

<b>Country/entity</b>	Democratic Republic of Congo
<b>Region</b>	Africa (excl MENA)
<b>Agreement name</b>	Mémorandum sur le Mécanisme pour la formation d'une Armée Nationale, Restructurée et Intégrée
<b>Date</b>	6 Mar 2003
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes
<b>Agreement/conflict level</b>	Intrastate/intrastate conflict
<b>Stage</b>	Framework/substantive - partial
<b>Conflict nature</b>	Government
<b>Peace process</b>	DRC: Second Congo war process
<b>Parties</b>	There is no signing parties on the document, presumably the same as for the global and inclusive agreement it refers to.
<b>Third parties</b>	-
<b>Description</b>	This memorandum is the application of paragraph 6 chap III and chap IV of the global and inclusive agreement on the transition of DRC about the formation of a restructured and integrated national army. It also provides for the protection of transitional institutions.

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**Agreement document** [CD\\_030306\\_Memorandum Mechanisme Formation Armees Nationale\\_FR\\_tr.pdf \(opens in new tab\)](#) | [Download PDF](#)

**Agreement document (original language)** [CD\\_030306\\_Memorandum Mechanisme Formation Armees Nationale\\_FR.pdf \(opens in new tab\)](#)

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### Groups

**Children/youth** No specific mention.

**Disabled persons** No specific mention.

**Elderly/age** No specific mention.

<b>Migrant workers</b>	No specific mention.
<b>Racial/ethnic/ national group</b>	No specific mention.
<b>Religious groups</b>	No specific mention.
<b>Indigenous people</b>	No specific mention.
<b>Other groups</b>	No specific mention.
<b>Refugees/displaced persons</b>	No specific mention.
<b>Social class</b>	No specific mention.

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#### **Gender**

<b>Women, girls and gender</b>	No specific mention.
<b>Men and boys</b>	No specific mention.
<b>LGBTI</b>	No specific mention.
<b>Family</b>	No specific mention.

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#### **State definition**

<b>Nature of state (general)</b>	Page 1, Article 1. On the Principles: ... 5. In accordance with the resolution of the Inter-Congolese Dialogue of 18 April 2001, on the creation of a restructured and integrated national army “the restructured and integrated national army will be the symbol of national unity and republican values, by virtue of its national, republican and political character”.
<b>State configuration</b>	No specific mention.
<b>Self determination</b>	No specific mention.
<b>Referendum</b>	No specific mention.

**State symbols** Page 1, Article 1. On the Principles:  
...  
5. In accordance with the resolution of the Inter-Congolese Dialogue of 18 April 2001, on the creation of a restructured and integrated national army “the restructured and integrated national army will be the symbol of national unity and republican values, by virtue of its national, republican and political character”.

**Independence/  
secession** No specific mention.

**Accession/  
unification** No specific mention.

**Border delimitation** No specific mention.

**Cross-border  
provision** No specific mention.

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## **Governance**

**Political  
institutions (new or  
reformed)** No specific mention.

**Elections** No specific mention.

**Electoral  
commission** No specific mention.

**Political parties  
reform** No specific mention.

**Civil society** Art. 1.4 army reforms to be performed on basis of inclusivity and equitable participation of all those entities represented in the InterCongolese Dialogue (different parties, movements, groups and organisations from the DRC)

**Traditional/  
religious leaders** No specific mention.

**Public  
administration** No specific mention.

**Constitution** No specific mention.

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**Power sharing**

**Political power sharing** No specific mention.

**Territorial power sharing** No specific mention.

**Economic power sharing**      No specific mention.

## **Military power sharing**

Power sharing→Military power sharing→Merger of forces

Summary: The Agreement in its entirety provides for the formation of a restructured and integrated security forces (national army and police force), see below.

Page 1, Article 1. On the Principles:

...

3. In accordance with paragraphs a and b of Chapter VI of the Agreement, a mechanism for the creation of a restructured and integrated national army shall be established. This shall consist of a meeting of Chiefs of Staff.

