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 guerrilla outfits like the March 23 Movement (M23) further contributed, and still contribute, to the complexity of the situation in eastern DRC.

Following Joseph Kabila's departure in 2019, his successor Félix Tshisekedi faced renewed instability as the M23 rebel group, dormant since 2013, resumed operations in late 2021 with substantial Rwandan support. In January 2025, M23 forces backed by Rwandan troops captured the regional capital Goma in the most serious escalation since the Second Congo War. This prompted U.S. mediation under President Trump, leading to talks in Qatar in March 2025 and a preliminary peace agreement signed in Washington on June 27, 2025. The Washington Accords were formally signed by Presidents Tshisekedi and Kagame on December 4, 2025, committing Rwanda to withdraw troops and cease M23 support while the DRC pledged to neutralize the FDLR and establish regional economic integration with significant U.S. commercial involvement. However, fighting continues as of late 2025, with both sides accused of violating commitments.
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 Ndondo Wa 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 - Eugéne Diomi Ndongala
G14 - Kabamba Mbebwe, 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

Groups

Children/youth

Groups→Children/youth→Rhetorical

Page 30, 13. Resolution No: DIC/CDS/03 RELATING TO THE IDENTIFICATION OF NATIONALS WHO SHALL CONSTITUTE THE ARMY; DEMOBILISATION AND REINTEGRATION OF CHILD SOLDIERS AND VULNERABLE PERSONS; RECRUITMENT WITH A VIEW TO INTEGRATING MILITARY AND PARAMILITRY GROUPS INTO THE NATIONAL ARMY AND POLICE:

[...]

RECALLING the Convention on the Rights of the Child, adopted by the UN General Assembly, in its Resolution 44/25 dated 20 November 1989;

COGNISANT of the fact that conscription of children into the army and their involvement in war is a serious violation of the Rights of the Child;

[...]

CONSIDERING that the reintegration of child soldiers and vulnerable persons, in tandem with their demobilisation, constitutes a guarantee for national peace;

[...]

AGREE ON THE FOLLOWING:

1. The mechanism to be instituted at the close of the Inter-Congolese Dialogue for the formation of the new army shall be responsible for:

[...]

b. demobilisation and reintegration of child soldiers and vulnerable persons in collaboration with the appropriate organisations;

Page 48-54, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS:

[...]

STRESSING the disastrous situation on the health level characterised by the insufficiency, dilapidation or destruction of infrastructures, the lack or insufficiency of medicines and equipment, the high and uncontrolled costs of care, the recurrence of endemic and epidemic diseases, the re-emergence of previously controlled diseases, the high prevalence of sexually transmitted diseases and of HIV/AIDS, the high rate of infant and maternal mortality and malnutrition and the uneven distribution of health professionals between rural and urban environments as well as their demotivation;

OBSERVING the alarming situation in the national education sector characterised by ever-decreasing school attendance rates, the non-attendance of between three to five million children, the recruitment of thousands of children of school-going age by belligerents and armed groups, the destruction of many school buildings and equipment and the plundering of teaching material, the increased wastage at all levels, the marked depreciation of teaching outcomes, the pronounced degradation of living and working conditions of teachers and learners as well as moral values which have also have resulted in the brain drain;

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;

[...]

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);

[...]

Disabled persons

Groups→Disabled persons→Rhetorical

Page 48, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS:

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

[...]

5. SPORTS AND LEISURE

a. Urgent

[...]

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

Page 59, 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:

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;

Page 75-76, 28. Resolution No: DIC/CHSC/08 RELATING TO THE NATIONAL MONITORING BODY FOR HUMAN RIGHTS:

[...]

RECOMMEND:

[...]

2. j. i. denounce all forms of violence specifically perpetrated against women and children, the elderly and persons living with a handicap;

Groups→Disabled persons→Substantive

Page 49-50, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS

1. HEALTH

a. Urgent

...

iii. Create strategic centres for psychological assistance and treatment for traumatised persons as well as centres for psychological rehabilitation;

iv. Provide free or subsidised urgent medical care for war victims;

Page 52-53, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS

Elderly/age

Groups→Elderly/age→Rhetorical
Page 48, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS:
[...]
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 58-59, 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:
[...]
3. women, children, the elderly or the handicapped exposed to the horrors of war, psychological trauma and sexually transmitted diseases, eg HIV/AIDS;

Page 74-76, 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:
[…]
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;
Groups→Elderly/age→Substantive
Page 52-53, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS3. FAMILIES, WOMEN, CHILDREN AND VULNERABLE PERSONS:
[...]
3. FAMILIES, WOMEN, CHILDREN AND VULNERABLE PERSONS
a. Urgent
[...]
iii. Define a coherent policy for the elderly, people living with a handicap or a chronic illness and for war invalids (civil or military);

Migrant workers

No specific mention.

Racial/ethnic/ national group

Groups→Racial/ethnic/national group→Rhetorical
Page 70-71, 26. Resolution No: DIC/CHSC/06 RELATING TO CULTURE AND INTER-ETHNIC CO-EXISTENCE IN THE DEMOCRATIC REPUBLIC OF CONGO
[...]
AWARE of the necessity for the different ethnic groups to work together in peace to reconstruct the country;
AWARE that the plethora of different ethic groups in our country constitutes enormous cultural wealth rather than a mosaic of different languages;
[...]
AWARE of the necessity for the different ethnic groups to work together in peace to reconstruct the country;
INVITE the authorities of the Democratic Republic of Congo to put in place a policy for promoting arts and culture, sport, protection of the youth, preserving peace and harmony between the different national communities with particular emphasis on:
[...]
3. Banishing tribal-ethnic discrimination, xenophobia and intolerance.
4. Encouraging friendly inter-ethnic relations and promoting intercultural exchange and integration.
5. Including customary authority in preventing and resolving conflict.
6. Setting up a permanent parliamentary commission to deal with problems relating to ethnic conflict.
7. Enacting laws on fairness and the right of all to the privileges and advantages of belonging to a nation and suppressing tribalism.
8. Enacting laws relating to land to guarantee the rights of all.
[...]
LAUNCH an appeal to national communities to promote a culture of peace and democracy and the cessation of all types to inter-ethnic hostility, as well as the peaceful resolution of conflict by involving customary authorities, guardians of ancestral values, as well as religious communities, guardians of the values and virtues of love, justice and social equality.

Page 82-83, 31. Resolution No: DIC/CPR/02 ON THE PROTECTION OF MINORITIES:
[...]
CONSIDERING that the DRC is inhabited, exclusively, by ethnic, religious and linguistic minorities;...
[...]
1. Proclaim that no person or group of persons may be discriminated against in the enjoyment of their rights on the basis of ethnicity, religion or language.
Groups→Racial/ethnic/national group→Anti-discrimination
Page 21, 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 82-83, 31. Resolution No: DIC/CPR/02 ON THE PROTECTION OF MINORITIES
1. Proclaim that no person or group of persons may be discriminated against in the enjoyment of their rights on the basis of ethnicity, religion or language.
Groups→Racial/ethnic/national group→Substantive
Page 82-83, 31. Resolution No: DIC/CPR/02 ON THE PROTECTION OF MINORITIES
2. Affirm that all Congolese communities have equal rights. That, however, the State may, where necessary, take temporary affirmative measures, and other incentives, in order to accelerate and promote the equality among communities, especially for the benefit of the least privileged.

Page 82-83, 31. Resolution No: DIC/CPR/02 ON THE PROTECTION OF MINORITIES

Religious groups

Groups→Religious groups→Rhetorical
Page 72, 27. Resolution No: DIC/CHSC/07 RELATING TO ETHICS AND THE FIGHT AGAINST CORRUPTION:
[...]
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 82, 31. Resolution No: DIC/CPR/02 ON THE PROTECTION OF MINORITIES
...CONSIDERING that the DRC is inhabited, exclusively, by ethnic, religious and linguistic minorities;...

Page 83, 31. Resolution No: DIC/CPR/02 ON THE PROTECTION OF MINORITIES
AGREE TO THE FOLLOWING:
3. Call upon members of all Congolese communities to make every effort to bring about harmonious cohabitation and national reconciliation.
Groups→Religious groups→Anti-discrimination
Page 82, 31. Resolution No: DIC/CPR/02 ON THE PROTECTION OF MINORITIES
AGREE TO THE FOLLOWING:
1. Proclaim that no person or group of persons may be discriminated against in the enjoyment of their rights on the basis of ethnicity, religion or language.

Page 82, 31. Resolution No: DIC/CPR/02 ON THE PROTECTION OF MINORITIES
AGREE TO THE FOLLOWING:
2. Affirm that all Congolese communities have equal rights. That, however, the State may, where necessary, take temporary affirmative measures, and other incentives, in order to accelerate and promote the equality among communities, especially for the benefit of the least privileged.
Groups→Religious groups→Substantive
Page 83, 31. Resolution No: DIC/CPR/02 ON THE PROTECTION OF MINORITIES
AGREE TO THE FOLLOWING:
4. Proclaim that all Congolese minorities', whether ethnic, religious or linguistic, points of view, be protected within a general framework of human rights, in accordance with the laws in force and with international instruments ratified by the DRC.

Indigenous people

Groups→Indigenous people→Rhetorical
Page 62-65, 23. Resolution No: DIC/CHSC/03 RELATING TO THE EMERGENCY PROGRAMME FOR THE ENVIRONMENT IN THE DEMOCRATIC REPUBLIC OF CONGO
[...]
5. Request the Congolese authorities to acknowledge the stability of the native populations settled in areas adjoining national parks and other protected sites by establishing mechanisms and development projects to enable them to live in harmony with nature and to guarantee their right to ancestral territory (land rights).

Other groups	No specific mention.

Refugees/displaced persons

Groups→Refugees/displaced persons→Rhetorical
Page 40-41, 18. Resolution No: DIC/CEF/03 RELATING TO DISPUTES OVER THE RECONSTRUCTION OF THE ENVIRONMENT DESTROYED BY WAR:
[...]
CONSIDERING the damage caused to the ecosystems and to the living environment in the Democratic Republic of Congo by the massive presence of Rwandan refugees in 1994, as well as the wars of 1996-97 and 1998, in particular:
1. the deforestation linked to overexploitation;
2. the excessive exploitation and exportation of medicinal plants;
3. the extermination and illegal exportation of rare species;
4. desertification, erosion and landslides resulting from the deforestation mentioned above;
5. the destruction, occupation and illegal exploitation of national parks, reserves and other protected sites;
6. the presence of anti-personnel mines in certain areas;
7. the destruction of habitat and infrastructures;
Groups→Refugees/displaced persons→Substantive
Page 59-61, 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;
2. over 500 000 Congolese refugees most of whom are in neighbouring countries, mainly Tanzania, Zambia, Republic of Congo, Central African Republic, Rwanda, Burundi and Angola. A considerable number of Congolese political refugees and exiles are scattered in other African countries, Europe and America;
[...]
AGREE ON THE FOLLOWING:
1. A law must be passed as a matter of urgency by the relevant authorities guaranteeing legal security for displaced Congolese nationals, refugees and exiles. Those not eligible for amnesty must be clearly identified on the basis of international law.
2. The humanitarian catastrophe affecting 20 000 000 Congolese, victims of the war, to which can be added 500 000 refugees to be repatriated, requires an emergency, multi-sectoral programme where the humanitarian aspects must be reinforced and prioritised by an extraordinary post-conflict development and reconstruction component.
3. Tripartite agreements between the Democratic Republic of Congo, countries with Congolese refugees and exiles, the HCR and the IRCC must be made and implemented to serve as a legal and operational framework for coordinating the various activities involved in the voluntary repatriation and reintegration of Congolese refugees.
TO THIS END, THE FOLLOWING MEASURES ARE STRONGLY RECOMMENDED:
1. Immediately after the Inter-Congolese Dialogue, the Congolese authorities must ask the Secretary-General of the UN to invite a multidisciplinary and inter-agency technical panel to formulate a multi-sectoral, long-term emergency programme to deal with humanitarian issues and socio-economic rehabilitation of affected Congolese, ie refugees, displaced persons, demobilised soldiers, vulnerable groups, etc.
[...]
3. Given the connection between repatriation and reintegration of refugees and displaced persons on the one hand, and the reconstruction and development of the areas devastated by the war, to which they will return, on the other, it is essential that the humanitarian and development institutions as well as the

Social class	No specific mention.

Gender

Women, girls and gender

Page 21, 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 47-54, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS:
[...]
STRESSING the disastrous situation on the health level characterised by the insufficiency, dilapidation or destruction of infrastructures, the lack or insufficiency of medicines and equipment, the high and uncontrolled costs of care, the recurrence of endemic and epidemic diseases, the re-emergence of previously controlled diseases, the high prevalence of sexually transmitted diseases and of HIV/AIDS, the high rate of infant and maternal mortality and malnutrition and the uneven distribution of health professionals between rural and urban environments as well as their demotivation;
[...]
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;
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;
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);
[...]
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;
1. HEALTH
a. Urgent
[...]
ii. Provide material, equipment and medical supplies to all health centres and all the health zones;
[...]
2. EDUCATION
a. Urgent

Men and boys

Gender→Men and boys→Gender neutral wording
ANNEX 1, ADOPTED RESOLUTIONS BY THE INTER-CONGOLESE DIALOGUE
21. Resolution No: DIC/CHSC/01

2. EDUCATION
2.a.iv. Adopt policies and measures to achieve the so-called “millennium” objective according to which every girl and boy from now until the year 2015 will have equal access to primary education as well as to all the other levels of teaching;

LGBTI

No specific mention.

Family

Page 47-54, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS:
[...]
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 52-53, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS:
[...]
3. FAMILIES, WOMEN, CHILDREN AND VULNERABLE PERSONS
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;
[...]
b. Short and medium term
[...]
i. Draw up a realistic social policy to protect the family; re-launch and reinforce management of the Fund for the Promotion of Social Services;
[...]
viii. Increase the marriageable age of girls to 18 years.

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

State definition

Nature of state (general)

Page 32, 14. Resolution No: DIC/CDS/04 RELATING TO THE FORMATION OF THE NEW CONGOLESE ARMY:
CONSIDERING that, by virtue of its national, republican and non-political character, the army is the very symbol of national unity and guarantor of republican values;

Page 82-83, 31. Resolution No: DIC/CPR/02 ON THE PROTECTION OF MINORITIES:
CONSIDERING that the DRC is inhabited, exclusively, by ethnic, religious and linguistic minorities;

State configuration

Page 15, 3. Resolution No: DIC/CPJ/03, RELATING TO THE ENSHRINEMENT OF DEMOCRATIC PRINCIPLES:
[...]
CONSIDERING that democracy implies mainly, within a sovereign nation, the participation of the people in the exercise of power in a system of political pluralism, transparency in the management of public affairs, good governance, control and, where applicable, appropriate sanctions by an independent body;
RESOLVE AS FOLLOWS:
1. The Democratic Republic of Congo is a truly democratic State, based on the sovereignty of the people, the respect for human rights and freedoms, equality of citizens, political pluralism and supremacy of the law.
2. Public affairs are conducted according to the principles of transparency and good governance, implying the need for control and, where applicable, sanctions exercised by an independent body.
3. No person may accede to or maintain power through force or the use of arms. All access to power must be organised through democratic means.

