

Country/entity	Democratic Republic of Congo
Region	Africa (excl MENA)
Agreement name	Acte d'Engagement, Nord Kivu
Date	23 Jan 2008
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict

Congo Civil Wars (1996 -)

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

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

Close

Congo Civil Wars (1996 -)

Stage	Framework/substantive - partial
Conflict nature	Government
Peace process	DRC: Eastern DRC processes

Parties

Pour:

1. Le Congrès National pour Défense du Peuple, CNDP: Mr Kambasu Ngeve
2. Les PARECO/FAP, Mme Sophie Bwiza B.; Mr Mathe Sikuli; Mr Sendugu Museveni
3. Les Mai-Mai Kasindien, Mr Vita Kitambala
4. Les Mai-Mai kifuafula, Axe Walikale; Mr Bikoy Mukongo; Axe Ufamandu/Masisi; Mr Didier Bitaki Weteshe
5. Les Mai-Mai Vurondo, Mr Kambilibaya Sindani
6. Les Mai-Mai Mongol, Mr F. Miganda Garaga; Mr D. Habyara Shobora
7. L'UJPS, Mr Tumaini Byamungu E.
8. Les Mai-Mai Rwenzori, Mr Kasereka Matabishi
9. Le Simba, Mr Hodaf Mungo Kalinda; Mr Kakuru Kika, D.

Pour le Gouvernement:

Ministre d'Etat chargé de l'Interieur, Décentralisation et Sécurité: S.E. Denis Kalume Numbi

Pour La Conference

1. Le Président de la Conférence: Mr l'Abbé Apollinaire Malumalu
2. Le Président du Comité des Sages: Honorable Vital Kamerhe
3. Le Coordinateur Adjoint du Panel des Modérateurs: Mr Azarias Ruberwa Manyua
4. Délégation du Nord-Kivu: Le Gouverneur, Mr Julien Paluku Kahongya; Le Vice-Président de L'Assemblée Provinciale, Honorable Mukinti Baumbilia
5. Délégation du Sud-Kivu: Le Gouverneur a.i, Mr Watunakanza, B. Bernard; Le Président de L'Assemblée Provinciale, Honorable Baleke Kadudu, Emille.

Third parties	<p>LES FACILITATEURS INTERNATIONAUX:</p> <p>Pour les NATIONS-UNIES, Mr Alan Doss</p> <p>Pour l'UNION EUROPEENNE, Mr Roeland van de Geer</p> <p>Pour les ETATS-UNIS D'AMERIQUE, Mr Tim Shortley</p> <p>Pour l'UNION AFRICAINE, Mr Pierre Yere</p> <p>Pour la CONFERENCE INTERNATIONALE SUR LA REGION DES GRANDS LACS, Mme Liberata Mulamula</p> <p>LES TEMOINS NATIONAUX</p> <p>POUR LES CHEFS COUTUMIERS</p> <p>SUD-KIVU, MWAMI KABARE RUGEMANINZI II NABUSHI</p> <p>NORD-KIVU, MWAMI ALEXANDRE MUHINDO MUKOSASENGE</p> <p>POUR LA SOCIETE CIVILE</p> <p>DÉLÉGATION NATIONALE: MR KIBISWA KWABENE NAUPESS</p> <p>SUD-KIVU: MR BIRHINGINGWA MUGABO CYPRIEN</p> <p>NORD-KIVU: MR JASON LUNENO MAENE</p> <p>POUR LE SECTEUR PRIVE</p> <p>FEC SUD-KIVU: MR MUDEKEREZA NAMEGABE</p> <p>FEC NORD-KIVU:MR DESIRE SEGAHUNGU</p> <p>POUR LES CONFESSIONS RELIGIEUSES</p> <p>EGLISE CATHOLIQUE: +THEOPHILE KABOY</p> <p>EGLISE DU CHRIST AU CONGO: EV. SONGOU NATHALIS</p> <p>EGLISE ORTHODOXE: PR. FUMUNZANZA GIMUANGA</p> <p>EGLISE KIMBANGUISTE: REV. SAKUAMESO RAPHAEL</p> <p>EGLISE DU REVEIL: EV. NTAMBWE MUMPEMPE</p> <p>COMMUNAUTE ISLAMIQUE: IMAM RACHIDI MOUSSA</p> <p>EGLISE INDEPENDANTE DU CONGO: S.E SIMON NZINGA M</p> <p>ARMEE DU SALUT: MAJOR GRACIA MATONDO</p>
Description	<p>This is short agreement between the opposition parties in North Kivu and the DRC Government. The agreement provides for a ceasefire and covers issues relating to DDR, human rights and humanitarian issues, and political and judicial guarantees (including an amnesty law).</p>
Agreement document	<p>CD_080123_Acte d'Engagement Nord Kivu_tr.pdf (opens in new tab) Download PDF</p>
Agreement document (original language)	<p>CD_080123_Acte d'Engagement, Nord Kivu.pdf (opens in new tab)</p>