4. Responsibilities within the restructured and integrated national army shall comply with the provisions of paragraph 6, chapter III of the Global and Inclusive Agreement which stipulates that this allocation shall be “based on an inclusive and equitable allocation amongst the components and entities of the Inter-Congolese Dialogue according to criteria of competence, credibility, integrity and in a spirit of national reconciliation”;

5. In accordance with the resolution of the Inter-Congolese Dialogue of 18 April 2001, on the creation of a restructured and integrated national army “the restructured and integrated national army will be the symbol of national unity and republican values, by virtue of its national, republican and political character”.

...

II. On the integrated police force

1. The transitional government shall define the practical steps needed to establish an integrated national police force which will gradually take responsibility for ensuring the safety of the government and of the population;

2. The allocation of responsibilities within the integrated national police force shall be based on an inclusive and equitable allocation amongst the components and entities of the Inter-Congolese Dialogue according to criteria of competence, credibility, and integrity and in a spirit of national reconciliation;

3. Until the integrated national police force is commissioned, the FAC elements based in Kinshasa shall remain in their garrisons and focus on training and integration activities;

4. The police and security forces shall be expected to operate transparently and objectively at all times. A group of observers whose members shall be designated by the parties to the Global and Inclusive Agreement shall monitor and verify their activities.

Power sharing→Military power sharing→Joint command structures

Page 1, Article 2:

I. On the meeting of Chiefs of Staff

1. A meeting of FAC, RCD, MLC, RCD-N, RCD-ML and Mai-Mai Chiefs of Staff shall be convened before the transitional government is installed;

2. A master plan for the establishment of the restructured and integrated national army will be drafted at this meeting. Close quarter protection for the leaders of the transition

3. Until such time as they are integrated in the national police force, the bodyguards shall be under the authority of an internationally supported integrated central command.

...

Power sharing→Military power sharing→Other

IV. On support from the International Community for the protection of Transition institutions

1. 1. The parties to this Agreement request the active support of the International Community, in accordance with item 2 (h) of Annex V to the Agreement, for the protection of the Transition institutions within the following areas:

a) The training and retraining of bodyguards of the Transition leaders and of members of the future integrated national police force;

b) The financial and logistical aspects of their operations;

c) The parties request the deployment of a neutral force, authorised by the United

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**Human rights and equality**

**Human rights/RoL general** No specific mention.

**Bill of rights/similar** No specific mention.

**Treaty incorporation** No specific mention.

**Civil and political rights** No specific mention.

**Socio-economic rights** No specific mention.

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**Rights related issues**

**Citizenship** No specific mention.

**Democracy** No specific mention.

**Detention procedures** No specific mention.

**Media and communication** No specific mention.

**Mobility/access** No specific mention.



**Protection measures** Rights related issues→Protection measures→Protection of groups  
Page 1-2, Article 3:  
I. On the meeting of Chiefs of Staff  
...  
Close quarter protection for the leaders of the transition  
1. In accordance with Annex item 1 (a) of Annex 5 of the Global and Inclusive Agreement, each leader shall select between 5 and 15 bodyguards to ensure his personal safety.  
...  
3. Until such time as they are integrated in the national police force, the bodyguards shall be under the authority of an internationally supported integrated central command.  
4. The integrated central command shall help the parties to specify the exact number of personnel needed for the protection of each leader, and shall assess their equipment, logistics and weapons requirements.  
Rights related issues→Protection measures→Other  
Page 1-2, Article 3:  
IV. On support from the International Community for the protection of Transition institutions  
1. 1. The parties to this Agreement request the active support of the International Community, in accordance with item 2 (h) of Annex V to the Agreement, for the protection of the Transition institutions within the following areas:

**Other** No specific mention.

**Rights institutions**

**NHRI** No specific mention.

**Regional or international human rights institutions** No specific mention.

**Justice sector reform**

**Criminal justice and emergency law** No specific mention.

**State of emergency provisions** No specific mention.

**Judiciary and courts** No specific mention.

**Prisons and detention** No specific mention.

**Traditional Laws** No specific mention.

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## **Socio-economic reconstruction**

**Development or socio-economic reconstruction** No specific mention.

**National economic plan** No specific mention.

**Natural resources** No specific mention.

**International funds** Page 2-3, Article 2:

...