Page 19, 5. Resolution No: DIC/CPJ/05 RELATING TO THE FREE MOVEMENT OF PERSONS AND THEIR PROPERTY THROUGHOUT THE NATIONAL TERRITORY, AS WELL AS THE RESTORATION OF COMMUNICATION LINKS:
[...]
REAFFIRMING our desire to consolidate the sovereignty, independence and territorial integrity of the Democratic Republic of Congo;

Page 21, 7. Resolution No: DIC/CPJ/07 RELATING TO THE REINSTATEMENT OF REHABILITATION OF MAGISTRATES DISMISSED OR FORCED INTO EARLY RETIREMENT:
[...]
REAFFIRMING moreover, the necessity to reflect the principle of separation of powers and the need to consolidate the independence of the judiciary;

Self determination

No specific mention.

Referendum

Page 23-24, 9. Resolution No: DIC/CPJ/09 RELATING TO THE INDEPENDENT ELECTORAL COMMISSION:
[...]
DECIDE on the creation of a National Independent Electoral Commission whose organisation, operation and status will be fixed by law.
THIS COMMISSION WILL HAVE THE FOLLOWING MANDATE:
1. To organise the constitutional referendum.

State symbols	No specific mention.
Independence/ secession	No specific mention.
Accession/ unification	No specific mention.
Border delimitation	Page 27, 11. Resolution No: DIC/CDS/01 RELATING TO MECHANISMS FOR THE CONSOLIDATION OF PEACE: [...] REAFFIRMING the principle of inviolability of the frontiers inherited from colonisation, as recognised by the Charter of the OAU; [...] CONSIDERING that, for each State within the region, security and stability are a prerequisite for the enjoyment of peaceful existence within national borders;
Cross-border provision	Page 25, 10. Resolution No: DIC/CPJ/10 RELATING TO THE SUPPORT OF THE INTERNATIONAL COMMUNITY: [...] STRESSING the need to ensure respect for the principles of good neighbourliness and non-interference in the internal affairs of other States; CONCERNED by the negative consequences of the conflicts in the Great Lakes region and their ramifications and effects on the countries of the sub-region; MINDFUL of the fact that the resolution of the security problems of the Democratic Republic of Congo will have a positive influence on the neighbouring countries and that it will contribute to consolidating the peace process in all these countries; RECOGNISING that the conflict in the Democratic Republic of Congo has both internal and external dimensions that will only be finally solved by taking into account the various security concerns of all the countries in Central, East and Southern Africa by which the Democratic Republic of Congo is geographically surrounded; CONSIDERING that the crisis in the Democratic Republic of Congo constitutes a threat to international peace and security;

Governance

Political institutions (new or reformed)

Governance→Political institutions (new or reformed)→General references
Page 61, 22. Resolution No: DIC/CHSC/02 RELATING TO THE EMERGENCY HUMANITARIAN PROGRAMME FOR THE DRC

4. Effective implementation of a multi-sectoral programme of such scope and partnership activities involving international institutions, making the necessary funds available, and above all the capacity to mobilise the diverse State sectors on central and provincial levels, argue in favour or creating a National Humanitarian Authority. Such an authority will be informed of any programme formulated by international agencies and will help to realise them where possible, and so ensure that the humanitarian programme extends to all affected provinces in the DRC.

...

a. Given that the formation and functioning of this body for implementing the programme is of primary importance, the Congolese Government authorities are requested to make very effort to put it in place. In the meantime, a temporary National Humanitarian Coordination Committee must be set up to ensure the initiation of all preliminary actions for formulating the different components of the Emergency Humanitarian Programme as described in this resolution.
Governance→Political institutions (new or reformed)→Temporary new institutions
Page l, Untitled Preamble:
DETERMINED to set up and run transitional institutions on the principles of consensual management, inclusiveness and transparency;

Page 2, ARTICLE 2:
The Parties commit themselves to refrain from any act or conduct contrary to the provisions of the Lusaka Agreement and of the instruments mentioned in Article 1 above, and to spare no effort in ensuring that the said provisions are respected and implemented in their letter and spirit.
In that regard, the Parties further commit themselves to the earliest possible installation of the Transitional Government and other institutions, as envisaged in the said Global and Inclusive Agreement.

Page 11-12, 1. Resolution No DIC/CPJ/01, RELATING TO THE GLOBAL AND INCLUSIVE AGREEMENT ON THE TRANSITION IN THE DRC, SIGNED IN PRETORIA ON 17 DECEMBER 2992, AND THE MEMORANDUM ADDITIONAL THERETO SIGNED ON 6 MARCH 2003:
CONSIDERING the imperative need to found the Transitional Government for the DRC on the basis of consensus, with due regard for the principles of inclusivity and democratic governance, as prerequisites for lasting peace, the successful reunification of the country and national reconstruction;
CONSIDERING the successive rounds of negotiations held in Pretoria, Republic of South Africa, in the search for agreement on the structure of the transitional institutions as well as on a formula for sharing responsibilities in the management of the transition;
[...]
REQUEST the transitional institutions to ensure the full and faithful implementation of the said Global and Inclusive Agreement on the Transition in the DRC, as well as the Additional Memorandum on the Army and Security.
CALL ON the international community to maintain its interest and support by accompanying the efforts of the Transitional Government authorities and the people of the DRC in order to ensure the consolidation of peace and stability in the DRC.

Page 13-14, 2.Resolution No DIC/CPJ/02 RELATING TO THE ADOPTION OF THE TRANSITIONAL CONSTITUTION FOR THE DRC:
[...]

Elections

Page 23-24, 9. Resolution No: DIC/CPJ/09 RELATING TO THE INDEPENDENT ELECTORAL COMMISSION:
[...]
CONSIDERING that elections are an essential stage in the democratisation process because, through a secret and egalitarian vote, they enable the free expression of the will of a people;
[...]
CONSIDERING that a sincere and legitimate electoral process constitutes the cornerstone of a true democracy;
[...]
CONSIDERING the need to set up a national independent institution to be tasked with bringing the electoral process to a successful conclusion;
DECIDE on the creation of a National Independent Electoral Commission whose organisation, operation and status will be fixed by law.
THIS COMMISSION WILL HAVE THE FOLLOWING MANDATE:
1. To organise the constitutional referendum.
2. To prepare and organise, in collaboration with the appropriate State institutions, the general elections by proceeding, among others, with the following:
a. the identification and census of nationals;
b. the civic education campaign;
c. the formulation of rules of electoral ethics;
d. the drawing up of electoral lists;
e. the setting up of voters' rolls;
f. the monitoring of the voting proceedings;
g. the counting of ballots.
3. The members of the Commission must satisfy the following criteria:
a. experience and competence;
b. views of ethnicity;
c. objectivity;
d. sense of responsibility;
e. impartiality.
4. The Parties to the Inter-Congolese Political Negotiations will have equal representation on the National Independent Electoral Commission.
5. The announcement of the election results as well as electoral disputes are entrusted to the Supreme Court of Justice.

Page 77-79, 29. Resolution No: DIC/CHSC/09 RELATING TO THE MEDIA SECTOR:
REQUEST OR RECOMMEND
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:
[..]
c. guarantee the neutrality of the public media vis-à-vis the political and social forces especially during political and electoral consultations;

Electoral commission	Page 23-24, 9. Resolution No: DIC/CPJ/09 RELATING TO THE INDEPENDENT ELECTORAL COMMISSION: [...] CONSIDERING that elections are an essential stage in the democratisation process because, through a secret and egalitarian vote, they enable the free expression of the will of a people; [...] CONSIDERING that a sincere and legitimate electoral process constitutes the cornerstone of a true democracy; [...] CONSIDERING the need to set up a national independent institution to be tasked with bringing the electoral process to a successful conclusion; DECIDE on the creation of a National Independent Electoral Commission whose organisation, operation and status will be fixed by law. THIS COMMISSION WILL HAVE THE FOLLOWING MANDATE: 1. To organise the constitutional referendum. 2. To prepare and organise, in collaboration with the appropriate State institutions, the general elections by proceeding, among others, with the following: a. the identification and census of nationals; b. the civic education campaign; c. the formulation of rules of electoral ethics; d. the drawing up of electoral lists; e. the setting up of voters' rolls; f. the monitoring of the voting proceedings; g. the counting of ballots. 3. The members of the Commission must satisfy the following criteria: a. experience and competence; b. views of ethnicity; c. objectivity; d. sense of responsibility; e. impartiality. 4. The Parties to the Inter-Congolese Political Negotiations will have equal representation on the National Independent Electoral Commission. 5. The announcement of the election results as well as electoral disputes are entrusted to the Supreme Court of Justice.
Political parties reform	No specific mention.

Civil society

Page 17, 4. Resolution No: DIC/CPJ/04 RELATING TO THE EFFECTIVE AND COMPLETE LIBERALISATION OF POLITICAL LIFE AND ASSOCIATION:
[...]
CONSIDERING that democracy implies, among others, the effective participation of organisations and of political and social groupings in the development of civic awareness, the expression of the will of the people and the realisation of the common well-being;

Page 36, 16. Resolution No: DIC/CEF/01 RELATING TO THE COSTS OF THE TWO WARS: 1996 – 1998:
[...]
IN fulfilling its mandate, the Special Commission will adhere to the following terms of reference:
1. ensuring publicity to raise public awareness about the creation of the Commission;

Page 47-48, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS:
[...]
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.

Page 54, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS:
[...]
4. YOUTH
a. Urgent
[...]
b. Short and Medium Term
i. Develop a framework law regarding the organisation of youth associations, movements and organisations;
ii. Establish a voluntary civic service for 18-year-olds.

Page 61, 22. Resolution No: DIC/CHSC/02 RELATING TO THE EMERGENCY HUMANITARIAN PROGRAMME FOR THE DRC:
[...]
b. For the implementation of this programme, MONUC and the Joint Military Commission must do all in their power to help the Congolese authorities and their bilateral and multilateral partners to secure the entire National Territory by demobilisation, withdrawal of foreign troops, de-mining, and effective implementation of the third MONUC phase in order that civilian populations, displaced people and Congolese refugees may return to their homes and live in peace and security. Similarly, humanitarian and development workers (attached to the UN and national and international NGOs) cannot be deployed throughout the country to implement much-needed programmes unless all the necessary security measures have been taken by the Congolese authorities, and all obstacles to transporting aid to the affected areas have been removed.

Page 64, 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

Traditional/ religious leaders

Page, 26. Resolution No: DIC/CHSC/06 RELATING TO CULTURE AND INTER-ETHNIC CO-EXISTENCE IN THE DEMOCRATIC REPUBLIC OF CONGO:
[...]
5. Including customary authority in preventing and resolving conflict.
LAUNCH an appeal to national communities to promote a culture of peace and democracy and the cessation of all types to inter-ethnic hostility, as well as the peaceful resolution of conflict by involving customary authorities, guardians of ancestral values, as well as religious communities, guardians of the values and virtues of love, justice and social equality.

Page 86-89, 33. Resolution No: DIC/COR/04 ON THE INSTITUTION OF A "TRUTH AND RECONCILIATION" COMMISSION:
[…]
AGREE TO THE FOLLOWING:
1. Resolve to set up, at the close of the ICD, an independent commission to be called the "National Truth and Reconciliation Commission" to be tasked with the responsibility of re-establishing the truth, and promoting peace, justice, forgiveness and national reconciliation.
[…]
12. Resolve that the resources of this Commission will come from:
a. the Congolese State;
b. the Congolese State Treasury;
c. donations and bequests;
d. bi-and multilateral external contributions (UN, OAU, EU and other countries).
13. Resolve that the Commission may call upon human resources from the Officer of the Facilitator who guided the Peace and Reconciliation Commission, from NGOs, the media and religious denominations.

Public administration

Page 21, 8. Resolution No: DIC/CPJ/08 RELATING TO THE REHABILITATION OF WORKERS ARBITRARILY DISMISSED:
[...]
CONSIDERING that the workers of certain public and private enterprises such as: the National Electricity Company (SNEL), REGIDESO, the civil service (education, army) the Congolese Control Office (OCC), the National Insurance Company (SONAS), Gécamines, Petro Congo, ONATRA, Commercial Bank of Congo, have been dismissed without regard for the relevant laws in force;
DEMAND the reinstatement of the rights of affected workers and management staff after individual assessment of each case by competent bodies.

Page 54-55, Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS:
[...]
6. EMPLOYMENT AND PUBLIC ADMINISTRATION
a. Urgent
i. Set up a spot-conflict employment programme, a National Centre for Productivity, a framework for social dialogue and a
mechanism for adherence to basic principles of labour law, notably with regard to decent salaries;
ii. Speed up the implementation of legislation forbidding child labour;
iii. Encourage investment projects able to generate employment, but also projects for the rehabilitation or building of basic social infrastructures (schools, roads, health centres, etc) which provide employment opportunities;
iv. Create a National Monitoring Unit for Employment, Training and Placement;
v. Rehabilitate public administration, State employees and agents, by adopting a single status both at the career level and at that of remuneration structures and other social benefits such as annuities, leave gratuities and performance bonuses;
vi. Discharge salary arrears in all the provinces and in diplomatic missions.
b. Short and Long Term
i. Draw up a salaries policy which takes into account the needs of the population;
ii. Reinstate in their posts and ranks all State employees and agents illegally dismissed: dismissal, suspension, retirement (case of magistrates relieved of their functions and retired);
iii. Draw up a national employment and placement policy;
iv. Speed up the implementation of the revised labour law and adapt the labour regulations, among others, to ensure equity, equality and balance between men and women in all the provinces, with measures to guarantee their implementation through the Labour Inspectorate;
v. Decentralise the running of the public service and the State Enterprises in favour of the provinces;
vi. Restructure and re-organise the public administration according to performance and merit criteria;
vii. Reinforce the National School of Administration to enhance the capacity and performance of the public sector.

Page 72-73, 27. Resolution No: DIC/CHSC/07 RELATING TO ETHICS AND THE FIGHT AGAINST CORRUPTION:
[...]
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

Constitution

Governance→Constitution→Constitution affirmation/renewal
Page 15, 3. Resolution No: DIC/CPJ/03, RELATING TO THE ENSHRINEMENT OF DEMOCRATIC PRINCIPLES:
[...]
CONSIDERING the need to build a real democracy in the Congo and system of rule of law, based on the principle of the separation of powers and the balance between institutions, as well as adherence to the Constitution and the law;
Governance→Constitution→Constitutional reform/making
Page 2, Article 1:
The Parties accept as binding the following instruments which faithfully reflect the outcome of the political negotiation process instituted in terms of the above-cited Lusaka Agreement:
[...]
3. The Constitution of the Transition adopted at Sun City on 1 April 2003.

Page 13-14, 2.Resolution No: DIC/CPJ/02 RELATING TO THE ADOPTION OF THE TRANSITIONAL CONSTITUTION FOR THE DRC:
[...]
CONSIDERING the successive rounds of negotiations held in Pretoria, South Africa, in the search for agreement on the constitutional framework to best reflect the above stated values;
[...]
ADOPT the draft Constitution of the Transition in the Democratic Republic of Congo.
[...]
SOLEMNLY ENJOIN all those to be called upon to assume responsibilities for the functioning of the transitional institutions in the DRC to ensure scrupulous respect for the letter and spirit of this Constitution, in order to safeguard peace and guarantee a successful transition to serve as foundation for a new democratic dispensation in the country.
[...]
REASSURED that the same fundamental principles, as laid down in the Lusaka Agreement of 1999 as well as in the Global and Inclusive Agreement on Transition signed in Pretoria on 17 December 2002, regarding inclusive transitional institutional arrangements for ensuring peace and reconciliation in the DRC, are duly reflected in the constitutional settlement agreed;

Page 34, 15. Resolution No: DIC/CDS/05 ON SANCTIONS AGAINST PARTIES ACTING IN BAD FAITH:
[...]
AGREE ON THE FOLLOWING:
[...]
2. The constitutional charter, for the transition, should duly provide for a body to be entrusted with the follow-up of the resolutions of the Inter-Congolese Dialogue.
[...]
4. Such a constitutional body shall be vested with powers to apply such sanctions as shall be provided for against parties acting in bad faith.

