

Country/entity	Democratic Republic of Congo
Region	Africa (excl MENA)
Agreement name	Intercongolese Negotiations: The Final Act ('The Sun City Agreement')
Date	2 Apr 2003
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict

Congo Civil Wars (1996 -)

The overthrow of the long-term dictator Mobutu Sese Seko by a rebel Tutsi army backed by Uganda and Rwanda in 1997 acted as a catalyst for a war with regional dimensions, mainly fought in the eastern Kivu provinces. The conflict escalated in 1998, when President Laurent Kabila, then backed by Zimbabwean and Angolan troops, ordered Rwanda and Uganda to leave. After Kabila's assassination in 2001, his son Joseph took over the presidency and won in the 2006 democratic elections.

In the eastern provinces, Tutsi-led militias, mainly organised in the National Congress for the Defense of the People (CNDP), fought the remnants of the Rwandan Hutu force FDLR, with further involvement of Rwandan and Ugandan troops. Other regionally operating militia groups, like the Lord's Resistance Army from Northern Uganda, the so-called Mai Mai groups or short-lived guerrilla outfits like the March 23 Movement (M23) further contributed, and still contribute, to the complexity of the situation in eastern DRC.

Close

Congo Civil Wars (1996 -)

Stage	Framework/substantive - comprehensive
Conflict nature	Government
Peace process	DRC: Second Congo war process

Parties

For the Government of the Democratic Republic of Congo
Léonard She Okitundu

For the Congolese Rally for Democracy
Adolphe Onusumba Yemba

For the Movement of Liberation of Congo
Jean-Pierre Bemba Gombo

For the Congolese Rally for Democracy/Movement of Liberation
1. Koloso Sumaili
2. Tibasima Mbongemu Ateenyi
3. Wamba Dia Wamba

For the Congolese Rally for Democracy/National
Roger Lumbala

For the Mai Mai
Anselme Enerunga

For the Forces Vives of the Nation
1. Dr Rev Jean Luc Kuye Ndongwa Mutemera
2. Philippe Dinzolele Nzambi
3. Pierre Anatole Matusila
4. Bahati Lukwebo
5. Gertrude Biyaya Ndaya Kazadi

For the Unarmed Political Opposition
CODEP Raymond Tshibanda
COPACO - Christophe Tshimanga
COPOC - Bembe M Bathy
CPR/AL - Alphonse Lupumba
DFC - Venant Tshipasa Vangi Sivavi
EGO - Arthur Z'Ahidi Ngoma
FCI - Nicolas Georges Badingaka Mobiani
FONUS - Joseph Olengankoy
FPC - Aziz Kumbi
FRUONAR - Cyprien Rwakabuba Shinga
FSD - Eugène Diomi Ndongala
G14 - Kabamba Mbebe, Kumbu Ki Lutete
GNPO - Denis Katalay
MNC/L - Francois Lumumba
MPI - Justin-Marie Bomboko Lokumba
MPR-Fait Privé - Catherine Nzuzi wa Mbombo
MSDD - Christophe Lutundula
PALU - Antoine Gizenga
PDSC - André Bo-Boliko
RMI - Franck Diongo
ROC - Ingele Ifoto
ROM - Patrice-Aimé Sesanga
UDPS - Etienne Tshisekedi
UNAFEC - Honorius Kisimba Ngoy
UODC - Binda Phumu

For the External Political Opposition

Third parties

Witness
The Facilitator Sir Ketumile Masire

For the African Union H.E. Mr Thabo Mbeki Chairman of the African Union

For the United Nations H.E. Moustapha Niasse Special Envoy of the Secretary-General on the Inter-Congolese Dialogue

Description

Parties accept as binding the 36 resolutions adopted by the Inter-Congolese Dialogue (listed in annex 1), the Global and Inclusive Agmt signed in Pretoria (2002), and the Constitution of the Transition (April 1, 2003).

Agreement document

[DRC_030402_SunCityAgreement.pdf \(opens in new tab\)](#) | [Download PDF](#)

Women, girls and gender

Participation

Participation→Gender quotas

Page 53, Resolutions, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS, 3. FAMILIES, WOMEN, CHILDREN AND VULNERABLE PERSONS: APPEAL to the International Community in general and the bi- and multi-lateral partners of the Democratic Republic of Congo in particular, as well as to various concerned UN agencies, for emergency social aid to the Congolese people by supporting the governmental and non-governmental organisations in implementing the following measures:...