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b) The financial and logistical aspects of their operations;

**Business** No specific mention.

**Taxation** No specific mention.

**Banks** No specific mention.

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## **Land, property and environment**

**Land reform/rights** No specific mention.

**Pastoralist/nomadism rights** No specific mention.

**Cultural heritage** No specific mention.

**Environment** No specific mention.

**Water or riparian rights or access** No specific mention.

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## Security sector

### Security Guarantees

No specific mention.

### Ceasefire

No specific mention.

### Police

Page 1-2, Article 2:

#### I. On the meeting of Chiefs of Staff

...

Close quarter protection for the leaders of the transition

1. In accordance with Annex item 1 (a) of Annex 5 of the Global and Inclusive Agreement, each leader shall select between 5 and 15 bodyguards to ensure his personal safety.

2. The bodyguards shall be tasked with:

...

b) Ensuring the safety of their offices, residences and other buildings and facilities until a national police force is commissioned.

3. Until such time as they are integrated in the national police force, the bodyguards shall be under the authority of an internationally supported integrated central command.

...

#### II. On the integrated police force

1. The transitional government shall define the practical steps needed to establish an integrated national police force which will gradually take responsibility for ensuring the safety of the government and of the population;

2. The allocation of responsibilities within the integrated national police force shall be based on an inclusive and equitable allocation amongst the components and entities of the Inter-Congolese Dialogue according to criteria of competence, credibility, and integrity and in a spirit of national reconciliation;

3. Until the integrated national police force is commissioned, the FAC elements based in Kinshasa shall remain in their garrisons and focus on training and integration activities;

4. The police and security forces shall be expected to operate transparently and objectively at all times. A group of observers whose members shall be designated by the parties to the Global and Inclusive Agreement shall monitor and verify their activities.

#### IV. On support from the International Community for the protection of Transition institutions

1. 1. The parties to this Agreement request the active support of the International Community, in accordance with item 2 (h) of Annex V to the Agreement, for the protection of the Transition institutions within the following areas:

a) The training and retraining of bodyguards of the Transition leaders and of members of the future integrated national police force;

b) The financial and logistical aspects of their operations;

c) The parties request the deployment of a neutral force, authorised by the United Nations, to help ensure the general safety of the Government and the population in Kinshasa as well as in other towns in the country. This force shall be deployed for a limited period to enable the integrated national police force to become fully operational.

**Armed forces**

Summary: This agreement in its entirety provides for the formation of a restructured and integrated national army, see key principles for reform below.

Article 1

On the Principles

1. In accordance with the objectives of the Transition, as listed in Chapter II of the Global and Inclusive Agreement on Transition in the Democratic Republic of Congo, a restructured and integrated national army shall be established;
2. This army shall be established based on the principles of the Global and Inclusive Agreement (paragraph 6 chapter III and chapter IV);
3. In accordance with paragraphs a and b of Chapter VI of the Agreement, a mechanism for the creation of a restructured and integrated national army shall be established. This shall consist of a meeting of Chiefs of Staff.
4. Responsibilities within the restructured and integrated national army shall comply with the provisions of paragraph 6, chapter III of the Global and Inclusive Agreement which stipulates that this allocation shall be “based on an inclusive and equitable allocation amongst the components and entities of the Inter-Congolese Dialogue according to criteria of competence, credibility, integrity and in a spirit of national reconciliation”;
5. In accordance with the resolution of the Inter-Congolese Dialogue of 18 April 2001, on the creation of a restructured and integrated national army “the restructured and integrated national army will be the symbol of national unity and republican values, by virtue of its national, republican and political character”.