Power sharing

Political power sharing

Power sharing→Political power sharing→General
State level
Page 11, 1. Resolution No DIC/CPJ/01

ENDORSE AND RATIFY the Global and Inclusive Agreement on the Transition in the DRC, signed in Pretoria, Republic of South Africa, on 17 December 2002, and the Additional Memorandum on the Army and Security, signed in Pretoria on 6 March 2002.

REQUEST the transitional institutions to ensure the full and faithful implementation of the said Global and Inclusive Agreement on the Transition in the DRC, as well as the Additional Memorandum on the Army and Security.

Power sharing→Political power sharing→Other proportionality
State level
Page 23-24, 9. Resolution No: DIC/CPJ/09 RELATING TO THE INDEPENDENT ELECTORAL COMMISSION

THIS COMMISSION WILL HAVE THE FOLLOWING MANDATE:

4. The Parties to the Inter-Congolese Political Negotiations will have equal representation on the National Independent Electoral Commission.

Power sharing→Political power sharing→Other
State level
Page 53, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS

FAMILIES, WOMEN, CHILDREN AND VULNERABLE PERSONS

...

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);

Territorial power sharing

No specific mention.

Economic power sharing

No specific mention.

Military power sharing

Power sharing→Military power sharing→Merger of forces
Page 30-31, 13. Resolution No: DIC/CDS/03 RELATING TO THE IDENTIFICATION OF NATIONALS WHO SHALL CONSTITUTE THE ARMY; DEMOBILISATION AND REINTEGRATION OF CHILD SOLDIERS AND VULNERABLE PERSONS; RECRUITMENT WITH A VIEW TO INTEGRATING MILITARY AND PARAMILITRY GROUPS INTO THE NATIONAL ARMY AND POLICE:
[...]
CONSIDERING that peace and security in the Democratic Republic of Congo also require the integration of military and paramilitary groups into the army and the territorial police;
[...]
AGREE ON THE FOLLOWING:
[...]
c. recruitment, with a view to integrating military and paramilitary groups into the army and national police.

Page 32, 14. Resolution No: DIC/CDS/04 RELATING TO THE FORMATION OF THE NEW CONGOLESE ARMY:
[...]
AGREE ON THE FOLLOWING:
1. At the close of the Inter-Congolese Dialogue, a mechanism will be put in place for the formation of a restructured and integrated National Army, to include the Armed Forces of the Government of the Democratic Republic of Cong, the Armed Forces of the Congolese Rally for Democracy and the Armed Forces of the Movement for the Liberation of Congo, in accordance with point 20 of article 3 of the principles of the Lusaka Agreement.
[. . .]
3. In the interest of peace, unity and national reconciliation, the above- mentioned mechanism should also include the RDC/ML, the RCD/N and the Mai Mai, in accordance with terms to be defined by the transitional political institutions emerging from the Inter-Congolese Dialogue.
Power sharing→Military power sharing→Joint command structures
Page 32, 14. Resolution No: DIC/CDS/04 RELATING TO THE FORMATION OF THE NEW CONGOLESE ARMY:
[...]
AGREE ON THE FOLLOWING:
[...]
2. This mechanism for the formation of the New Congolese Army will include officers of the Armed Forces of the Government of the Democratic Republic of Congo, officers of the Armed Forces of the Congolese Rally for Democracy and officers of the Armed Forces of the Movement for the Liberation of Congo.
[. . .]

Human rights and equality

Human rights/RoL general

Page 1, Untitled Preamble:
RESOLVED to work together towards the establishment of a new political dispensation that would protect the inalienable rights of the citizens and generally promote democratic governance;

Page 15, 3. Resolution No: DIC/CPJ/03, RELATING TO THE ENSHRINEMENT OF DEMOCRATIC PRINCIPLES:
[...]
CONSIDERING the need to build a real democracy in the Congo and system of rule of law, based on the principle of the separation of powers and the balance between institutions, as well as adherence to the Constitution and the law;
[...]
RESOLVE AS FOLLOWS:
1. The Democratic Republic of Congo is a truly democratic State, based on the sovereignty of the people, the respect for human rights and freedoms, equality of citizens, political pluralism and supremacy of the law.

Page 20, 6. Resolution No: DIC/CPJ/06 RELATING TO THE ABOLITION OF SPECIAL COURTS AND THE REFORM OF MILITARY JUSTICE:
CONSIDERING the need to establish the rule of law in the DRC, with legal judicial institutions to guarantee and respect fundamental human rights, especially as concerns the right to defence and the principle of double degree of jurisdiction;
REAFFIRMING the Declaration of Commitment signed at Gaborone on 24 August 2001, in particular Articles 4 and 5 relating to free movement of individuals and their goods throughout the national territory, and the restoration of communication links;

Page 21, 7. Resolution No: DIC/CPJ/07 RELATING TO THE REINSTATEMENT OF REHABILITATION OF MAGISTRATES DISMISSED OR FORCED INTO EARLY RETIREMENT
[…]
CALL UPON THE TRANSITION GOVERNMENT
[...]
2. To examine the cases of the affected magistrates, individually and with due care, in order to be able to make appropriate rulings in accordance with the law.

Page 23, 9. Resolution No: DIC/CPJ/09 RELATING TO THE INDEPENDENT ELECTORAL COMMISSION:
CONSIDERING that elections are an essential stage in the democratisation process because, through a secret and egalitarian vote, they enable the free expression of the will of a people;

Page 30, 13. Resolution No: DIC/CDS/03 RELATING TO THE IDENTIFICATION OF NATIONALS WHO SHALL CONSTITUTE THE ARMY; DEMOBILISATION AND REINTEGRATION OF CHILD SOLDIERS AND VULNERABLE PERSONS; RECRUITMENT WITH A VIEW TO INTEGRATING MILITARY AND PARAMILITARY GROUPS INTO THE NATIONAL ARMY AND POLICE:
COGNISANT of the fact that conscription of children into the army and their involvement in war is a serious violation of the Rights of the Child;
CONSIDERING the need to protect vulnerable persons affected by demobilisation and reintegration measures;

Page 38, 17. Resolution No: DIC/CEF/02 ON THE RESTITUTION OF PROPERTY TAKEN AND/OR CONFISCATED FROM INDIVIDUALS AND OF PLUNDERED STATE PROPERTY:
[...]

CONSIDERING the need to restore the rule of law in the Democratic Republic of Congo;
[...]

Bill of rights/similar No specific mention.

Treaty incorporation

Page 15, 3. Resolution No: DIC/CPJ/03, RELATING TO THE ENSHRINEMENT OF DEMOCRATIC PRINCIPLES:
[...]
REAFFIRMING our adherence to the Universal Declaration of Human Rights and to the provisions of the African Charter on Human and People's rights;

Page 20, 6. Resolution No: DIC/CPJ/06 RELATING TO THE ABOLITION OF SPECIAL COURTS AND THE REFORM OF MILITATRY JUSTICE:
[...]
DEPLORING the abuse perpetrated by the special courts during the war in DRC;
DECIDE
[...]
2. The reform of military courts, especially in that they must no longer have the authority to judge civilians and must guarantee the right to appeal and the right to defence of the individuals under their jurisdiction in accordance with the relevant provisions to international legal instruments ratified by the DRC;

Page 21, 7. Resolution No: DIC/CPJ/07 RELATING TO THE REINSTATEMENT OF REHABILITATION OF MAGISTRATES DISMISSED OR FORCED INTO EARLY RETIREMENT:
[...]
REAFFIRMING our unflinching commitment to the Universal Declaration of Human Rights, the African Charter of Human People's Rights, the International Convention on Civil and Political Rights, duly ratified by the Democratic Republic of Congo;

REAFFIRMING moreover, the necessity to reflect the principle of separation of powers and the need to consolidate the independence of the judiciary;

Page 22, 8. Resolution No: DIC/CPJ/08 RELATING TO THE REHABILITATION OF WORKERS ARBITRARILY DISMISSED:
[...]
CONSIDERING the Universal Declaration of Human Rights, which gives every individual the right to gainful employment;

Page 23, 9. Resolution No: DIC/CPJ/09 RELATING TO THE INDEPENDENT ELECTORAL COMMISSION:
[...]
RECALLING our adherence to the Universal Declaration of Human Rights and to the provisions of the African Charter of Human and People's rights;

Page 28-9, 12. Resolution No: DIC/CDS/02 RELATING TO THE DISARMAMENT OF ARMED GROUPS AND WITHDRAWAL OF FOREIGN FORCES:
[...]
NOTING the delay in the disarmament of the armed groups and withdrawal of foreign forces in relation to the timetable prescribed in the Lusaka Ceasefire Agreement;
REFERRING to the relevant resolutions of the UN Security Council, the AU Charter and to the Act of Commitment signed by all the parties in Gaborone on 24 August 2001, in so far as they affirm the integrity and sovereignty of the Democratic Republic of Congo;
[...]
URGE AND DEMAND
[...]
b. calling of the UN to apply Chapter VII of its Charter.

Page 30, 13. Resolution No: DIC/CDS/03 RELATING TO THE IDENTIFICATION OF NATIONALS WHO SHALL CONSTITUTE THE ARMY; DEMOBILISATION AND REINTEGRATION OF CHILD SOLDIERS AND VULNERABLE PERSONS; RECRUITMENT WITH A VIEW TO

Civil and political rights

Human rights and equality→Civil and political rights→Life
Page 59, Resolution No: DIC/CHSC/02 RELATING TO THE EMERGENCY HUMANITARIAN PROGRAMME FOR THE DRC:
[...]
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. These rights include the right to life, freedom and security of the individual, the right not be tortured or suffer inhumane, cruel or degrading treatment, freedom of expression, the right not to be unlawfully arrested or detained, freedom of movement and choice of abode;
Human rights and equality→Civil and political rights→Torture
Page 59, Resolution No: DIC/CHSC/02 RELATING TO THE EMERGENCY HUMANITARIAN PROGRAMME FOR THE DRC:
[...]
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. These rights include the right to life, freedom and security of the individual, the right not be tortured or suffer inhumane, cruel or degrading treatment, freedom of expression, the right not to be unlawfully arrested or detained, freedom of movement and choice of abode;
Human rights and equality→Civil and political rights→Equality
Page 47-48, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS

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 82-83, 31. Resolution No: DIC/CPR/02 ON THE PROTECTION OF MINORITIES:
[...]
AGREE TO THE FOLLOWING:
[...]
1. Proclaim that no person or group of persons may be discriminated against in the enjoyment of their rights on the basis of ethnicity, religion or language.
2. Affirm that all Congolese communities have equal rights. That, however, the State may, where necessary, take temporary affirmative measures, and other incentives, in order to accelerate and promote the equality among communities, especially for the benefit of the least privileged.

Page 91-93, 35. Resolution No: DIC/CPR/06 ON PEACE AND SECURITY IN THE DRC AND IN THE GREAT LAKES REGION:
[...]
CALL FOR: 1. Within the DRC:
[...]
ii. promotion of social justice as well as general and equitable justice;
Human rights and equality→Civil and political rights→Liberty and security of person
Page 59, Resolution No: DIC/CHSC/02 RELATING TO THE EMERGENCY HUMANITARIAN

Socio-economic rights

Human rights and equality→Socio-economic rights→Property

Page 38-39, 17. Resolution No: DIC/CEF/02 ON THE RESTITUTION OF PROPERTY TAKEN AND/OR CONFISCATED FROM INDIVIDUALS AND OF PLUNDERED STATE PROPERTY:
RECALLING the final communiqué of the preparatory meeting of the National Dialogue which, in Point 3.6, recommends the restitution of all property unlawfully seized and confiscated from individuals and plundered state property;
CONSIDERING the need to reinstate the state as well as individuals in their rights;
RECOMMEND that the Transitional Executive:
1. accelerate the restitution of property unlawfully seized and/or confiscated from individuals, in accordance with the Declaration of Commitment signed in Gaborone on 24 August 2001;
2. proceed with the recovery of state property despoiled by legal entities.
REQUEST the Courts and Tribunals to take cognisance of all cases which have become contentious and as a result been brought before them by parties.
RESOLVE to entrust the Transitional Parliament with the task of defining the principles to guide the settlement of disputes over property unlawfully seized and/or confiscated from individuals as well as despoiled state property.

Page 80-81, 30. Resolution No: DIC/CPR/01 RELATING TO THE RESTITUTION OF PROPERTY SEIZED AND/OR CONFISCATED FROM INDIVVIDUALS AND PROPERTY STOLEN FROM THE STATE:

CONVINCED that the peace and reconciliation process must of necessity be brought about by the re-establishment of the rule of law, as well as individual rights;

DECIDE AS FOLLOWS:

1. The Transitional Government is tasked with restoring, with immediate effect and unconditionally, all property seized and/or illegally confiscated from individuals, and with returning State property stolen by the individuals.

2. The Transitional Government must restore the legal rights of those whose fixed property has been occupied without title or legal right

3. The Transitional Government will, at the same time, appoint a Parliamentary Commission with the necessary legal and logistic means to ensure that this mission entrusted to the Transitional Government is strictly carried out. This Commission will be empowered to receive and assess of victims, and see to it that their rights are restored.

4. It will, in any case, be enabled to refer matters to the Courts, especially in contested cases

Human rights and equality→Socio-economic rights→Work

Page 21, 8. Resolution No: DIC/CPJ/08 RELATING TO THE REHABILITATION OF WORKERS ARBITRARILY DISMISSED:
[...]
CONSIDERING the Universal Declaration of Human Rights, which gives every individual the right to gainful employment;
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;
CONSIDERING that the Congolese Labour Code, especially Article 228, prohibits harm to be caused to a worker as a result of his participation in union activities;
CONSIDERING the relevant recommendations of the National Conference of Human Rights
DEMAND the reinstatement of the rights of affected workers and management staff after individual assessment of each case by competent bodies

Rights related issues

Citizenship

Rights related issues→Citizenship→Citizen, general
Page 84-85, 32. Resolution No: DIC/CPR/03 CONCERNING THE COMPLEX PROBLEM OF NATIONALITY FROM THE STAND POINT OF NATIONAL RECONCILIATION:
[...]
CONSIDERING the current Congolese legislation with regard to nationality, which is a source of uncertainty and political and legal confusion, particularly law No. 071-002 of 28 March 1971, law No. 72-002 of 05 January 1972 in its Article 15 and law No. 81-002 of 29 June 1981 as modified by the decree No. 197 of 29 January 1999;
CONSIDERING that the excessive politicisation of issues relating to the nationality of Rwandophone and Burundophone members of the national population is one of the major causes of the present crisis in the DRC, and that it has resulted in feelings of deprivation, hatred and profound rifts within the population;
CONCERNED by the absolute necessity to establish peaceful coexistence of all the ethic groups throughout the entire territory of the DRC, without outside interference;
CONSIDERING that in the present context, only a real political will can guarantee the definite resolution of the crisis borne of the issue of nationality;
ADOPT THE FOLLOWING:
1. Affirm the principle of the Lusaka Agreement by which “all the ethnic groups and nationalities whose individual members as well as territory constituted what became the Congo (currently the Democratic Republic of Congo) at the time of independence, must enjoy equal rights and protection in terms of the law, as citizens.
2. Request a systematic census of the population at national level, by the Government with possible support from international organisations, with a view to identifying nationals, immigrants, refugees and infiltrators needing to be treated according to legal principles (national and international), whilst preserving peace and security n the DRC.
3. Reaffirm that Congolese nationality is unique and exclusive, and that its regulation falls solely within the domain of the law.
4. Recommend that in future, law-makers be enabled to examine the principle of dual nationality.
5. Ask for the restoration of an efficient public and judicial administration, in order to guarantee the harmonious unfolding of the process of pacification and reconciliation, at the same guaranteeing, in a definite manner, the sovereignty and territorial integrity of the DRC.
6. Ask for the establishment of appropriate programmes for raising the awareness and psychological conditioning of the population with a view to
promoting peaceful inter-ethnic coexistence.
Rights related issues→Citizenship→Citizens, specific rights
Page 1, The Final Act:
...
RESOLVED to work together towards the establishment of a new political dispensation that would protect the inalienable rights of the citizens and generally promote democratic governance;

Page 15, 3. Resolution No: DIC/CPJ/03, RELATING TO THE ENSHRINEMENT OF DEMOCRATIC PRINCIPLES

RESOLVE AS FOLLOWS:
1. The Democratic Republic of Congo is a truly democratic State, based on the sovereignty of the people, the respect for human rights and freedoms, equality of citizens, political pluralism and supremacy of the law.