...b. Short and medium term:

...iv. Reinforce the identity of women concentrating on equality and complementarity with regard to their effective integration in all vital areas of national life: this concerns the thorough application of the quota or percentage allocated to women in the effective participation in all decision-making sectors of national life (The quota is equivalent to at least 30%, according to the Declaration of the SADC countries, ratified by the DRC);

Participation→Citizenship

Page 59, Resolutions, 22. Resolution No: DIC/CHSC/02 RELATING TO THE EMERGENCY HUMANITARIAN PROGRAMME FOR THE DRC, Para 11: CONSIDERING that one of the essential missions of a State is the protection of its citizens by guaranteeing their security, the exercise of their fundamental rights and their socio-economic welfare in conformity with the Universal Declaration of Human Rights on 1948, the African Charter of Human and People's Rights of 1981, the clauses relating to women's and children's rights and all international legal instruments relating to the rights of refugees.

Participation→Other

Page 47-54, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS:

[...]

REALISING that the situation of women in rural areas has become increasingly precarious and dangerous, and that it is essential for them to be given more consideration at the policy design stage, particularly taking into account their specific needs and their significant economic role; and that the development of the country and the cause for peace require maximal participation of women on an equal footing with men in all fields;

OBSERVING the corruption of the youth and the uprooting of young Congolese people, whilst there is no real policy for their guidance and supervision, and young people are cast out and left to their own devices, reduced to vagrancy, exposed to drug addiction, criminality and disease (tuberculosis, AIDS, STDs, etc);

Equality

Equality→Equality (general)

Page 53, Resolutions, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS, 3. FAMILIES, WOMEN, CHILDREN AND VULNERABLE PERSONS: APPEAL to the International Community in general and the bi- and multi-lateral partners of the Democratic Republic of Congo in particular, as well as to various concerned UN agencies, for emergency social aid to the Congolese people by supporting the governmental and non-governmental organisations in implementing the following measures:...

...b. Short and medium term:

...vi. Ensure the full development and progress of women so as to guarantee them the full enjoyment of human rights and basic liberties on an equal footing with men;

...vii. Modify or repeal any law, regulatory provision, custom or practice which constitutes discrimination against women or which contradicts the relevant legal instruments, especially regarding the legal incapacity of married women;

Equality→Social equality

Page 22, Resolutions, 8. Resolution No: DIC/CPJ/08 RELATING TO THE REHABILITATION OF WORKERS ARBITRARILY DISMISSED: ...CONSIDERING that by virtue of Article 58 of the Congolese Labour Code, the opinion, race and sex of a worker cannot constitute valid grounds for dismissal;

Page 49, Resolutions, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS, para 18: OBSERVING the growing numbers of the socially maladjusted, the increasing pauperisation of the population, especially women and households more and more frequently headed by women, the chronic non-payment of salaries, the excessive material burden borne by women and its impact on their morale, and all the situations accentuating the increased unemployment rate

Page 52, Resolutions, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS, 3. FAMILIES, WOMEN, CHILDREN AND VULNERABLE PERSONS: APPEAL to the International Community in general and the bi- and multi-lateral partners of the Democratic Republic of Congo in particular, as well as to various concerned UN agencies, for emergency social aid to the Congolese people by supporting the governmental and non-governmental organisations in implementing the following measures:...

a. Urgent: i. Set up psychological rehabilitation centres for women, girls, children and all other traumatised persons;

Page 53, Resolutions, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS, 3. FAMILIES, WOMEN, CHILDREN AND VULNERABLE PERSONS: APPEAL to the International Community in general and the bi- and multi-lateral partners of the Democratic Republic of Congo in particular, as well as to various concerned UN agencies, for emergency social aid to the Congolese people by supporting the governmental and non-governmental organisations in implementing the following measures:...

...b. Short and medium Term:

...v. Ensure appropriate and efficient support and guidance for women to enable them to catch up with men in all spheres;

Page 55, Resolutions, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS, 6. EMPLOYMENT AND PUBLIC ADMINISTRATION: APPEAL to the International Community in general and the bi- and multi-lateral partners of the Democratic Republic of Congo in particular, as well as to various concerned UN agencies, for emergency social aid to the Congolese people by supporting the governmental and non-governmental organisations in implementing the following measures:

Particular groups of women→Pregnancy/maternity

women

Page 58, 22. Resolution No: DIC/CHSC/02 RELATING TO THE EMERGENCY HUMANITARIAN PROGRAMME FOR THE DRC

5. Demobilised child soldiers who have been seriously traumatised in body and spirit, those disabled by the war, widows who have become heads of families, orphans and minors without parental supervision, women and young girls who have been raped and contracted serious illnesses and unwanted pregnancies. All these very vulnerable people need appropriate programmes for reintegration and rehabilitation;

