapid attainment of a peaceful situation in Mozambique, they agreed on the need for immediate implementation of the understandings and conclusions reached in the discussion of point 1 of the agenda approved on 9 November 1990, "THE PRESENCE AND ROLE OF ZIMBABWEAN MILITARY FORCES IN THE PERIOD PRECEDING THE CEASE-FIRE PROCLAMATION," in the following terms:

1. The Government of the Republic of Mozambique will agree with the Government of the Republic of Zimbabwe modalities for concentrating the Zimbabwean troops along the areas known as "The Beira Corridor," and "The Limpopo Corridor," to a minimum distance of 3 km outside the furthest edges of

each corridor. This limit may be altered by a proposal from the Joint Verification Commission referred to in point 3, in conformity with criteria which will guarantee greater security and efficiency in verification. The concentration of the Zimbabwean troops in the above-mentioned corridors will begin at the latest 15 days after the signature of this Agreement and will be concluded by a deadline of 20 days after the time limit for beginning concentration.

1.1 The Government of the Republic of Mozambique will inform the negotiating table of the maximum number of Zimbabwean troops to remain in the corridors.

1.2 The Zimbabwean troops may not be involved in military operations of an offensive nature while concentration is under way,

2. To facilitate the peace process in Mozambique, Renamo will end all offensive military operations and attacks on the Beira and Limpopo corridors, along the areas agreed in term of point 1.
3. A Joint Verification Commission is created with the aim of invigilating the strict implementation of this Agreement. It comprises civilian and military representatives designated by the Government of the Republic of Mozambique and by Renamo, three for each party, whose names will be given to the mediators within seven days of the signature of this Agreement. The Government of the Republic of Zimbabwe may also join the Joint Verification Commission and have three representatives.

3.1. The mediators or their representatives will also be members of the Joint Verification Commission and will chair it. Eight countries agreed between the parties will be members.

3.2. The Joint Verification Commission will have its headquarters in Maputo. It will present reports to the negotiating table at regular intervals or whenever one of the parties so requests.

3.3. The Joint Verification Commission may create sub-commissions with the same composition, qualified to verify the implementation of this Agreement "in loco."

3.4 The members of the Joint Verification Commission will have diplomatic immunity. The Government of the Republic of Mozambique and Renamo will guarantee the safety and free movement of the members of the Commission and its sub-commission, as well as those of its emissaries, in any area subject to the application of this Agreement.

3.5 The Joint Verification Commission will agree the security measures necessary for its members at the due moment. The Government of the Republic of Mozambique will provide installations for the headquarters of the Joint Verification Commission as well as the necessary logistic support for its operations.

3.6 The Joint Verification Commission will be sworn in up to 15 days after the signing of this Agreement, and will begin its work immediately. It will control the implementation of this Agreement for a period of six months, renewable by common agreement between the parties when necessary.

3.7 The Joint Verification Commission will submit the fundamental criteria that are to govern its activities to the negotiating table for approval as soon as it has been sworn in.

3.8 The delegations of the Republic of Mozambique and Renamo request the Italian Government and other governments of the member countries of the Joint Verification Commission to make efforts at both bilateral and multilateral levels to guarantee the necessary financing and technical support of the Joint Verification Commission created by this Agreement.

4. The parties undertake to avoid any activities that could directly or indirectly violate the spirit or letter of this Agreement. In the case of noting any unusual event of a military nature that could compromise the implementation of this Agreement, at the request of one of the parties the mediators may take practical initiatives to identify and overcome the problem.

4.1 The Government of the Republic of Mozambique and Renamo, convinced that the signing and implementation of this Agreement will make a significant contribution to strengthening the climate of confidence necessary for dialogue, renew their commitment to continuing their analysis of the remaining points of the agenda aimed at establishing peace in Mozambique.

5. This Agreement comes into force on the date that it is signed.

For the delegation of GRM:
For the delegation of Renamo:
Armando Emilio Guebuza
Raul Manuel Domingos

The mediators:
Mario Raffaelli,
D. Jaime Gonçalves,
Andrea Riccardi,
D. Matteo Zuppi

Done at Sant' Egidio, Rome, on 1 December 1990

Declaration on the Guiding Principles for Humanitarian Assistance

On 16 July 1992, the delegation of the Government of the Republic of Mozambique, headed by Armando Emilio Guebuza, Minister of Transport and Communications, and the delegation of Renamo, headed by Raul Manuel Domingos, Chief of the Organisation Department, in the presence of the mediators, of observers and of representatives of international organisations, agreed to adopt the following Declaration:

Considering that, for the population, the consequences of the armed conflict have been seriously aggravated by the worst drought in 50 years in the country and the region,

Determined to mobilise every resource to alleviate starvation and prevent deaths in Mozambique,

While pursuing efforts to reach a total peace agreement in Mozambique as soon as possible,

Reaffirming the principles for humanitarian assistance contained in resolution 46/182 of the United Nations General Assembly,

Reaffirming the understanding reached in December 1990 between the Government, Renamo and the International Committee of the Red Cross on the principles of free movement of populations and assistance for all Mozambicans wherever they might be,

- I. The Government and Renamo solemnly agree and undertake to observe the following guiding principles for humanitarian assistance:
 - (a) Assistance shall go to all affected Mozambicans, freely and without discrimination;
 - (b) Freedom of movement and respect shall be guaranteed for persons and means which, under the flag of the United Nations or of ICRC, are engaged in humanitarian actions and are not accompanied by military escorts;
 - (c) The freedom and neutrality of humanitarian assistance shall be recognised and respected;
 - (d) Access shall be permitted to the entire affected population, using all means of transport;
 - (e) The use of all means for the rapid, expeditious distribution of humanitarian assistance shall be permitted and facilitated;
 - (f) Freedom of movement shall be guaranteed for all personnel who, under United

Nations/ICRC auspices, are responsible for identifying populations in need, priority areas, means of transport and access routes and for supervising the distribution of assistance;

(g) Persons shall be allowed freedom of movement to enable them to have full access to humanitarian assistance.

- II. In order to provide relief in situations of extreme urgency, which already exist in the country, the parties agree to:
 - (a) Immediately permit and facilitate air traffic to all points in the country, for transporting humanitarian assistance and whatever personnel is considered necessary and viable;
 - (b) To the same end, to permit and facilitate the immediate use and rehabilitation, where necessary, of other access routes to affected populations, including routes coming from neighbouring countries, as agreed to by the parties and communicated by the committee referred to in paragraph V of this Declaration.
- III. In addition, the Government and Renamo will continue their negotiations with a view to reaching, as soon as possible, an agreement on the opening of roads and the removal of all obstacles which might prevent the distribution of humanitarian assistance.
- IV. The Government and Renamo undertake not to derive military advantages from humanitarian assistance operations carried out under this Declaration.
- V. Both parties agree that the co-ordination and supervision of all humanitarian assistance operations carried out under this Declaration shall be the responsibility of a committee presided over by the United Nations. This committee shall be made up of the mediators, the observers to the Rome negotiations and ICRC. The mediators will also have the task of verifying respect for this declaration and for bringing any complaints or protests to the negotiating table.

The committee will report to the parties, in due course, on the operational details.
- VI. Both parties agree to participate and co-operate with the international community in Mozambique in formulating action plans, with a view to implementing such plans in accordance with this Declaration. The committee will co-ordinate such activities. To that end, Renamo will appoint its representative in the framework of and in accordance with the procedures of the COMIVE, who shall have the status provided for therein.

VII. Both parties undertake to comply strictly with the terms of this Declaration and agree that any violation substantiated by the committee may be communicated to the international community.

VIII. This Declaration shall be disseminated as widely as possible in Mozambique.

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

(Signed) Armando Emilio Guebuza

For the delegation of Renamo:

(Signed) Raul Manuel Domingos

The mediators:

(Signed) Mario Raffaelli

(Signed) Jaime Gonçalves

(Signed) Andrea Riccardi

(Signed) Matteo Zuppi

Done at Sant' Edigio, Rome, on 16 July 1992

Joint Declaration

We, Joaquim Alberto Chissano, President of the Republic of Mozambique, and Afonso Macacho Marceta Dhlakama, President of Renamo,

Meeting at Rome in the presence of His Excellency Mr. Robert Gabriel Mugabe, President of the Republic of Zimbabwe: His Excellency Mr. Emilio Colombo, Minister for Foreign Affairs of the Republic of Italy: the representative of His Excellency the President of the Republic of Botswana, Ms. Gaositwe Keagakwa Tibe Chiepe, Minister for Foreign Affairs: the mediators of the peace process, 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,

Recognising that

The achievement of peace, democracy and national unity based on national reconciliation is the greatest aspiration and desire of the entire Mozambican people,

In pursuit of this goal, the peace process was launched at Rome between the Government of the Republic of Mozambique and Renamo, assisted by mediators from the Italian Government, the Community of Sant' Edigio and the Catholic Church of Mozambique,