Page 19, 5. Resolution No: DIC/CPJ/05 RELATING TO THE FREE MOVEMENT OF PERSONS AND THEIR PROPERTY THROUGHOUT THE NATIONAL TERRITORY, AS WELL AS THE RESTORATION OF COMMUNICATION LINKS

Democracy

Page 1, Untitled Preamble:
RESOLVED to work together towards the establishment of a new political dispensation that would protect the inalienable rights of the citizens and generally promote democratic governance;
...
CONVINCED of the imperative need for this process to culminate in free, democratic and transparent elections;

Page 11, 1. Resolution No DIC/CPJ/01, RELATING TO THE GLOBAL AND INCLUSIVE AGREEMENT ON THE TRANSITION IN THE DRC, SIGNED IN PRETORIA ON 17 DECEMBER 2992, AND THE MEMORANDUM ADDITIONAL THERETO SIGNED ON 6 MARCH 2003:
CONSIDERING the imperative need to found the Transitional Government for the DRC on the basis of consensus, with due regard for the principles of inclusivity and democratic governance, as prerequisites for lasting peace, the successful reunification of the country and national reconstruction;

Page 13-14, 2.Resolution No: DIC/CPJ/02 RELATING TO THE ADOPTION OF THE TRANSITIONAL CONSTITUTION FOR THE DRC:
[...]
SOLEMNLY ENJOIN all those to be called upon to assume responsibilities for the functioning of the transitional institutions in the DRC to ensure scrupulous respect for the letter and spirit of this Constitution, in order to safeguard peace and guarantee a successful transition to serve as foundation for a new democratic dispensation in the country.
[...]
CONSIDERING the imperative need to found the Transitional Government for the DRC on the basis of the rule of law and the principles of democratic governance, as prerequisites for lasting peace and the successful reunification of the country;

Page 15, 3. Resolution No: DIC/CPJ/03, RELATING TO THE ENSHRINEMENT OF DEMOCRATIC PRINCIPLES:
[...]
CONSIDERING the need to build a real democracy in the Congo and system of rule of law, based on the principle of the separation of powers and the balance between institutions, as well as adherence to the Constitution and the law;
[...]
CONSIDERING that democracy implies mainly, within a sovereign nation, the participation of the people in the exercise of power in a system of political pluralism, transparency in the management of public affairs, good governance, control and, where applicable, appropriate sanctions by an independent body;
RESOLVE AS FOLLOWS:
1. The Democratic Republic of Congo is a truly democratic State, based on the sovereignty of the people, the respect for human rights and freedoms, equality of citizens, political pluralism and supremacy of the law.
2.Public affairs are conducted according to the principles of transparency and good governance, implying the need for control and, where applicable, sanctions exercised by an independent body.
3. No person may accede to or maintain power through force or the use of arms. All access to power must be organised through democratic means.

Page 17, 4. Resolution No: DIC/CPJ/04 RELATING TO THE EFFECTIVE AND COMPLETE LIBERALISATION OF POLITICAL LIFE AND ASSOCIATION
[...]

CONSIDERING that one of the objectives of the inter-Congolese political negotiations is the establishment of a new political dispensation in the DRC based on democracy, peace

Detention procedures	Page 47-50, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS [...] vi. Draw up a policy for penitentiary administration and the supervision and guidance of prisoners. [...] 5. SPORTS AND LEISURE a. Urgent [...] iv. Promote school, university, military and women's sports and those for people living with a handicap, and even for prisoners.

Media and communication

Rights related issues→Media and communication→Media roles

Page 15, 3. Resolution No: DIC/CPJ/03, RELATING TO THE ENSHRINEMENT OF DEMOCRATIC PRINCIPLES:
[...]
RECALLING our adherence to the Declaration of Commitment signed in Gaborone on 24 August 2001, with special reference to Articles 4 and 5 relating to the freedom of movement of persons and property throughout the national territory and to the reestablishment of communication channels;

Page 17, 4. Resolution No: DIC/CPJ/04 RELATING TO THE EFFECTIVE AND COMPLETE LIBERALISATION OF POLITICAL LIFE AND ASSOCIATION:
[...]
GIVEN our adherence to the Declaration of Commitment signed in Gaborone on 24 August 2001, with special reference to Articles 4 and 5 relating to the freedom of movement of persons and property throughout the national territory and to the reestablishment of communication channels;

Page 19, 5. Resolution No: DIC/CPJ/05 RELATING TO THE FREE MOVEMENT OF PERSONS AND THEIR PROPERTY THROUGHOUT THE NATIONAL TERRITORY, AS WELL AS THE RESTORATION OF COMMUNICATION LINKS:
[...]
REAFFIRMING the need to guarantee the freedoms and fundamental rights of citizens specially regarding the freedom of movement and communication;
DECIDE
1. To guarantee the free movement of persons and property throughout the national territory of the Democratic Republic of Congo.
2. To re-establish air, rail, river, lake, road, telephonic and postal communication links throughout the Democratic Republic of Congo.

Page 20, 6. Resolution No: DIC/CPJ/06 RELATING TO THE ABOLITION OF SPECIAL COURTS AND THE REFORM OF MILITATRY JUSTICE:
[...]
REAFFIRMING the Declaration of Commitment signed at Gaborone on 24 August 2001, in particular Articles 4 and 5 relating to free movement of individuals and their goods throughout the national territory, and the restoration of communication links;

Page 77-79, 29. Resolution No: DIC/CHSC/09 RELATING TO THE MEDIA SECTOR:
CONSIDERING that in a rule of law and in a democracy, the media play an indispensable role in stimulating people's minds with a view to socio-economic development;
CONSIDERING that the media can ideally enable the expression, development, affirmation and flourishing of cultural identities;
AWARE that independent, free, responsible and efficient media are a guarantee for public freedoms, the smooth running of democracy and social cohesion; CONSIDERING that the media, both public and private, must reflect the diversity of faiths and the plurality of opinions;
CONSIDERING that the media, through their action, help the public to gain insight into the profiles of public figures and politicians as well as into their programmes, and that this enables the public to express itself credibly during electoral and consultative events;
GIVEN the necessity to consolidate and reinforce the Congolese sabjects' feeling of belonging to a common culture;
RECOGNISING that the State has an obligation to organise the public media sector and encourage the private media sector to follow suit:
CONSIDERING that in order to be optimally operational, the sector needs a legal and democratic framework and professional instruments as well as legal organisations and adequate material infrastructures from top to bottom;

Mobility/access

Page 4, ANNEX 1 ADOPTED RESOLUTIONS BY THE INTER-CONGOLESE DIALOGUE [Table of Content]:
5. Resolution No: DIC/CPJ/05 Relating to the free movement of people and goods throughout the national territory of the DRC as well as the restoration of transport links.

Page 15, 3. Resolution No: DIC/CPJ/03, RELATING TO THE ENSHRINEMENT OF DEMOCRATIC PRINCIPLES:
[...]
RECALLING our adherence to the Declaration of Commitment signed in Gaborone on 24 August 2001, with special reference to Articles 4 and 5 relating to the freedom of movement of persons and property throughout the national territory and to the reestablishment of communication channels;

Page 17, 4. Resolution No: DIC/CPJ/04 RELATING TO THE EFFECTIVE AND COMPLETE LIBERALISATION OF POLITICAL LIFE AND ASSOCIATION:
[...]
GIVEN our adherence to the Declaration of Commitment signed in Gaborone on 24 August 2001, with special reference to Articles 4 and 5 relating to the freedom of movement of persons and property throughout the national territory and to the reestablishment of communication channels;

Page 19, 5. Resolution No: DIC/CPJ/05 RELATING TO THE FREE MOVEMENT OF PERSONS AND THEIR PROPERTY THROUGHOUT THE NATIONAL TERRITORY, AS WELL AS THE RESTORATION OF COMMUNICATION LINKS:
[...]
REAFFIRMING the need to guarantee the freedoms and fundamental rights of citizens specially regarding the freedom of movement and communication;
DECIDE
1. To guarantee the free movement of persons and property throughout the national territory of the Democratic Republic of Congo.
2. To re-establish air, rail, river, lake, road, telephonic and postal communication links throughout the Democratic Republic of Congo.

Page 20, 6. Resolution No: DIC/CPJ/06 RELATING TO THE ABOLITION OF SPECIAL COURTS AND THE REFORM OF MILITARY JUSTICE:
[...]
REAFFIRMING the Declaration of Commitment signed at Gaborone on 24 August 2001, in particular Articles 4 and 5 relating to free movement of individuals and their goods throughout the national territory, and the restoration of communication links;

Page 49-57, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS:
[...]
CONSIDERING the massive destruction of many infrastructures of all sorts, especially land transport networks, thereby aggravating difficulty of movement for persons and property;
[...]
iii. Encourage investment projects able to generate employment, but also projects for the rehabilitation or building of basic social infrastructures (schools, roads, health centres, etc) which provide employment opportunities;
[...]
7. INFRASTRUCTURE OF A SOCIAL NATURE
a. Urgent
[...]
ii. Restore the transport networks, especially those which serve the agricultural areas, so

Protection measures

Rights related issues→Protection measures→Protection of civilians
Page 58-59, 22. Resolution No: DIC/CHSC/02 RELATING TO THE EMERGENCY HUMANITARIAN PROGRAMME FOR THE DRC:
5.
[...]
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.
Rights related issues→Protection measures→Protection of groups
Page 30-31, 13. Resolution No: DIC/CDS/03 RELATING TO THE IDENTIFICATION OF NATIONALS WHO SHALL CONSTITUTE THE ARMY; DEMOBILISATION AND REINTEGRATION OF CHILD SOLDIERS AND VULNERABLE PERSONS; RECRUITMENT WITH A VIEW TO INTEGRATING MILITARY AND PARAMILITRY GROUPS INTO THE NATIONAL ARMY AND POLICE:
[...]
CONSIDERING the need to protect vulnerable persons affected by demobilisation and reintegration measures; C
Page 52-53, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS:
3. FAMILIES, WOMEN, CHILDREN AND VULNERABLE PERSONS
a. Urgent
b. Short and medium term
[...]
i. Draw up a realistic social policy to protect the family; re-launch and reinforce management of the Fund for the Promotion of Social Services;
[...]
Page 70-71, 26. Resolution No: DIC/CHSC/06 RELATING TO CULTURE AND INTER-ETHNIC CO-EXISTENCE IN THE DEMOCRATIC REPUBLIC OF CONGO:
[...]
AWARE that the Congolese youth must be protected and supervised through education, sport and recreation;
[...]
INVITE the authorities of the Democratic Republic of Congo to put in place a policy for promoting arts and culture, sport, protection of the youth, preserving peace and harmony between the different national communities with particular emphasis on:
[...]
2. Protecting and supervising the youth.
Page 76, 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:
[...]
4. the Convention on Children's Rights;
[...]
RECOMMEND:
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;

Other	No specific mention.

Rights institutions

NHRI

Rights institutions→NHRI→New or fundamentally revised NHRI
Page 21, 8. Resolution No: DIC/CPJ/08 RELATING TO THE REHABILITATION OF WORKERS ARBITRARILY DISMISSED:
[...]
CONSIDERING the relevant recommendations of the National Conference of Human Rights

Page 74-76, 28. Resolution No: DIC/CHSC/08 RELATING TO THE NATIONAL MONITORING BODY FOR HUMAN RIGHTS:
[...]
CONSIDERING that dignity is inherent in all members of the human family and that their equal and inalienable rights constitute the foundation of freedom, and considering the principle of the necessity for justice in the world; that all these are indispensable elements for the promotion of democracy and lasting peace;
CONSIDERING that the ignorance of these rights leads to acts of oppression and barbarism such as have been recorded throughout the world in general and in the DRC in particular;
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:
1. the International Pact of Civil and Political Rights;
2. the International Pact on Economical, Social and Cultural Rights;
3. the United Nations Declaration and Convention against Torture, Suffering or Cruel, Inhumane or Degrading Treatment;
4. the Convention on Children's Rights;
5. the Convention on the Elimination of all Forms of Discrimination against Women;
6. the International Convention on the Elimination of all Forms of Racial Discrimination;
7. the African Charter of Human and People's Rights;
RECALLING furthermore that the DRC has ratified all these instruments but that their implementation is far from being fully observed;
DEPLORING the ignorance of these rights by the beneficiaries thereof and the non-adherence to these rights by the appropriate authorities;
RECOGNISING the collective realisation over the last few years of the necessity to respect human rights as a non-negotiable condition for a rule of law;
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:
a. monitor the implementation of national, regional and international legal standards relating to human rights;
b. recommend and facilitate the Democratic Republic of Congo's ratification of or adherence to new treaties relating to human rights;
c. follow up and submit progress reports on the implementation of international legal instruments relating to the promotion and protection of human rights;
d. inform citizens of their rights;
e. assess internal legislation relating to human rights and make recommendations;
f. guarantee that citizens enjoy all their rights, both individual and collective;
g. promote the establishment of a true rule of law;
h. promote associations defending human rights;
i. train human rights activists, ensure their protection and guarantee their status;
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

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

Page 20, 6. Resolution No: DIC/CPJ/06 RELATING TO THE ABOLITION OF SPECIAL COURTS AND THE REFORM OF MILITATRY JUSTICE:
CONSIDERING the need to establish the rule of law in the DRC, with legal judicial institutions to guarantee and respect fundamental human rights, especially as concerns the right to defence and the principle of double degree of jurisdiction;
REAFFIRMING the Declaration of Commitment signed at Gaborone on 24 August 2001, in particular Articles 4 and 5 relating to free movement of individuals and their goods throughout the national territory, and the restoration of communication links;
CONSIDERING that in a democratic State, special courts must not be created;
DEPLORING the abuse perpetrated by the special courts during the war in DRC;
DECIDE
1. The abolition of special courts, especially military courts, throughout the national territory;
2. The reform of military courts, especially in that they must no longer have the authority to judge civilians and must guarantee the right to appeal and the right to defence of the individuals under their jurisdiction in accordance with the relevant provisions to international legal instruments ratified by the DRC;
3. The establishment of legal channels providing for the review, at the request of injured parties, of the rulings of these said special courts.