Particular groups of women→Other

Page 47-54, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS: REALISING that the situation of women in rural areas has become increasingly precarious and dangerous, and that it is essential for them to be given more consideration at the policy design stage, particularly taking into account their specific needs and their significant economic role; and that the development of the country and the cause for peace require maximal participation of women on an equal footing with men in all fields;

OBSERVING the corruption of the youth and the uprooting of young Congolese people, whilst there is no real policy for their guidance and supervision, and young people are cast out and left to their own devices, reduced to vagrancy, exposed to drug addiction, criminality and disease (tuberculosis, AIDS, STDs, etc);

Page 53, Resolutions, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS, 3. FAMILIES, WOMEN, CHILDREN AND VULNERABLE PERSONS: APPEAL to the International Community in general and the bi- and multi-lateral partners of the Democratic Republic of Congo in particular, as well as to various concerned UN agencies, for emergency social aid to the Congolese people by supporting the governmental and non-governmental organisations in implementing the following measures:...

...b. Short and medium term:

...vii. Modify or repeal any law, regulatory provision, custom or practice which constitutes discrimination against women or which contradicts the relevant legal instruments, especially regarding the legal incapacity of married women;

International law

International law→General IHRL, IHL and IL

Page 48, Resolutions, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS, para 14: NOTING that the armed conflict has increased discrimination against women thus violating the universal principle of equal rights and respect for human dignity, rendering women more vulnerable, hampering their equal participation in the political, social, economic and cultural life of their country and restraining women from serving their country and humankind to their fullest potential;

Page 53, Resolutions, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS, 3. FAMILIES, WOMEN, CHILDREN AND VULNERABLE PERSONS: APPEAL to the International Community in general and the bi- and multi-lateral partners of the Democratic Republic of Congo in particular, as well as to various concerned UN agencies, for emergency social aid to the Congolese people by supporting the governmental and non-governmental organisations in implementing the following measures:...

...b. Short and medium term:

...ii. Popularise different legal texts relating to recognised women's rights and the protection of those rights;

...

...vi. Ensure the full development and progress of women so as to guarantee them the full enjoyment of human rights and basic liberties on an equal footing with men;

Page 75, Resolutions, 28. Resolution No: DIC/CHSC/08 RELATING TO THE NATIONAL MONITORING BODY FOR HUMAN RIGHTS: RECOMMEND:

1. The creation of a National Human Rights Monitoring Unit, an independent and executive organ enjoying autonomy of management and action.

2. The mandate of this organ will be to:

...j. create a commission for the protection of women and children with the mandate to:

...iv. ensure strict adherence to human rights and combat violations thereof.

International law→International human rights standards

Page 59, Resolutions, 22. Resolution No: DIC/CHSC/02 RELATING TO THE EMERGENCY HUMANITARIAN PROGRAMME FOR THE DRC, Para 11:

CONSIDERING that one of the essential missions of a State is the protection of its citizens by guaranteeing their security, the exercise of their fundamental rights and their socio-economic welfare in conformity with the Universal Declaration of Human Rights on 1948, the African Charter of Human and People's Rights of 1981, the clauses relating to women's and children's rights and all international legal instruments relating to the rights of refugees.

Page 75, Resolutions, 28. Resolution No: DIC/CHSC/08 RELATING TO THE NATIONAL MONITORING BODY FOR HUMAN RIGHTS:

RECALLING that this state of affairs led to the adoption of the Universal Declaration of Human Rights on 10 December 1948 to promote and ensure the protection of human rights and that, since then, other conventions have been added to this instrument, namely:

...

5. the Convention on the Elimination of all Forms of Discrimination against Women;

Page 82, Resolutions, 31. Resolution No: DIC/CPR/02 ON THE PROTECTION OF MINORITIES: CONSIDERING that our country has ratified several international conventions relating to the protection of the individual, including the International Convention on Civil and Political Rights, especially its Article 27, the Convention for the Elimination of All Forms of Discrimination against Women and the Convention on Children's Rights, with special reference to Article 20:

New institutions

New institutions→Institutions for women

Page 75, Resolutions, 28. Resolution No: DIC/CHSC/08 RELATING TO THE NATIONAL MONITORING BODY FOR HUMAN RIGHTS: RECOMMEND:

1. The creation of a National Human Rights Monitoring Unit, an independent and executive organ enjoying autonomy of management and action.
2. The mandate of this organ will be to:
 - ...j. create a commission for the protection of women and children with the mandate to:
 - i. denounce all forms of violence specifically perpetrated against women and children, the elderly and persons living with a handicap;
 - ii. direct plaintiffs to the appropriate legal authorities;
 - iii. promote developmental and civic education for improved civil awareness;
 - iv. ensure strict adherence to human rights and combat violations thereof.