Important results have been achieved thus far, as exemplified and demonstrated by the signing of the partial cease-fire agreement of 1 December 1990 and the adoption of the following Protocols and agreements:

- (i) Agreed Agenda of 28 May 1991, and the amendments made thereto by the Act of 19 June 1992;
- (ii) Protocol I "Basic principles", signed on 18 October 1991;
- (iii) Protocol II "Criteria and arrangements for the formation and recognition of political parties", signed on 13 November 1991;
- (iv) Protocol III "Principles of the Electoral Act", signed on 12 March 1992;
- (v) Act of 2 July 1992 on improving the functioning of the COMIVE;
- (vi) Declaration on guiding principles for humanitarian assistance, signed on 16 July 1992.

Supplementing these efforts in the search for peace, democracy and national unity based on reconciliation in Mozambique, a meeting was held at Gaborone, Botswana, on 4 July 1992 between His Excellency Mr. Robert Gabriel Mugabe, President of the Republic of Zimbabwe, and His Excellency Sir Ketumile Masire, President of the Republic of Botswana, on the one hand, and Mr. Afonso Macacho Marceto Dhlakama, President of Renamo, on the other,

Following which the President of the Republic of Mozambique, MR. Joaquim Alberto Chissano, was briefed in detail by the President of Zimbabwe on 19 July 1992,

Whereas Mr. Afonso Macacho Marceto Dhlakama declared his readiness to sign an immediate cease-fire if certain guarantees were provided and arrangements were made for the security of both himself and members of Renamo, and if his party was given freedom to organise and campaign without interference or hindrance,

Considering his request for guarantees to enable Renamo to operate freely as a political party after the signing of the General Peace Agreement,

Convinced that the suffering of the Mozambican people as a result of the war, exacerbated by the consequences of the worst drought in living memory, demands that rapid steps be taken to end the war,

Recognising the need for the immediate restoration of peace in Mozambique,

Reaffirming the commitment of the Government of the Republic of Mozambique and of Renamo to end the hostilities in Mozambique,

Determined to do everything possible to end the disaster brought about by the combined consequences of war and drought in our country,

Appreciating the progress made in Rome peace negotiations between our respective delegations,

Considering the spirit of the Gaborone meeting of 4 July 1992,

Accordingly, commit ourselves to the following:

- (i) To guarantee conditions permitting complete political freedom, in accordance with the internationally recognised principles of democracy;
- (ii) To guarantee the personal safety of all Mozambican citizens and all members of political parties;
- (iii) To accept the role of the international community, particularly the United Nations, in monitoring and guaranteeing the implementation of the General Peace Agreement, particularly the cease-fire and the electoral process;
- (iv) Fully to respect the principles set forth in Protocol I, under which "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" and "Renamo undertakes to refrain from armed combat and instead to conduct its political struggle in conformity with the laws in force, within the framework of existing State institutions and in accordance with the conditions and guarantees established in the General Peace Agreement";
- (v) To safeguard political rights, emphasising that the principles set forth in Protocol I are valid and also relate to the problem of constitutional guarantees raised by Renamo and dealt with in

the document submitted to President Mugabe. 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 and guarantees, as well as the General Peace Agreement, in Mozambican law;

- (vi) On the basis of the above principles and of our commitment made in this solemn Declaration, we, Joaquim Alberto Chissano, President of the Republic of Mozambique, and Afonso Macacho Marceta Dhlakama, President of Renamo, hereby authorise and instruct our respective delegations participating in the Rome peace process to conclude, by 1 October 1992 at the latest, the remaining Protocols provided for in the Agreed Agenda, thereby permitting the signing of the General Peace Agreement by that date.

The signing of the General Peace Agreement and its adoption by the Assembly of the Republic as provided for in paragraph (v) (on this page) of this Declaration shall result in the immediate entry into force of the cease-fire agreed to under the General Peace Agreement.

(Signed) Joaquim Alberto Chissano
President of the Republic of Mozambique

(Signed) Afonso Macacho Marceta Dhlakama
President of Renamo

(Signed) Robert Gabriel Mugabe
President of the Republic of Zimbabwe

Witnessed by:

(Signed) Gaositwe Keagakwa Tibe Chiepe
Minister for Foreign Affairs of Botswana

and by the mediators:

(Signed) Mario Raffaelli
(Signed) Jaime Gonçalves
(Signed) Andrea Riccardi
(Signed) Matteo Zuppi

Rome, 7 August 1992