Page 21, 7. Resolution No: DIC/CPJ/07 RELATING TO THE REINSTATEMENT OF REHABILITATION OF MAGISTRATES DISMISSED OR FORCED INTO EARLY RETIREMENT
REAFFIRMING moreover, the necessity to reflect the principle of separation of powers and the need to consolidate the independence of the judiciary;
CONSIDERING that following decree No 144 of 6 November 1999, 315 magistrates were dismissed, and following these measures, other groups of magistrates were forced into early retirement, in violation of the relevant clauses of the Ordinance relating to the status of magistrates, with particular reference to the attributions of the Higher Council of the Magistrature;

Page 21, 7. Resolution No: DIC/CPJ/07 RELATING TO THE REINSTATEMENT OF REHABILITATION OF MAGISTRATES DISMISSED OR FORCED INTO EARLY RETIREMENT
[…]
REAFFIRMING moreover, the necessity to reflect the principle of separation of powers and the need to consolidate the independence of the judiciary;
CONSIDERING that following decree No 144 of 6 November 1999, 315 magistrates were dismissed, and following these measures, other groups of magistrates were forced into early retirement, in violation of the relevant clauses of the Ordinance relating to the status of magistrates, with particular reference to the attributions of the Higher Council of the Magistrature;
CALL UPON THE TRANSITION GOVERNMENT
1. To take all the necessary steps to rehabilitate and reinstate civil and military magistrates that have been collectively dismissed or forced into early retirement;
2. To examine the cases of the affected magistrates, individually and with due care, in order to be able to make appropriate rulings in accordance with the law.

Page 23-24, 9. Resolution No: DIC/CPJ/09 RELATING TO THE INDEPENDENT ELECTORAL COMMISSION:
[...]
THIS COMMISSION WILL HAVE THE FOLLOWING MANDATE:
5. The announcement of the election results as well as electoral disputes are entrusted to the Supreme Court of Justice.

Page 38-39, 17. Resolution No: DIC/CEF/02 ON THE RESTITUTION OF PROPERTY TAKEN AND/OR CONFISCATED FROM INDIVIDUALS AND OF PLUNDERED STATE PROPERTY:

Prisons and detention	Page 53, 3. FAMILIES, WOMEN, CHILDREN AND VULNERABLE PERSONS a. Urgent ... vi. Draw up a policy for penitentiary administration and the supervision and guidance of prisoners. ... [See also provisions in Humane Treatment in Detention]
Traditional Laws	Page 53, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS: [...] 4. FAMILIES, WOMEN, CHILDREN AND VULNERABLE PERSONS [...] 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;

Socio-economic reconstruction

Development or socio-economic reconstruction

Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Page 45-46, 20. Resolution No: DIC/CEF/05 RELATING TO EMERGENCY ECONOMIC AND SOCIAL PROGRAMME:
[...]
CONSIDERING the appraisal undertaken by the Economic and Finance Commission in terms of:
1. the macroeconomic and sectoral framework;
3. the disastrous social situation of the population;
4. the destruction of the environment;
5. plundering and mismanagement of natural resources;
6. bad governance;
[...]

[Summary - Page 47-57, The entirety of the 21 Resolution (No:DIC/CHSC/01) provides for emmergency programmes in different social sectors. This includes the following sectors : 1. HEALTH; 2. EDUCATION, 3. FAMILIES, WOMEN, CHILDREN AND VULNERABLE PERSONS, 4. YOUTH, 5. SPORTS AND LEISURE, 6. EMPLOYMENT AND PUBLIC ADMINISTRATION, 7. INFRASTRUCTURE OF A SOCIAL NATURE, 8. RURAL DEVELOPMENT.]
Socio-economic reconstruction→Development or socio-economic reconstruction→Humanitarian assistance
[Summary: Page 58-61, The entirety of the 22. Resolution (No:DIC/CHSC/020 provides for the an emergency humanitarian programme.]
Socio-economic reconstruction→Development or socio-economic reconstruction→Infrastructure and reconstruction
Page 45-46, 20. Resolution No: DIC/CEF/05 RELATING TO EMERGENCY ECONOMIC AND SOCIAL PROGRAMME:
[...]
CONSIDERING the appraisal undertaken by the Economic and Finance Commission in terms of:
1. the macroeconomic and sectoral framework;
2. the state of advanced destruction and collapse of basic infrastructures;

GIVEN the vital role devolving onto the Democratic Republic of Congo in achieving the objectives of the New Partnership for the Development of Africa (NEPAD) in the sub-region as well as elsewhere in Africa;
ADOPT an Emergency Economic and Social Programme for the transitional period with the objectives of economic stabilisation and recovery, targeting in particular the following fundamental options:
1. launch of the process of rehabilitation and reconstruction of the Democratic Republic of Congo, through:
a. execution of large-scale rehabilitation works, as well as the reconstruction of key infrastructures;
b. strengthening of human and institutional capacity;
c. introduction of a growing financing system to benefit community initiatives;
d. creation of an enabling environment for private investment, both national and foreign;
2. fight against poverty, through:
a. stabilisation and consolidation of the macroeconomic framework;
b. promotion of sustained and balanced economic growth;
c. formulation of a State budget reflecting the social priorities set by the Programme.
REQUEST the transitional institutions to ensure the implementation and follow-up of this programme to rebuild a strong and prosperous economy in the interest of the Congolese population in its entirety.

National economic plan

Page 42-44, 19. Resolution No: DIC/CEF/04 CALLING FOR SCRUTINY TO DETERMINE THE VALIDITY OF ECONOMIC AND FINANCIAL AGREEMENTS SIGNED DURING THE WAR REQUEST AND RECOMMEND
1. The setting up, by the Transitional Parliament, within the shortest possible time, of a special Commission tasked with assessing the validity of agreements of an economic and financial nature concluded during the wars of 1996 - 97 and 1998.
2. Taking into account the complexity and importance of the subject matter, the Commission will, under the authority of the Parliament, be essentially assigned the following as mission:
a. to draw up an inventory of all the agreements signed during the two wars;
b. to scrutinise the agreements;
c. to assess their financial impact;
d. to confirm or reject the agreements.
3. The Commission will operate according to rules of procedure to be laid down, for the purpose, by the Transitional Parliament.
4. In scrutinising the agreements, the Commission will be guided by the following principles:
a. respect for the sovereignty and the territorial integrity of the Democratic Republic of Congo;
b. respect for legal and regulatory texts governing the various sectors;
c. respect for the powers to be vested in the members of the Commission;
d. rejecting of the practice of illicit enrichment;
e. cognisance of reports of UN expert groups on the illegal exploitation of natural resources and other forms of wealth in the Democratic Republic of Congo;
f. cognisance of the impact on the population;
g. duty of transparency in the procedures for concluding the said agreements;
h. timely lodging by petitioners of agreements and other arrangements.

5. The special Commission will propose appropriate measures concerning the compensation for any loss suffered by the Congolese State or Congolese nationals as a result of these agreements, contracts or management arrangements.

NOTICE IS HEREBY TAKEN OF:
1. the declaration by the Movement for the Liberation of Congo to the effect that it has signed no convention of economic or financial nature;

2. the declaration of the Congolese Rally for Democracy National (RCD/N) to the effect that it has signed no convention of economic or financial nature;

3. the declaration of the Congolese Rally for Democracy Movement for Liberation (RCD/ML) to the effect that it has signed a Letter of Intent, with stipulated conditions precedent, with the First International Bank of Grenada, Limited, entitled “Agreement for Humanitarian and Economic Development Aid for the Congo”. The actual contract was not executed, and that furthermore arrangements of economic and financial nature found in place and deemed illicit have been annulled.

Page 45, 20. Resolution No: DIC/CEF/05 RELATING TO EMERGENCY ECONOMIC AND SOCIAL PROGRAMME
... ADOPT an Emergency Economic and Social Programme for the transitional period with the objectives of economic stabilisation and recovery, targeting in particular the following fundamental options:
1. launch of the process of rehabilitation and reconstruction of the Democratic Republic of Congo, through:

a. execution of large-scale rehabilitation works, as well as the reconstruction of key infrastructures;

Natural resources

Page 40-41, 18. Resolution No: DIC/CEF/03 RELATING TO DISPUTES OVER THE RECONSTRUCTION OF THE ENVIRONMENT DESTROYED BY WAR
CONSIDERING the damage caused to the ecosystems and to the living environment in the Democratic Republic of Congo by the massive presence of Rwandan refugees in 1994, as well as the wars of 1996-97 and 1998, in particular:
1. the deforestation linked to overexploitation;
2. the excessive exploitation and exportation of medicinal plants;
3. the extermination and illegal exportation of rare species;
4. desertification, erosion and landslides resulting from the deforestation mentioned above;
5. the destruction, occupation and illegal exploitation of national parks, reserves and other protected sites;
[...]

Page 42-43, 19. Resolution No: DIC/CEF/04 CALLING FOR SCRUTINY TO DETERMINE THE VALIDITY OF ECONOMIC AND FINANCIAL AGREEMENTS SIGNED DURING THE WAR:
[...]
OBSERVING that since 1996, the Congolese parties to the Lusaka Agreement have had, for reasons imposed by the war, to sign agreements or exploitation contracts, to conclude joint ventures with States and/or with private legal entities based in such states;
[...]
4. In scrutinising the agreements, the Commission will be guided by the following principles:
[...]
e. cognisance of reports of UN expert groups on the illegal exploitation of natural resources and other forms of wealth in the Democratic Republic of Congo;

Page 47-56, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS:
[...]
TAKING note of the economic potential of the country due to its wealth in various natural resources;

Page 62-63, 23. Resolution No: DIC/CHSC/03 RELATING TO THE EMERGENCY PROGRAMME FOR THE ENVIRONMENT IN THE DEMOCRATIC REPUBLIC OF CONGO
NOTING the considerable damage to the environment caused by the war, in particular by:
... 8. uncontrolled identification and exploitation of mineral resources;

International funds

Page 45, 20. Resolution No: DIC/CEF/05 RELATING TO EMERGENCY ECONOMIC AND SOCIAL PROGRAMME:
[...]
GIVEN the vital role devolving onto the Democratic Republic of Congo in achieving the objectives of the New Partnership for the Development of Africa (NEPAD) in the sub-region as well as elsewhere in Africa;
[...]
REQUEST the support of the international community, in particular, the Bretton Woods Institutions, the EU and the African Development Bank, working together in a consultative group involving the Congolese executive authorities, for the success of this programme.

Page 48, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS
[...]
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

Page 59-61, 22. Resolution No: DIC/CHSC/02 RELATING TO THE EMERGENCY HUMANITARIAN PROGRAMME FOR THE DRC
[...]
AWARE that no emergency programme can be effectively carried out without a minutely detailed plan of action formulated in close collaboration with all international institutions and donors. This requires a partnership that respects international standards governing different areas of participation in an association in which humanitarian aspects are supported by development;
[...]
TO THIS END, THE FOLLOWING MEASURES ARE STRONGLY RECOMMENDED:
1. Immediately after the Inter-Congolese Dialogue, the Congolese authorities must ask the Secretary-General of the UN to invite a multidisciplinary and inter-agency technical panel to formulate a multi-sectoral, long-term emergency programme to deal with humanitarian issues and socio-economic rehabilitation of affected Congolese, ie refugees, displaced persons, demobilised soldiers, vulnerable groups, etc.
2. A document comprising a minutely detailed plan of action with an appropriate budget and implementation strategies must be presented by the Congolese authorities to a round table of donors and international partners. These must approve the funding and terms of implementation of the plan.
3. Given the connection between repatriation and reintegration of refugees and displaced persons on the one hand, and the reconstruction and development of the areas devastated by the war, to which they will return, on the other, it is essential that the humanitarian and development institutions as well as the international community make a concerted effort to finance this long-term programme, thus laying the basis for reconstruction and renewed development in war-torn areas within the framework of the global and national plan of reconstruction and development of Congo.
4. Effective implementation of a multi-sectoral programme of such scope and partnership activities involving international institutions, making the necessary funds available, and above all the capacity to mobilise the diverse State sectors on central and provincial levels, argue in favour or creating a National Humanitarian Authority. Such an authority will be informed of any programme formulated by international agencies and will help to realise them where possible,
and so ensure that the humanitarian programme extends to all affected provinces in the DRC

Business

Page 21, 8. Resolution No: DIC/CPJ/08 RELATING TO THE REHABILITATION OF WORKERS ARBITRARILY DISMISSED:
[...]
CONSIDERING that the workers of certain public and private enterprises such as: the National Electricity Company (SNEL), REGIDESO, the civil service (education, army) the Congolese Control Office (OCC), the National Insurance Company (SONAS), Gécamines, Petro Congo, ONATRA, Commercial Bank of Congo, have been dismissed without regard for the relevant laws in force;
DEMAND the reinstatement of the rights of affected workers and management staff after individual assessment of each case by competent bodies.

Page 42-44, 19. Resolution No: DIC/CEF/04 CALLING FOR SCRUTINY TO DETERMINE THE VALIDITY OF ECONOMIC AND FINANCIAL AGREEMENTS SIGNED DURING THE WAR:
[…]
OBSERVING that since 1996, the Congolese parties to the Lusaka Agreement have had, for reasons imposed by the war, to sign agreements or exploitation contracts, to conclude joint ventures with States and/or with private legal entities based in such states;
OBSERVING furthermore, that, for the same reasons, management arrangements with economic and financial implications have been put in place;
CONSIDERING that these agreements, contracts and management arrangements gave rise to contractual obligations at leadership level of the Congolese contracting parties;
AWARE that it is imperative to submit these obligations to careful scrutiny in order to safeguard the higher interests of the Congolese people;
REQUEST AND RECOMMEND
1. The setting up, by the Transitional Parliament, within the shortest possible time, of a special Commission tasked with assessing the validity of agreements of an economic and financial nature concluded during the wars of 1996-97 and 1998.
2. Taking into account the complexity and importance of the subject matter, the Commission will, under the authority of the Parliament, be essentially assigned the following as mission:
a. to draw up an inventory of all the agreements signed during the two wars;
b. to scrutinise the agreements;
c. to assess their financial impact;
d. to confirm or reject the agreements.
3. The Commission will operate according to rules of procedure to be laid down for the purpose, by the Transitional Parliament.
4. In scrutinising the agreements, the Commission will be guided by the following principles:
a. respect for the sovereignty and the territorial integrity of the Democratic Republic of Congo;
b. respect for legal and regulatory texts governing the various sectors;
c. respect for the powers to be vested in the members of the Commission;
d. rejecting of the practice of illicit enrichment;
e. cognisance of reports of UN expert groups on the illegal exploitation of natural resources and other forms of wealth in the Democratic Republic of Congo;
f. cognisance of the impact on the population;
g. duty of transparency in the procedures for concluding the said agreements;
h. timely lodging by petitioners of agreements and other arrangements.
5. The special Commission will propose appropriate measures concerning the compensation for any loss suffered by the Congolese State or Congolese nationals as a result of these agreements, contracts or management arrangements.
NOTICE IS HEREBY TAKEN OF:
1. the declaration by the Movement for the Liberation of Congo to the effect that it has signed no convention of economic or financial nature;

Taxation No specific mention.

Banks Socio-economic reconstruction→Banks→Personal or commercial banking
Page 53-57, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS:
3. FAMILIES, WOMEN, CHILDREN AND VULNERABLE PERSONS
[...]
Set up appropriate and specific structures which can enable women to gain access to credit, micro-finance and the business world;
[...]
7. INFRASTRUCTURE OF A SOCIAL NATURE:
[...]
Short and Medium Term
[...]
ii. Promote a home loan policy by rehabilitating the banking sector and by developing initiative centres and cooperatives;
[...]
8. RURAL DEVELOPMENT
[...]
b. Short and Medium Term
i. Create a promotion fund in order to grant micro-loans for households, agriculture, crafts and fishing;
[...]
iii. Make it easier for farmers and small and medium enterprises to benefit from the services of savings and credit institutions through group associations (cooperatives, initiative centres, etc);
iv. Enhance the profile of local micro-technologies and encourage a large population participation in community projects;

Land, property and environment

Land reform/rights

Land, property and environment→Land reform/rights→Property return and restitution
Page 38-39, 17. Resolution No: DIC/CEF/02 ON THE RESTITUTION OF PROPERTY TAKEN AND/OR CONFISCATED FROM INDIVIDUALS AND OF PLUNDERED STATE PROPERTY:
[...]
RESOLVE to entrust the Transitional Parliament with the task of defining the principles to guide the settlement of disputes over property unlawfully seized and/or confiscated from individuals as well as despoiled state property.