**DDR**

No specific mention.

**Intelligence services**

No specific mention.

**Parastatal/rebel and opposition group forces**

Page 1-2, Article 2:

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2. A master plan for the establishment of the restructured and integrated national army will be drafted at this meeting.

Close quarter protection for the leaders of the transition

1. In accordance with Annex item 1 (a) of Annex 5 of the Global and Inclusive Agreement, each leader shall select between 5 and 15 bodyguards to ensure his personal safety.
2. The bodyguards shall be tasked with:
  - a) Ensuring close-quarter and personal protection of the identified leaders;
  - b) Ensuring the safety of their offices, residences and other buildings and facilities until a national police force is commissioned.
3. Until such time as they are integrated in the national police force, the bodyguards shall be under the authority of an internationally supported integrated central command.
4. The integrated central command shall help the parties to specify the exact number of personnel needed for the protection of each leader, and shall assess their equipment, logistics and weapons requirements.

...

III. On additional security measures

1. The meeting of FAC, RCD, MLC, RCD-N, RCD-ML and Mai-Mai Chiefs of Staff envisaged in Chapter 6 of the Agreement may propose additional security measures for some leaders if needed, in accordance with Annex V of the same Agreement.

**Withdrawal of foreign forces**

No specific mention.

**Corruption**

No specific mention.

**Crime/organised crime**

No specific mention.

**Drugs**

No specific mention.

**Terrorism**

No specific mention.

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**Transitional justice**

**Transitional justice general**

No specific mention.

**Amnesty/pardon**

No specific mention.

**Courts**

No specific mention.

**Mechanism**

No specific mention.

<b>Prisoner release</b>	No specific mention.
<b>Vetting</b>	No specific mention.
<b>Victims</b>	No specific mention.
<b>Missing persons</b>	No specific mention.
<b>Reparations</b>	No specific mention.
<b>Reconciliation</b>	<p>Page 1, Article 1. On the Principles:</p> <p>...</p> <p>4. Responsibilities within the restructured and integrated national army shall comply with the provisions of paragraph 6, chapter III of the Global and Inclusive Agreement which stipulates that this allocation shall be “based on an inclusive and equitable allocation amongst the components and entities of the Inter-Congolese Dialogue according to criteria of competence, credibility, integrity and in a spirit of national reconciliation”;</p> <p>5. In accordance with the resolution of the Inter-Congolese Dialogue of 18 April 2001, on the creation of a restructured and integrated national army “the restructured and integrated national army will be the symbol of national unity and republican values, by virtue of its national, republican and political character”.</p> <p>Page 2, Article 2:</p> <p>...</p> <p>II. On the integrated police force</p> <p>...</p> <p>2. The allocation of responsibilities within the integrated national police force shall be based on an inclusive and equitable allocation amongst the components and entities of the Inter-Congolese Dialogue according to criteria of competence, credibility, and integrity and in a spirit of national reconciliation;</p>

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## **Implementation**

<b>UN signatory</b>	No specific mention.
<b>Other international signatory</b>	No specific mention.
<b>Referendum for agreement</b>	No specific mention.

**International mission/force/similar**

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c) The parties request the deployment of a neutral force, authorised by the United Nations, to help ensure the general safety of the Government and the population in Kinshasa as well as in other towns in the country. This force shall be deployed for a limited period to enable the integrated national police force to become fully operational.

**Enforcement mechanism**

(p.3) III. Des mesures de sécurité additionnelles

(c) les parties demandent le déploiement d'une force neutre, sur l'autorisation des Nations Unies, pour aider à assurer la sécurité générale du gouvernement et de la population à Kinshasa ainsi qu'en d'autres villes du pays. Cette force sera déployée pour une période limitée afin de permettre à la police nationale intégrée de devenir pleinement opérationnelle.

**Related cases**

No specific mention.

**Source**

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