Page 76, 28. Resolution No: DIC/CHSC/08 RELATING TO THE NATIONAL MONITORING BODY FOR HUMAN RIGHTS

RECOMMEND: Recommendations include: 1. The creation of a National Human Rights Monitoring Unit, an independent and executive organ enjoying autonomy of management and action. Mandated to: ... 2.j. create a commission for the protection of women and children with the mandate to:

New institutions→Infrastructure (general)

Page 53, Resolutions, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS, 3. FAMILIES, WOMEN, CHILDREN AND VULNERABLE PERSONS: APPEAL to the International Community in general and the bi- and multi-lateral partners of the Democratic Republic of Congo in particular, as well as to various concerned UN agencies, for emergency social aid to the Congolese people by supporting the governmental and non-governmental organisations in implementing the following measures:...

a. Urgent:

...v. Set up appropriate and specific structures which can enable women to gain access to credit, micro-finance and the business world;

...b. Short and medium Term:

...v. Ensure appropriate and efficient support and guidance for women to enable them to catch up with men in all spheres;

Page 64, Resolutions, 23. Resolution No: DIC/CHSC/03 RELATING TO THE EMERGENCY PROGRAMME FOR THE ENVIRONMENT IN THE DEMOCRATIC REPUBLIC OF CONGO: 12. Request the Congolese authorities to involve all national partners, in particular women's groups, young people, planters, scientists and professionals in implementing the emergency programme.

New institutions→Other

Page 54, Resolutions, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS, 5. SPORTS AND LEISURE: APPEAL to the International Community in general and the bi- and multi-lateral partners of the Democratic Republic of Congo in particular, as well as to various concerned UN agencies, for emergency social aid to the Congolese people by supporting the governmental and non-governmental organisations in implementing the following measures:...

a. Urgent

...iv. Promote school, university, military and women's sports and those for people living with a handicap, and even for prisoners.

Violence against women

Violence against women→Sexual violence

Page 48, Resolutions, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS, para 13: CONCERNED by the fact that all cardinal virtues in the social sector have been compromised by the armed conflict resulting in the destabilisation of homes, the separation or divorce of parents, the increase in the number of abandoned children, children born out of wedlock, young delinquents and illiterates; and resulting further in: prostitution, promiscuity, an increase in the number of women as heads of households and child-mothers, the negation of moral and ethical values (rape, incest, pedophilia, abuse of women, etc), children being involved in odd jobs for survival, the abandonment of the elderly and those living with a physical or mental handicap, the neglect of war invalids and prisoners etc;

Page 72, Resolutions, 27. Resolution No: DIC/CHSC/07 RELATING TO ETHICS AND THE FIGHT AGAINST CORRUPTION, Para 9: GIVEN that at the heart of this crisis corruption in many forms appears as the manifestation of the anti-values and non-transparent practices on the part of men and women seeking to advance their careers in executive spheres, eg the army, the police, information services, public administration, health, education, the economy, religious denominations, the legal system, family and civil society, and shows itself in despicable behaviour such as lying, malevolence, defamation, fraud, malpractice, misappropriation, influence peddling, nepotism, favouritism, tribalism, regionalism, clientelism, sexual harassment, bribery, the abuse of power, forgery and deceitfulness, etc;

Page 88, Resolutions, 33. Resolution No: DIC/COR/04 ON THE INSTITUTION OF A “TRUTH AND RECONCILIATION” COMMISSION: 7. Resolve that the National Truth and Reconciliation Commission is empowered to hear any person involved in the crimes and large-scale violation of human rights, including the rape of women and girls in times of war. It may also hear any person in a position to enlighten it in its mission.

Violence against women→Gender-based violence/VAW (general)

Page 48, Resolutions, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS, para 13: CONCERNED by the fact that all cardinal virtues in the social sector have been compromised by the armed conflict resulting in the destabilisation of homes, the separation or divorce of parents, the increase in the number of abandoned children, children born out of wedlock, young delinquents and illiterates; and resulting further in: prostitution, promiscuity, an increase in the number of women as heads of households and child-mothers, the negation of moral and ethical values (rape, incest, pedophilia, abuse of women, etc), children being involved in odd jobs for survival, the abandonment of the elderly and those living with a physical or mental handicap, the neglect of war invalids and prisoners etc;

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Violence against women→Protection (general)

Page 75, Resolutions, 28. Resolution No: DIC/CHSC/08 RELATING TO THE NATIONAL MONITORING BODY FOR HUMAN RIGHTS: RECOMMEND:

1. The creation of a National Human Rights Monitoring Unit, an independent and executive organ enjoying autonomy of management and action

Transitional justice Transitional justice→Past and gender

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Transitional justice→Prisons, prisoner release

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a. Urgent

...iv. Promote school, university, military and women’s sports and those for people living with a handicap, and even for prisoners.