Page 80-81, 30. Resolution No: DIC/CPR/01 RELATING TO THE RESTITUTION OF PROPERTY SEIZED AND/OR CONFISCATED FROM INDIVVIDUALS AND PROPERTY STOLEN FROM THE STATE:
RECALLING point 6 of the Declaration of Commitment signed at Gaborone on 24 August 2001, according to which representatives of the components to the inter-Congolese political negotiations had determined to restore, with immediate effect and unconditionally, all property illegally seized and/or confiscated for political reasons or considerations, as well as property occupied without title or legal right;
NOTING that the above clause has not been implemented by all the parties, as it should have been;
DECIDE AS FOLLOWS:
1. The Transitional Government is tasked with restoring, with immediate effect and unconditionally, all property seized and/or illegally confiscated from individuals, and with returning State property stolen by the individuals.
2. The Transitional Government must restore the legal rights of those whose fixed property has been occupied without title or legal right.
3. The Transitional Government will, at the same time, appoint a Parliamentary Commission with the necessary legal and logistic means to ensure that this mission entrusted to the Transitional Government is strictly carried out. This Commission will be empowered to receive and assess of victims, and see to it that their rights are restored.
4. It will, in any case, be enabled to refer matters to the Courts, especially in contested cases.
Land, property and environment→Land reform/rights→Other land rights
Page 62-65, 23. Resolution No: DIC/CHSC/03 RELATING TO THE EMERGENCY PROGRAMME FOR THE ENVIRONMENT IN THE DEMOCRATIC REPUBLIC OF CONGO
[...]
5. Request the Congolese authorities to acknowledge the stability of the native populations settled in areas adjoining national parks and other protected sites by establishing mechanisms and development projects to enable them to live in harmony with nature and to guarantee their right to ancestral territory (land rights).

Page 70-71, 26. Resolution No: DIC/CHSC/06 RELATING TO CULTURE AND INTER-ETHNIC CO-EXISTENCE IN THE DEMOCRATIC REPUBLIC OF CONGO
[...]
INVITE the authorities of the Democratic Republic of Congo to put in place a policy for promoting arts and culture, sport, protection of the youth, preserving peace and harmony between the different national communities with particular emphasis on:
[...]
8. Enacting laws relating to land to guarantee the rights of all.

Pastoralist/ nomadism rights

No specific mention.

Cultural heritage

Land, property and environment→Cultural heritage→Tangible
Page 40-41, 18. Resolution No: DIC/CEF/03 RELATING TO DISPUTES OVER THE RECONSTRUCTION OF THE ENVIRONMENT DESTROYED BY WAR
CONSIDERING the damage caused to the ecosystems and to the living environment in the Democratic Republic of Congo by the massive presence of Rwandan refugees in 1994, as well as the wars of 1996-97 and 1998, in particular:
... 5. the destruction, occupation and illegal exploitation of national parks, reserves and other protected sites;

Page 62-65, 23. Resolution No: DIC/CHSC/03 RELATING TO THE EMERGENCY PROGRAMME FOR THE ENVIRONMENT IN THE DEMOCRATIC REPUBLIC OF CONGO
[...]
AWARE that the health and well-being of people, in fact, their very development, depend largely on the quality of the physical environment in which they live;
NOTING the considerable damage to the environment caused by the war, in particular by:
[...]
2. destruction of national parks, reserves, and sites classified as World Heritage Sites;
3. occupation and illegal exploitation of national parks, reserves and other protected sites;
4. uncontrolled fragmentation of national parks, reserves, and other sites classified as World Heritage Sites;
[...]
AGREE TO
1. Request the Congolese authorities to establish an emergency programme for the environment, so as to:
a. rehabilitate flora and fauna especially in national parks, reserves, and all other protected sites;
b. secure national parks, reserves, and all other protected sites;
[...]
f. return illegally exported species and protect endangered species.
g. preserve medicinal flora with which the Democratic Republic of Congo is exceptionally richly endowed;
h. de-mine affected rural areas.
[...]
CONCERNED by the exploitation and illegal exportation of medicinal plants and wood for crafting on one hand, and the extermination of animal species, in particular okapi, white rhinoceros, mountain gorilla and elephant on the other;
Land, property and environment→Cultural heritage→Intangible
Page 70, 26. Resolution No: DIC/CHSC/06 RELATING TO CULTURE AND INTER-ETHNIC CO-EXISTENCE IN THE DEMOCRATIC REPUBLIC OF CONGO:
[...]
AWARE that arts and culture are a very positive attribute of the Congolese nation and should therefore be promoted;
[...]
AWARE that the plethora of different ethic groups in our country constitutes enormous cultural wealth rather than a mosaic of different languages;
[...]
INVITE the authorities of the Democratic Republic of Congo to put in place a policy for promoting arts and culture, sport, protection of the youth, preserving peace and harmony between the different national communities with particular emphasis on:
1. Protecting and promoting culture, the arts, constructive leisure activities and sport.

Environment

Page 40-41, 18. Resolution No: DIC/CEF/03 RELATING TO DISPUTES OVER THE RECONSTRUCTION OF THE ENVIRONMENT DESTROYED BY WAR:
[...]
CONSIDERING the damage caused to the ecosystems and to the living environment in the Democratic Republic of Congo by the massive presence of Rwandan refugees in 1994, as well as the wars of 1996-97 and 1998, in particular:
1. the deforestation linked to overexploitation;
2. the excessive exploitation and exportation of medicinal plants;
3. the extermination and illegal exportation of rare species;
4. desertification, erosion and landslides resulting from the deforestation mentioned above;
5. the destruction, occupation and illegal exploitation of national parks, reserves and other protected sites;
6. the presence of anti-personnel mines in certain areas;
7. the destruction of habitat and infrastructures;
CONSIDERING the dispute over the economic, financial and social consequences of the destruction of the environment in the Democratic Republic of Congo;
CONVINCED of the need for fair and equitable reparation for the restoration of a healthy environment for the benefit of both the Congolese people and humanity;
REQUEST AND RECOMMEND
1. The establishment of a special ad hoc Commission of Inquiry within the transitional Parliament, if necessary with the participation of national and international experts, with a view to identifying destroyed sites, assessing the extent of the damage, apportioning responsibility, identifying perpetrators and victims and determining the nature and level of compensation and reparation.
2. The period of the Enquiry should not exceed six months.
3. The recognition by the international community of the state of destruction of the environment in the Democratic Republic of Congo as a disaster of world-wide proportions.

Page 56, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS:
[...]
7. INFRASTRUCTURE OF A SOCIAL NATURE
[...]
b. Short and Medium Term
i. Exploit local energy resources by building micro-power stations, windmills, watermills, solar energy plants, etc;

Page 58, RELATING TO THE EMERGENCY HUMANITARIAN PROGRAMME FOR THE DRC:
[...]
NOTING the additional crisis caused by the eruption of Nyiragongo which destroyed the town of Goma and its environs, and left more than 500 000 people homeless;

Page 61, 22. Resolution No: DIC/CHSC/02 RELATING TO THE EMERGENCY HUMANITARIAN PROGRAMME FOR THE DRC:
[...]
TO THIS END, THE FOLLOWING MEASURES ARE STRONGLY RECOMMENDED:
[...]
5. To avoid having too many participants and wasting allocated funds, this will be the only body authorised by the Congolese State to dispense the funds necessary for managing the programme under the direction of a Commissioner
General with the rank of Minister or Deputy Minister. He will be responsible for liaising with the Government to sort out administrative problems:
[...]

Water or riparian rights or access	Page 56, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS: [...] 7. INFRASTRUCTURE OF A SOCIAL NATURE a. Urgent [...] iii. Re-launch all the projects dealing with the supply of drinking water; iv. Reinforce the water quality policy by setting standards for the protection, catchment and treatment of water and the systematic control of water distribution; v. Connect urban and rural areas to drinking water and electrical energy sources, by extending the network for the benefit of new subscribers; vi. Rehabilitate the National Rural Water Service, the REGIDESO and the SNEL production units, and furnish them with chemical inputs, material and equipment and other consumables. b. Short and Medium Term i. Exploit local energy resources by building micro-power stations, windmills, watermills, solar energy plants, etc; Page 58, RELATING TO THE EMERGENCY HUMANITARIAN PROGRAMME FOR THE DRC: [...] CONCERNED by the humanitarian crisis in the DRC, which has reached catastrophic proportions, directly or indirectly affecting more than 20 000 000 people as a result of destruction of infrastructures, lack of access to medical care, schooling and drinking water, malnutrition, spread of HIV/AIDS and STDs, malaria, TB and an increase in an already high unemployment rate (50% of the population);

Security sector

Security Guarantees

Page 27, 11. Resolution No: DIC/CDS/01 RELATING TO MECHANISMS FOR THE CONSOLIDATION OF PEACE:
RECALLING the Lusaka Agreement for a Ceasefire in the Democratic Republic of Congo;
... CONVINCED that peace and security in the Great Lakes region constitute determining factors for sustainable peace and development in the Democratic Republic of Congo;
CONSIDERING that, for each State within the region, security and stability are a prerequisite for the enjoyment of peaceful existence within national borders;
RECALLING the resolution of the Inter-Congolese Dialogue on peace and security in the Democratic Republic of Congo and in the Great Lakes region;
[...]
RECOMMEND
1. That the transitional political authorities, to emerge from the Inter-Congolese Dialogue, should take all appropriate measures that should lead to the signature, as soon as possible, of a peace agreement involving the belligerent countries, to be guaranteed by the UN, the AU, the EU and the SADC.
2. That the transitional political authorities to emerge from the Inter-Congolese Dialogue should take the initiative to reformulate the request for the organisation of an International Conference on peace, security, stability and development of the Great Lakes region and Central Africa, under the auspices of the UN, the AU, the SADC and the EU.

Page 40-41, 18. Resolution No: DIC/CEF/03 RELATING TO DISPUTES OVER THE RECONSTRUCTION OF THE ENVIRONMENT DESTROYED BY WAR
CONSIDERING the damage caused to the ecosystems and to the living environment in the Democratic Republic of Congo by the massive presence of Rwandan refugees in 1994, as well as the wars of 1996-97 and 1998, in particular:
... 6. the presence of anti-personnel mines in certain areas;

Page 42-44, 19. Resolution No: DIC/CEF/04 CALLING FOR SCRUTINY TO DETERMINE THE VALIDITY OF ECONOMIC AND FINANCIAL AGREEMENTS SIGNED DURING THE WAR
CONSIDERING that peace and security are indisputable prerequisites for initiating a policy of development, and the revival of stable and prosperous economic activity in our country;

Page 61, 22. Resolution No: DIC/CHSC/02 RELATING TO THE EMERGENCY HUMANITARIAN PROGRAMME FOR THE DRC:
[...]
TO THIS END, THE FOLLOWING MEASURES ARE STRONGLY RECOMMENDED:
[...]
5. To avoid having too many participants and wasting allocated funds, this will be the only body authorised by the Congolese State to dispense the funds necessary for managing the programme under the direction of a Commissioner
General with the rank of Minister or Deputy Minister. He will be responsible for liaising with the Government to sort out administrative problems:
[...]
b. For the implementation of this programme, MONUC and the Joint Military Commission must do all in their power to help the Congolese authorities and their bilateral and multilateral partners to secure the entire National Territory by demobilisation, withdrawal of foreign troops, de-mining, and effective implementation of the third MONUC phase in order that civilian populations, displaced people and Congolese refugees may return to their homes and live in peace and security. Similarly, humanitarian and development workers (attached to the UN and national and international NGOs) cannot be deployed throughout the country to implement much-needed programmes unless all the necessary security measures have been taken by the Congolese authorities, and all obstacles to transporting aid to the affected areas have

Ceasefire

Security sector→Ceasefire→General commitments
Page 27, 11. Resolution No: DIC/CDS/01 RELATING TO MECHANISMS FOR THE CONSOLIDATION OF PEACE

RECALLING the Lusaka Agreement for a Ceasefire in the Democratic Republic of Congo;

Police

Page 30-31, 13. Resolution No: DIC/CDS/03 RELATING TO THE IDENTIFICATION OF NATIONALS WHO SHALL CONSTITUTE THE ARMY; DEMOBILISATION AND REINTEGRATION OF CHILD SOLDIERS AND VULNERABLE PERSONS; RECRUITMENT WITH A VIEW TO INTEGRATING MILITARY AND PARAMILITRY GROUPS INTO THE NATIONAL ARMY AND POLICE:
[...]
CONSIDERING that peace and security in the Democratic Republic of Congo also require the integration of military and paramilitary groups into the army and the territorial police;
[...]
AGREE ON THE FOLLOWING:
1. The mechanism to be instituted at the close of the Inter-Congolese Dialogue for the formation of the new army shall be responsible for:
[...]
c. recruitment, with a view to integrating military and paramilitary groups into the army and national police.

Armed forces

Page 30, 13. Resolution No: DIC/CDS/03 RELATING TO THE IDENTIFICATION OF NATIONALS WHO SHALL CONSTITUTE THE ARMY; DEMOBILISATION AND REINTEGRATION OF CHILD SOLDIERS AND VULNERABLE PERSONS; RECRUITMENT WITH A VIEW TO INTEGRATING MILITARY AND PARAMILITRY GROUPS INTO THE NATIONAL ARMY AND POLICE:
[...]
CONVINCED that the task of defending territorial integrity can only be achieved by an army protected from all forms of foreign influence and constituted by nationals who are conscious of their sacred duty towards the nation;
CONSIDERING that peace and security in the Democratic Republic of Congo also require the integration of military and paramilitary groups into the army and the territorial police;
[...]
AGREE ON THE FOLLOWING:
1. The mechanism to be instituted at the close of the Inter-Congolese Dialogue for the formation of the new army shall be responsible for:
a. identification of nationals who shall constitute the new army;
[...]
c. recruitment, with a view to integrating military and paramilitary groups into the army and national police.

Page 32, 14. Resolution No: DIC/CDS/04 RELATING TO THE FORMATION OF THE NEW CONGOLESE ARMY:
[...]
COGNISANT of the fact that the DRC needs a national army capable of defending the integrity of its territory, of ensuring the stability of democratically established institutions, and the security of individuals and property;
CONSIDERING that, by virtue of its national, republican and non-political character, the army is the very symbol of national unity and guarantor of republican values;
AGREE ON THE FOLLOWING:
1. At the close of the Inter-Congolese Dialogue, a mechanism will be put in place for the formation of a restructured and integrated National Army, to include the Armed Forces of the Government of the Democratic Republic of Congo, the Armed Forces of the Congolese Rally for Democracy and the Armed Forces of the Movement for the Liberation of Congo, in accordance with point 20 of article 3 of the principles of the Lusaka Agreement.
2. This mechanism for the formation of the New Congolese Army will include officers of the Armed Forces of the Government of the Democratic Republic of Congo, officers of the Armed Forces of the Congolese Rally for Democracy and officers of the Armed Forces of the Movement for the Liberation of Congo.
3. In the interest of peace, unity and national reconciliation, the above- mentioned mechanism should also include the RDC/ML, the RCD/N and the Mai Mai, in accordance with terms to be defined by the transitional political institutions emerging from the Inter-Congolese Dialogue.
4. The mechanism will be placed under the authority of the transitional political institutions to emerge from the Inter-Congolese Dialogue.

