

Country/entity	Democratic Republic of Congo
Region	Africa (excl MENA)
Agreement name	Mémorandum sur le Mécanisme pour la formation d'une Armée Nationale, Restructurée et Intégrée
Date	6 Mar 2003
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict
Stage	Framework/substantive - partial
Conflict nature	Government
Peace process	DRC: Second Congo war process
Parties	There is no signing parties on the document but understood to be the same as for the Global and Inclusive Agreement to which it refers: the Government of the Democratic Republic of the Congo, the Congolese Rally for Democracy (RCD), the Movement for the Liberation of the Congo (MLC), the political opposition, civil society, the Congolese Rally for Democracy/Liberation Movement (RDC/ML), the Congolese Rally for Democracy/National (RCD/N), the Mai-Mai;
Third parties	-
Description	This memorandum is the application of paragraph 6 chap III and chap IV of the global and inclusive agreement on the transition of DRC about the formation of a restructured and integrated national army. It also provides for the protection of transitional institutions.

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Agreement document (original language) [CD_030306_Memorandum Mechanisme Formation Armee Nationale_FR.pdf \(opens in new tab\)](#)

Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

**Racial/ethnic/
national group** No specific mention.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

**Refugees/displaced
persons** No specific mention.

Social class No specific mention.

Gender

**Women, girls and
gender** No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

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

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

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

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society	Art. 1.4 army reforms to be performed on basis of inclusivity and equitable participation of all those entities represented in the InterCongolese Dialogue (different parties, movements, groups and organisations from the DRC)
Traditional/ religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

Power sharing

Political power sharing No specific mention.

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing

Power sharing→Military power sharing→Merger of forces

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

Page 1, Article 1. On the Principles:

...

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

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

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

...

II. On the integrated police force

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

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

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

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

Power sharing→Military power sharing→Joint command structures

Page 1, Article 2:

I. On the meeting of Chiefs of Staff

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

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

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

...

Power sharing→Military power sharing→Other

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

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

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

b) The financial and logistical aspects of their operations;

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

Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access No specific mention.

Protection measures Rights related issues→Protection measures→Protection of groups
Page 1-2, Article 3:
I. On the meeting of Chiefs of Staff
...
Close quarter protection for the leaders of the transition
1. In accordance with Annex item 1 (a) of Annex 5 of the Global and Inclusive Agreement, each leader shall select between 5 and 15 bodyguards to ensure his personal safety.
...
3. Until such time as they are integrated in the national police force, the bodyguards shall be under the authority of an internationally supported integrated central command.
4. The integrated central command shall help the parties to specify the exact number of personnel needed for the protection of each leader, and shall assess their equipment, logistics and weapons requirements.
Rights related issues→Protection measures→Other
Page 1-2, Article 3:
IV. On support from the International Community for the protection of Transition institutions
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Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds Page 2-3, Article 2:

...

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b) The financial and logistical aspects of their operations;

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

Pastoralist/nomadism rights No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

Water or riparian rights or access No specific mention.

Security sector

Security Guarantees

No specific mention.

Ceasefire

No specific mention.

Police

Page 1-2, Article 2:

I. On the meeting of Chiefs of Staff

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Close quarter protection for the leaders of the transition

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

2. The bodyguards shall be tasked with:

...

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

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

...

II. On the integrated police force

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

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

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

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

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

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

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

b) The financial and logistical aspects of their operations;

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

Armed forces

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

Article 1

On the Principles

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

DDR

No specific mention.

Intelligence services

No specific mention.

Parastatal/rebel and opposition group forces

Page 1-2, Article 2:

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

Close quarter protection for the leaders of the transition

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

...

III. On additional security measures

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

Withdrawal of foreign forces

No specific mention.

Corruption

No specific mention.

Crime/organised crime

No specific mention.

Drugs

No specific mention.

Terrorism

No specific mention.

Transitional justice

Transitional justice general

No specific mention.

Amnesty/pardon

No specific mention.

Courts

No specific mention.

Mechanism

No specific mention.

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

Implementation

UN signatory	No specific mention.
Other international signatory	No specific mention.
Referendum for agreement	No specific mention.

International mission/force/similar

Page 1-2, Article 3:

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

4. The integrated central command shall help the parties to specify the exact number of personnel needed for the protection of each leader, and shall assess their equipment, logistics and weapons requirements.

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

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

b) The financial and logistical aspects of their operations;

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

Enforcement mechanism

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

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