Transitional justice→Other

Page 48, Resolutions, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS, para 13: CONCERNED by the fact that all cardinal virtues in the social sector have been compromised by the armed conflict resulting in the destabilisation of homes, the separation or divorce of parents, the increase in the number of abandoned children, children born out of wedlock, young delinquents and illiterates; and resulting further in: prostitution, promiscuity, an increase in the number of women as heads of households and child-mothers, the negation of moral and ethical values (rape, incest, pedophilia, abuse of women, etc), children being involved in odd jobs for survival, the abandonment of the elderly and those living with a physical or mental handicap, the neglect of war invalids and prisoners etc;

Page 59, Resolutions, 22. Resolution No: DIC/CHSC/02 RELATING TO THE EMERGENCY HUMANITARIAN PROGRAMME FOR THE DRC: STATING that the above conditions have directly or indirectly affected the entire Congolese population to different degrees, giving rise to the following vulnerable groups: 1. more than 3 million internally displaced people, who have fled their war-ravaged, insecure towns or villages, losing everything: houses, jobs, source of income, and become completely destitute and reduced to vagrancy. A large number of these people are women, children and the elderly, most of whom are malnourished and in need of health care;

...3. women, children, the elderly or the handicapped exposed to the horrors of war, psychological trauma and sexually transmitted diseases, eg HIV/AIDS;

...5. Demobilised child soldiers who have been seriously traumatised in body and spirit, those disabled by the war, widows who have become heads of families, orphans and minors without parental supervision, women and young girls who have been raped and contracted serious illnesses and unwanted pregnancies. All these very vulnerable people need appropriate programmes for reintegration and rehabilitation;

Institutional reform Institutional reform→Emergency/criminal law/corruption reform

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...b. Short and medium term:

...vii. Modify or repeal any law, regulatory provision, custom or practice which constitutes discrimination against women or which contradicts the relevant legal instruments, especially regarding the legal incapacity of married women;

...viii. Increase the marriageable age of girls to 18 years.

Development

Development→General

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a. Urgent:...iv. Restore the dignity of women so that they may fully assume their noble role of wives, mothers, educators, custodians of social values and development agents; ...v. Set up appropriate and specific structures which can enable women to gain access to credit, micro-finance and the business world;

Development→Rehabilitation and reconstruction

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...v. Ensure appropriate and efficient support and guidance for women to enable them to catch up with men in all spheres;

...vi. Ensure the full development and progress of women so as to guarantee them the full enjoyment of human rights and basic liberties on an equal footing with men;

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a. Urgent

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...3. women, children, the elderly or the handicapped exposed to the horrors of war, psychological trauma and sexually transmitted diseases, eg HIV/AIDS;

...5. Demobilised child soldiers who have been seriously traumatised in body and spirit, those disabled by the war, widows who have become heads of families, orphans and minors without parental supervision, women and young girls who have been raped and contracted serious illnesses and unwanted pregnancies. All these very vulnerable people need appropriate programmes for reintegration and rehabilitation;

Implementation Implementation→Women's role and consideration in implementation of the agreement
Page 64, Resolutions, 23. Resolution No: DIC/CHSC/03 RELATING TO THE EMERGENCY PROGRAMME FOR THE ENVIRONMENT IN THE DEMOCRATIC REPUBLIC OF CONGO: 12. Request the Congolese authorities to involve all national partners, in particular women's groups, young people, planters, scientists and professionals in implementing the emergency programme.

Other Page 53, Resolutions, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS, 3. FAMILIES, WOMEN, CHILDREN AND VULNERABLE PERSONS: APPEAL to the International Community in general and the bi- and multi-lateral partners of the Democratic Republic of Congo in particular, as well as to various concerned UN agencies, for emergency social aid to the Congolese people by supporting the governmental and non-governmental organisations in implementing the following measures:...

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Page 78, Resolutions, 29. Resolution No: DIC/CHSC/09 RELATING TO THE MEDIA SECTOR: 1. The creation of a High Media Authority. The State guarantees the independence and financial autonomy of the High Media Authority whose mandate is to:

...

i. strive towards the production of broadcasts, programmes and educational documentaries which respect human values, especially the dignity of women and young people.