Page 59, 22. Resolution No: DIC/CHSC/02 RELATING TO THE EMERGENCY HUMANITARIAN PROGRAMME FOR THE DRC:
[...]
4. Congolese combatants who, for various reasons, will not be integrated into the national army, and for whom a viable socio-economic alternative must be found for their rehabilitation and social reinstatement;

DDR

Security sector→DDR→DDR programmes

Page 28, 12. Resolution No: DIC/CDS/02 RELATING TO THE DISARMAMENT OF ARMED GROUPS AND WITHDRAWAL OF FOREIGN FORCES:
NOTING the delay in the disarmament of the armed groups and withdrawal of foreign forces in relation to the timetable prescribed in the Lusaka Ceasefire Agreement;
URGE AND DEMAND
1. The pursuit and intensification of the voluntary disarmament of armed groups in accordance with the Lusaka Agreement.
2. The immediate departure of all armed groups from the territory of the Democratic Republic of Congo.
3. Resort to coercive measures, where due note is taken of the failure of voluntary disarmament, to compel the armed groups to leave the territory of the Congo, through:
a. the use by the DRC, of resources to be provided by the Transitional Government to emerge from the Dialogue, and
b. calling of the UN to apply Chapter VII of its Charter.

Page 30-31, 13. Resolution No: DIC/CDS/03 RELATING TO THE IDENTIFICATION OF NATIONALS WHO SHALL CONSTITUTE THE ARMY; DEMOBILISATION AND REINTEGRATION OF CHILD SOLDIERS AND VULNERABLE PERSONS; RECRUITMENT WITH A VIEW TO INTEGRATING MILITARY AND PARAMILITRY GROUPS INTO THE NATIONAL ARMY AND POLICE:
[...]
CONSIDERING the need to protect vulnerable persons affected by demobilisation and reintegration measures;
[...]
CONSIDERING that the reintegration of child soldiers and vulnerable persons, in tandem with their demobilisation, constitutes a guarantee for national peace;
[...]
CONSIDERING that peace and security in the Democratic Republic of Congo also require the integration of military and paramilitary groups into the army and the territorial police;
[...]
AGREE ON THE FOLLOWING:
[...]
b. demobilisation and reintegration of child soldiers and vulnerable persons in collaboration with the appropriate organisations;
c. recruitment, with a view to integrating military and paramilitary groups into the army and national police.

Page 59, 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;
[...]
b. For the implementation of this programme, MONUC and the Joint Military Commission must do all in their power to help the Congolese
authorities and their bilateral and multilateral partners to secure the entire National Territory by demobilisation, withdrawal of foreign troops, de-mining, and effective implementation of the third MONUC phase in order that civilian populations, displaced people and Congolese
refugees may return to their homes and live in peace and security. Similarly

Intelligence services	No specific mention.

Parastatal/rebel and opposition group forces

Page 30-31, 13. Resolution No: DIC/CDS/03 RELATING TO THE IDENTIFICATION OF NATIONALS WHO SHALL CONSTITUTE THE ARMY; DEMOBILISATION AND REINTEGRATION OF CHILD SOLDIERS AND VULNERABLE PERSONS; RECRUITMENT WITH A VIEW TO INTEGRATING MILITARY AND PARAMILITRY GROUPS INTO THE NATIONAL ARMY AND POLICE:
[...]
CONSIDERING that peace and security in the Democratic Republic of Congo also require the integration of military and paramilitary groups into the army and the territorial police;
[...]
AGREE ON THE FOLLOWING:
[...]
c. recruitment, with a view to integrating military and paramilitary groups into the army and national police.

Page 32, 14. Resolution No: DIC/CDS/04 RELATING TO THE FORMATION OF THE NEW CONGOLESE ARMY:
[...]
AGREE ON THE FOLLOWING:
1. At the close of the Inter-Congolese Dialogue, a mechanism will be put in place for the formation of a restructured and integrated National Army, to include the Armed Forces of the Government of the Democratic Republic of Congo, the Armed Forces of the Congolese Rally for Democracy and the Armed Forces of the Movement for the Liberation of Congo, in accordance with point 20 of article 3 of the principles of the Lusaka Agreement.
2. This mechanism for the formation of the New Congolese Army will include officers of the Armed Forces of the Government of the Democratic Republic of Congo, officers of the Armed Forces of the Congolese Rally for Democracy and officers of the Armed Forces of the Movement for the Liberation of Congo.
3. In the interest of peace, unity and national reconciliation, the above- mentioned mechanism should also include the RDC/ML, the RCD/N and the Mai Mai, in accordance with terms to be defined by the transitional political institutions emerging from the Inter-Congolese Dialogue.

Page 42-44, 19. Resolution No: DIC/CEF/04 CALLING FOR SCRUTINY TO DETERMINE THE VALIDITY OF ECONOMIC AND FINANCIAL AGREEMENTS SIGNED DURING THE WAR:
[…]
NOTICE IS HEREBY TAKEN OF:
1. the declaration by the Movement for the Liberation of Congo to the effect that it has signed no convention of economic or financial nature;
2. the declaration of the Congolese Rally for Democracy National (RCD/N) to the effect that it has signed no convention of economic or financial nature;
3. the declaration of the Congolese Rally for Democracy Movement for Liberation (RCD/ML) to the effect that it has signed a Letter of Intent, with stipulated conditions precedent, with the First International Bank of Grenada, Limited, entitled “Agreement for Humanitarian and Economic Development Aid for the Congo”. The actual contract was not executed, and that furthermore arrangements of economic and financial nature found in place and deemed illicit have been annulled.

Page 59, 22. Resolution No: DIC/CHSC/02 RELATING TO THE EMERGENCY HUMANITARIAN PROGRAMME FOR THE DRC:
[...]
4. Congolese combatants who, for various reasons, will not be integrated into the national army, and for whom a viable socio-economic alternative must be found for their rehabilitation and social reinstatement;

Withdrawal of foreign forces

Page 28-9, 12. Resolution No: DIC/CDS/02 RELATING TO THE DISARMAMENT OF ARMED GROUPS AND WITHDRAWAL OF FOREIGN FORCES:
[...]
NOTING the delay in the disarmament of the armed groups and withdrawal of foreign forces in relation to the timetable prescribed in the Lusaka Ceasefire Agreement;

4. Immediate pursuit of the orderly withdrawal of all foreign forces from the territory to the DRC, in accordance with the Lusaka Ceasefire Agreement and the resolutions of the Security Council, using an accelerated timetable to be drawn on the basis of the withdrawal plans approved by the 10th Political Committee meeting in Lusaka in May 2001.

Page 61, 22. Resolution No: DIC/CHSC/02 RELATING TO THE EMERGENCY HUMANITARIAN PROGRAMME FOR THE DRC:
[...]
TO THIS END, THE FOLLOWING MEASURES ARE STRONGLY RECOMMENDED:
[...]
5. To avoid having too many participants and wasting allocated funds, this will be the only body authorised by the Congolese State to dispense the funds necessary for managing the programme under the direction of a Commissioner
General with the rank of Minister or Deputy Minister. He will be responsible for liaising with the Government to sort out administrative problems:
[...]
b. For the implementation of this programme, MONUC and the Joint Military Commission must do all in their power to help the Congolese authorities and their bilateral and multilateral partners to secure the entire National Territory by demobilisation, withdrawal of foreign troops, de-mining, and effective implementation of the third MONUC phase in order that civilian populations, displaced people and Congolese refugees may return to their homes and live in peace and security. Similarly, humanitarian and development workers (attached to the UN and national and international NGOs) cannot be deployed throughout the country to implement much-needed programmes unless all the necessary security measures have been taken by the Congolese authorities, and all obstacles to transporting aid to the affected areas have been removed.

Page 91-93, 35. Resolution No: DIC/CPR/06 ON PEACE AND SECURITY IN THE DRC AND IN THE GREAT LAKES REGION:
[...]
CALL FOR: 1. Within the DRC:
...
h. orderly withdrawal of foreign armed forces;

Corruption	Page 72, 27. Resolution No: DIC/CHSC/07 RELATING TO ETHICS AND THE FIGHT AGAINST CORRUPTION: [...] 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; AWARE of the necessity to promote a culture of good governance, ie integrity, honesty, sense of responsibility and transparency in governing the State, and to fight corruption in all its forms and in all circumstances; DECIDE 1. The creation of a Higher Council for Promoting Ethnical Conduct and Combating Corruption (Conseil Supérieur d'Ethique et de Lutte contre la Corruption, or CSELC) with a legal personality, enjoying administrative and financial autonomy and placed under the administrative supervision of parliament and empowered to collaborate with the prosecution. 2. This organ will be mandated to carry out the following missions: a. to increase public awareness and encourage moral conduct in the political, public, professional, social and private sectors; b. gather and distribute facts and information and alert the authorities and public opinion as to the moral standards in politics, public administration, civil society and the world of finance; c. reinforce the managerial capacity of public institutions and the business world, with special reference to their respective ethics; d. Cooperate with institutions, specialised organisations and national and foreign experts on the question of ethics and the fight against corruption; e. Receive a disclosure of assets from anyone in a high position entering or leaving the public or parastatal service. 3. The CSELC will be run on national, provincial, district, territorial and community levels by individuals known for their neutrality, intellectual competence and their moral probity, drawn from different sectors of society: public, parastatal, private and civil society. 4. The CSELC will be based on constitutional principles and its structure will be determined by an organic level.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general

Page 58-61, 22. Resolution No: DIC/CHSC/02 RELATING TO THE EMERGENCY HUMANITARIAN PROGRAMME FOR THE DRC:

[...]

ACKNOWLEDGING that the precarious situation in which the population was already living for several years has worsened as a result of the two wars which, besides the overall weakening of the socio-economic environment, have brought about mass slaughter, serious human rights violations, insecurity of individuals and property and grave miscarriage of justice;

[...]

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;

[...]

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.

[...]

TO THIS END, THE FOLLOWING MEASURES ARE STRONGLY RECOMMENDED:

[...]

5. To avoid having too many participants and wasting allocated funds, this will be the only body authorised by the Congolese State to dispense the funds necessary for managing the programme under the direction of a Commissioner General with the rank of Minister or Deputy Minister. He will be responsible for liaising with the Government to sort out administrative problems:

[...]

e. Finally, an emergency plan for the reconstruction of tows and localities destroyed by the war must be formulated and implemented, with Kisangani as a priority.

Page 63-64, 23. Resolution No: DIC/CHSC/03 RELATING TO THE EMERGENCY PROGRAMME FOR THE ENVIRONMENT IN THE DEMOCRATIC REPUBLIC OF CONGO:

[...]

3. Invite the Congolese authorities, for the implementation of this programme, to set up a panel of environmental experts including representatives of special UN agencies, the EU, as well as national experts, to assess the impact of the war on the environment, to propose remedial action, projects and programmes on national and provincial scale.

[...]

6. Appeal to the international community to assist the Congolese authorities to restore the economic and physical infrastructures of Kisangani and its environs which have been destroyed by the armed conflict. This programme should be extended to other towns

Amnesty/pardon

Transitional justice→Amnesty/pardon→Amnesty/pardon proper

Page 60, 22. Resolution No: DIC/CHSC/02 RELATING TO THE EMERGENCY HUMANITARIAN PROGRAMME FOR THE DRC:

[...]

AGREE ON THE FOLLOWING:

1. A law must be passed as a matter of urgency by the relevant authorities guaranteeing legal security for displaced Congolese nationals, refugees and exiles. Those not eligible for amnesty must be clearly identified on the basis of international law.

Page 86-89, 33. Resolution No: DIC/COR/04 ON THE INSTITUTION OF A "TRUTH AND RECONCILIATION" COMMISSION:

[…]

AGREE TO THE FOLLOWING:

1. Resolve to set up, at the close of the ICD, an independent commission to be called the "National Truth and Reconciliation Commission" to be tasked with the responsibility of re-establishing the truth, and promoting peace, justice, forgiveness and national reconciliation.

[…]

8. Resolve that the Commission is empowered to grant amnesty to any person who accepts to confess and completely denounce, on pain of perjury, all the facts that he/she knows and which have a bearing on the crimes and largescale violations of human rights in which he/she was involved, and whose primary motivation is of a political nature. Such amnesty will have to conform to the relevant international norms, and the Commission will not be empowered to grant amnesty for crimes of genocide or crimes against humanity.

Transitional justice→Amnesty/pardon→Relief of other sanctions

Page 21, 7. Resolution No: DIC/CPJ/07 RELATING TO THE REINSTATEMENT OF REHABILITATION OF MAGISTRATES DISMISSED OR FORCED INTO EARLY RETIREMENT

[…]

REAFFIRMING moreover, the necessity to reflect the principle of separation of powers and the need to consolidate the independence of the judiciary;

CONSIDERING that following decree No 144 of 6 November 1999, 315 magistrates were dismissed, and following these measures, other groups of magistrates were forced into early retirement, in violation of the relevant clauses of the Ordinance relating to the status of magistrates, with particular reference to the attributions of the Higher Council of the Magistrature;

CALL UPON THE TRANSITION GOVERNMENT

1. To take all the necessary steps to rehabilitate and reinstate civil and military magistrates that have been collectively dismissed or forced into early retirement;

2. To examine the cases of the affected magistrates, individually and with due care, in order to be able to make appropriate rulings in accordance with the law.

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

[...]

6. EMPLOYMENT AND PUBLIC ADMINISTRATION

a. Urgent

[...]

v. Rehabilitate public administration, State employees and agents, by adopting a single status both at the career level and at that of remuneration structures and other social benefits such as annuities, leave gratuities and performance bonuses;

Courts

Transitional justice→Courts→International courts

Page 90, 34. Resolution No: DIC/CPR/05 ON THE ESTABLISHMENT OF AN INTERNATIONAL CRIMINAL COURT

…

CONSIDERING that Chapter 8 of Annex “A” to the Lusaka Agreement mandates the UN peacekeeping force to bring perpetrators of genocide, crimes against humanity and other war crimes before an “International Criminal Court”;

CONCERNED by the political crisis and the armed conflict in the DRC and its harmful consequences, namely: crimes of genocide, crimes against humanity, war crimes and mass violations of human rights committed since 30 June 1960 and those committed during the two wars of 1996 and 1998;

CONSIDERING however that lasting peace and national reconciliation cannot be built on the basis of the consecration of lies, impunity and the denial of justice;

RESOLVE that a request be made to the UN Security Council by the Transitional Government with a view to establishing an International Criminal Court for the Democratic Republic of Congo, endowed with the necessary competence to take cognisance of crimes of genocide, crimes against humanity, war crimes and mass violations of human rights committed or presumed committed since 30 June 1960 as well as those committed or presumed committed during the two wars of 1996 and 1998.

Mechanism

Page 40-41, 18. Resolution No: DIC/CEF/03 RELATING TO DISPUTES OVER THE RECONSTRUCTION OF THE ENVIRONMENT DESTROYED BY WAR:
[...]
CONSIDERING the dispute over the economic, financial and social consequences of the destruction of the environment in the Democratic Republic of Congo;
CONVINCED of the need for fair and equitable reparation for the restoration of a healthy environment for the benefit of both the Congolese people and humanity;
REQUEST AND RECOMMEND
1. The establishment of a special ad hoc Commission of Inquiry within the transitional Parliament, if necessary with the participation of national and international experts, with a view to identifying destroyed sites, assessing the extent of the damage, apportioning responsibility, identifying perpetrators and victims and determining the nature and level of compensation and reparation.
2. The period of the Enquiry should not exceed six months.
3. The recognition by the international community of the state of destruction of the environment in the Democratic Republic of Congo as a disaster of worldwide proportions.

Page 61, 22. Resolution No: DIC/CHSC/02 RELATING TO THE EMERGENCY HUMANITARIAN PROGRAMME FOR THE DRC:
[...]
TO THIS END, THE FOLLOWING MEASURES ARE STRONGLY RECOMMENDED:
[...]
5. To avoid having too many participants and wasting allocated funds, this will be the only body authorised by the Congolese State to dispense the funds necessary for managing the programme under the direction of a Commissioner
General with the rank of Minister or Deputy Minister. He will be responsible for liaising with the Government to sort out administrative problems:
[...]
c. A parliamentary Commission of Enquiry must be set up to establish the number of deaths directly or indirectly related to the war throughout the National Territory.

Page 86-89, 33. Resolution No: DIC/COR/04 ON THE INSTITUTION OF A “TRUTH AND RECONCILIATION” COMMISSION:
[…]
GIVEN the need for the DRC to turn over the sombre page in its history, so far marred by all manner of conflict;
CONCERNED by the political and armed conflicts in the DRC since independence in 1960 with their harmful consequences;
AFFIRMING that the Congolese people, for so long deprived of justice, call for the institution of an international penal court to judge war crimes, crimes against humanity, crimes of genocide and other large-scale violations of human rights;
CONSIDERING that national reconciliation is a determining factor of peace and national harmony;
MINDFUL of the fact that national reconciliation cannot succeed without knowledge and acknowledgement of the facts, in sincere plea for forgiveness and a firm resolve never again to repeat;
CONSIDERING that lasting national peace and reconciliation could never be built on lies or impunity;
ACKNOWLEDGING the need to both preserve and come to terms with the memory of our past, and to transmit it to future generations in order to help sharpen their awareness of the profound threat that is posed to the well-being of a nation whenever selfish interests, arbitrary rule and the absence of a positive sense of the State, accompanied by generalised laxity are allowed to reign supreme, so as to avoid a repetition of the errors of the past;

Prisoner release No specific mention.

Vetting No specific mention.

Victims

Page 40-41, 18. Resolution No: DIC/CEF/03 RELATING TO DISPUTES OVER THE RECONSTRUCTION OF THE ENVIRONMENT DESTROYED BY WAR:
[...]
REQUEST AND RECOMMEND
1. The establishment of a special ad hoc Commission of Inquiry within the transitional Parliament, if necessary with the participation of national and international experts, with a view to identifying destroyed sites, assessing the extent of the damage, apportioning responsibility, identifying perpetrators and victims and determining the nature and level of compensation and reparation.
2. The period of the Enquiry should not exceed six months.

Page 48-53, 21. Resolution No: DIC/CHSC/01 RELATING TO THE EMERGENCY PROGRAMME IN DIFFERENT SOCIAL SECTORS:
[...]
1. HEALTH
a. Urgent
[...]
Create strategic centres for psychological assistance and treatment for traumatised persons as well as centres for psychological rehabilitation;
iv. Provide free or subsidised urgent medical care for war victims;
[...]
3. FAMILIES, WOMEN, CHILDREN AND VULNERABLE PERSONS
[...]
a. Urgent
i. Set up psychological rehabilitation centres for women, girls, children and all other traumatised persons;
ii. Implement a systematic re-adaptation and social reintegration plan for children affected by the war and the rehabilitation of street children, young delinquents, and support all initiatives in this field;
iii. Define a coherent policy for the elderly, people living with a handicap or a chronic illness and for war invalids (civil or military);

Page 59, 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:
[...]
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;

Page 80-81, 30. Resolution No: DIC/CPR/01 RELATING TO THE RESTITUTION OF PROPERTY SEIZED AND/OR CONFISCATED FROM INDIVVIDUALS AND PROPERTY STOLEN FROM THE STATE:
[...]
DECIDE AS FOLLOWS:
1. The Transitional Government is tasked with restoring, with immediate effect and unconditionally, all property seized and/or illegally confiscated from individuals, and with returning State property stolen by the individuals.
2. The Transitional Government must restore the legal rights of those whose fixed

Missing persons No specific mention.

Reparations

Transitional justice→Reparations→Material reparations

Page 36-37, 16. Resolution No: DIC/CEF/01 RELATING TO THE COSTS OF THE TWO WARS: 1996 – 1998:

[...]

CONSIDERING that the war has entailed an economic and financial cost;

CONSIDERING also that as a result of the two wars, the Congolese state has suffered tremendous damage requiring reparation;

NOTING that the present forum of the Inter-Congolese Political Negotiations has neither the means nor the time to examine this issue to the extent that its importance would require;

AWARE that the assessment of the commitments and the damages as well as their reparation require appropriate and in-depth expertise;

RECOMMEND the examination of the point relating to the costs of the two wars, of 1996/97 and 1998, as set down at item 7(d) of the Agenda of the Inter-Congolese Political Negotiations, by the Special Commission of the transitional Parliament tasked with verifying the validity of signed contracts of economic and financial nature.

IN fulfilling its mandate, the Special Commission will adhere to the following terms of reference:

1. ensuring publicity to raise public awareness about the creation of the Commission;

ensuring that petitions by claimants are lodged with the ad hoc Commission of the transitional Parliament within the stipulated time;

3. establishing an extensive inventory of financial commitments entered into by parties during the wars;

4. assessing the material, financial, economic and human consequences of the war;

5. submitting compensation and reparation proposals in favour of legal entities, as well as proposals for relevant rules of procedure (modalities);

6. envisaging possible resources to the expertise of the UN organisation for objective assessment, apportioning of responsibility and defining the reparation modalities.

REQUEST that possible reparations, indemnities and payments either by or to the Public Treasury should the period extending beyond the transition.

IN any event, debts created thus be given priority treatment over other admitted debts, either in the form of ordinary internal debt commitments, or commitments falling within the context of Paris and London Club arrangements.

Page 38-39, 17. Resolution No: DIC/CEF/02 ON THE RESTITUTION OF PROPERTY TAKEN AND/OR CONFISCATED FROM INDIVIDUALS AND OF PLUNDERED STATE PROPERTY:

[...]

RECALLING the final communiqué of the preparatory meeting of the National Dialogue which, in Point 3.6, recommends the restitution of all property unlawfully seized and confiscated from individuals and plundered state property;

[...]

RECOMMEND that the Transitional Executive:

1. accelerate the restitution of property unlawfully seized and/or confiscated from individuals, in accordance with the Declaration of Commitment signed in Gaborone on 24 August 2001;

2. proceed with the recovery of state property despoiled by legal entities.

REQUEST the Courts and Tribunals to take cognisance of all cases which have become contentious and as a result been brought before them by parties.

RESOLVE to entrust the Transitional Parliament with the task of defining the principles to guide the settlement of disputes over property unlawfully seized and/or confiscated from individuals as well as despoiled state property.

Page 40-41, 18. Resolution No: DIC/CEF/03 RELATING TO DISPUTES OVER THE RECONSTRUCTION OF THE ENVIRONMENT DESTROYED BY WAR:

Reconciliation

Page 1, Untitled Preamble:
CONVINCED of the imperative need to pursue the course of reconciliation as the surest path to a definitive end to the fratricidal conflicts that have for so long ravaged our country, and inflicted untold suffering on our people;

Page 30, 13. Resolution No: DIC/CDS/03 RELATING TO THE IDENTIFICATION OF NATIONALS WHO SHALL CONSTITUTE THE ARMY; DEMOBILISATION AND REINTEGRATION OF CHILD SOLDIERS AND VULNERABLE PERSONS; RECRUITMENT WITH A VIEW TO INTEGRATING MILITARY AND PARAMILITRY GROUPS INTO THE NATIONAL ARMY AND POLICE:
[...]
ANXIOUS to ensure, in an irreversible manner, peace, security, national unity and reconciliation;

Page 70-71, 26. Resolution No: DIC/CHSC/06 RELATING TO CULTURE AND INTER-ETHNIC CO-EXISTENCE IN THE DEMOCRATIC REPUBLIC OF CONGO
[...]
AWARE that the plethora of different ethic groups in our country constitutes enormous cultural wealth rather than a mosaic of different languages;
AWARE of the necessity for the different ethnic groups to work together in peace to reconstruct the country;
AWARE of the necessity for all Congolese to preserve national unity and cohesion;
INVITE the authorities of the Democratic Republic of Congo to put in place a policy for promoting arts and culture, sport, protection of the youth, preserving peace and harmony between the different national communities with particular emphasis on:
1. Protecting and promoting culture, the arts, constructive leisure activities and sport.
2. Protecting and supervising the youth.
3. Banishing tribal-ethnic discrimination, xenophobia and intolerance.
4. Encouraging friendly inter-ethnic relations and promoting intercultural exchange and integration.
5. Including customary authority in preventing and resolving conflict.
6. Setting up a permanent parliamentary commission to deal with problems relating to ethnic conflict.
7. Enacting laws on fairness and the right of all to the privileges and advantages of belonging to a nation and suppressing tribalism.
8. Enacting laws relating to land to guarantee the rights of all.
LAUNCH an appeal to national communities to promote a culture of peace and democracy and the cessation of all types to inter-ethnic hostility, as well as the peaceful resolution of conflict by involving customary authorities, guardians of ancestral values, as well as religious communities, guardians of the values and virtues of love, justice and social equality.
LAUNCH an urgent appeal to the Congolese authorities to set up a National Office of Mediation (Office de la Grande Médiation). It will be run by the Chief National Mediator (le Grand Médiateur National), assisted by provincial mediators, who in turn will be supported by territorial mediators in the execution of their duties.
LAUNCH an appeal to neighbouring countries and allies of the Democratic Republic of Congo to help maintain peace by appropriate actions, not only to cross-border communities, but also in areas and towns where these communities coexist.
INVITE the authorities of the Democratic Republic of Congo to put in place a policy for promoting arts and culture, sport, protection of the youth, preserving peace and harmony between the different national communities with particular emphasis on:
[...]
7. Enacting laws on fairness and the right of all to the privileges and advantages of belonging to a nation and suppressing tribalism.

Implementation

UN signatory	Witness For the United Nations H.E. Moustapha Niasse Special Envoy of the Secretary-General on the Inter-Congolese Dialogue
Other international signatory	Witness For the African Union H.E. Mr Thabo Mbeki Chairman of the African Union
Referendum for agreement	No specific mention.

International mission/force/ similar

Page 2, ARTICLE 3:
The Parties express their deep appreciation for the persistent efforts of the international community in assisting in the return of peace and stability in the Democratic Republic of Congo.
They acknowledge the special contributions made by the UN, the AU and the SADC countries.
They salute Sir Ketumile Masire, the Neutral Facilitator of the Dialogue, for his wise guidance of the negotiations process, his devotion to the mission assigned to him and his tenacity of purpose.
They acknowledge, with gratitude and appreciation, the special contribution of His Excellency Mr Thabo Mbeki and the Government of the Republic of South Africa, as well as of the Secretary-General of the United Nations, His Excellency Mr Kofi Annan and his Special Envoy, His Excellency Mr Moustapha Niasse.

Page 11-12, 1. Resolution No DIC/CPJ/01, RELATING TO THE GLOBAL AND INCLUSIVE AGREEMENT ON THE TRANSITION IN THE DRC, SIGNED IN PRETORIA ON 17 DECEMBER 2992, AND THE MEMORANDUM ADDITIONAL THERETO SIGNED ON 6 MARCH 2003:
COGNISANT of the abiding concern shown by the international community, in particular the UN and the AU, for the early return to normality in the DRC;
CONSIDERING the relevant resolutions adopted by the UN Security Council;
[...]
CALL ON the international community to maintain its interest and support by accompanying the efforts of the Transitional Government authorities and the people of the DRC in order to ensure the consolidation of peace and stability in the DRC.

Page 13-14, 2.Resolution No: DIC/CPJ/02 RELATING TO THE ADOPTION OF THE TRANSITIONAL CONSTITUTION FOR THE DRC:
[...]
COGNISANT of the abiding concern shown by the international community, in particular the UN and the AU, for the early return of normality in the DRC;
[...]
CALL ON the international community to maintain its interest and support by accompanying the efforts of the transitional government authorities and the people of the DRC for the consolidation of peace and stability in the DRC.

Page 25, 10. Resolution No: DIC/CPJ/10 RELATING TO THE SUPPORT OF THE INTERNATIONAL COMMUNITY:
CONSIDERING the provisions of Article 3 in the UN Charter and those of the Charter of the OAU which, among others, guarantee all member States their right to sovereignty and to territorial integrity;
REAFFIRMING our adherence to Resolution AHG/16/1 adopted by the OAU Heads of State and Government Conference in Cairo, Egypt, 1964 on territorial integrity and the inviolability of national borders as inherited at the time of independence;
STRESSING the need to ensure respect for the principles of good neighbourliness and non-interference in the internal affairs of other States;
[...]
CONSIDERING that the resolution of this crisis requires the support of the international community;
SALUTING the efforts deployed by the external partners, in particular:
1. The United Nations.
2. The African Union;
3. The European Union;
4. SADC;
5. ECCAS;
6. Zambia;

Enforcement mechanism

Page 34-35, 15. Resolution No: DIC/CDS/05 ON SANCTIONS AGAINST PARTIES ACTING IN BAD FAITH:
[...]
COGNISANT, further, of the need to provide sanctions against parties acting in bad faith;
[...]
AGREE ON THE FOLLOWING:
1. The Parties at the Inter-Congolese political negotiations commit themselves to duly execute the resolutions of the Inter-Congolese Dialogue.
2. The constitutional charter, for the transition, should duly provide for a body to be entrusted with the follow-up of the resolutions of the Inter-Congolese Dialogue.
3. Pending the entry into force of transitional institutions, a follow-up committee for the implementation of the resolutions shall be set up at the close of the Inter-Congolese Dialogue.
4. Such a constitutional body shall be vested with powers to apply such sanctions as shall be provided for against parties acting in bad faith.
5. We invite the UN, OAU, SADC and the European Union to accord the necessary assistance to the transitional institutions in order to ensure the successful execution of the resolutions of the Inter-Congolese Dialogue.
6. We request the States involved in the Congolese crisis to facilitate the successful execution of the resolutions of the Inter-Congolese Dialogue. Failing which, the transitional political authorities may request the Security Council to apply the measures provided for in Chapter 7 of the UN Charter.

Page 45-46, 20. Resolution No: DIC/CEF/05 RELATING TO EMERGENCY ECONOMIC AND SOCIAL PROGRAMME:
[...]
GIVEN the vital role devolving onto the Democratic Republic of Congo in achieving the objectives of the New Partnership for the Development of Africa (NEPAD) in the sub-region as well as elsewhere in Africa;
ADOPT an Emergency Economic and Social Programme for the transitional period with the objectives of economic stabilisation and recovery, targeting in particular the following fundamental options:
1. launch of the process of rehabilitation and reconstruction of the Democratic Republic of Congo, through:
a. execution of large-scale rehabilitation works, as well as the reconstruction of key infrastructures;
b. strengthening of human and institutional capacity;
c. introduction of a growing financing system to benefit community initiatives;
d. creation of an enabling environment for private investment, both national and foreign;
2. fight against poverty, through:
a. stabilisation and consolidation of the macroeconomic framework;
b. promotion of sustained and balanced economic growth;
c. formulation of a State budget reflecting the social priorities set by the Programme.
REQUEST the transitional institutions to ensure the implementation and follow-up of this programme to rebuild a strong and prosperous economy in the interest of the Congolese population in its entirety.