Groups

Children/youth	Groups→Children/youth→Substantive Page 4: ARTICLE III: ON HUMANITARIAN PRINCIPLES AND RESPECT FOR HUMAN RIGHTS: Strict observation of the regulations of international humanitarian law and human rights, in particular: <ul style="list-style-type: none">• Cessation of acts of violence, abuse, discrimination and exclusion, of any kind, against the civilian population, particularly women and children, elderly and disabled persons; ... <ul style="list-style-type: none">• A ban on any recruitment, and specific promotion of the rights of children in conflict (or post-conflict) zones;
Disabled persons	Groups→Disabled persons→Substantive Page 4: ARTICLE III: ON HUMANITARIAN PRINCIPLES AND RESPECT FOR HUMAN RIGHTS: Strict observation of the regulations of international humanitarian law and human rights, in particular: <ul style="list-style-type: none">• Cessation of acts of violence, abuse, discrimination and exclusion, of any kind, against the civilian population, particularly women and children, elderly and disabled persons;
Elderly/age	Groups→Elderly/age→Substantive Page 4: ARTICLE III: ON HUMANITARIAN PRINCIPLES AND RESPECT FOR HUMAN RIGHTS: Strict observation of the regulations of international humanitarian law and human rights, in particular: <ul style="list-style-type: none">• Cessation of acts of violence, abuse, discrimination and exclusion, of any kind, against the civilian population, particularly women and children, elderly and disabled persons;
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	<p>Groups→Refugees/displaced persons→Rhetorical</p> <p>Page 1, Untitled Preamble:</p> <p>...</p> <p>5. Deeply deploring the insecurity which has prevailed in the Province of North Kivu for so long; causing large scale displacements of the population and terrible suffering amongst civilians and extensive violations of human rights;</p> <p>Groups→Refugees/displaced persons→Substantive</p> <p>Page 2-3, ARTICLE II: On the disengagement of CNDP, PARECO/N-K, Mai-Mai Kasindien, Mai-Mai Kifuafua, Mai-Mai Vurondo, Mai-Mai Mongol, UJPS, Mai-Mai Rwenzori, and Simba troops, and the creation of demilitarised zones for FARDC, on mixing, on integration, and on the PNDDR.</p> <p>In order to do this the following two Sub-Commissions of this Commission shall be created:</p> <p>...</p> <p>b) A Humanitarian and Social Sub-Commission responsible for:</p> <ul style="list-style-type: none"> • questions regarding internally displaced persons; • questions relating to refugees. <p>Page 5, ARTICLE IV: POLITICAL AND JUDICIAL GUARANTEE MEASURES:</p> <p>The DRC Government, enacting this engagement and at the request of the CNDP, the PARECO/N-K, the Mai-Mai Kasindien, the Mai-Mai Kifuafua, the Mai-Mai Vurondo, the Mai-Mai Mongol, the UJPS, the Mai-Mai Rwenzori, and the Simba; undertakes, in accordance with the relevant recommendation of the Conference on Peace, Security and Development of the Provinces of North and South Kivu:</p> <p>...</p> <p>4. To create a demilitarised zone to enable, in particular, the deployment of MONUC observers and the safety and return of displaced persons;</p>
Social class	No specific mention.

Gender

Women, girls and gender	<p>Page 4: ARTICLE III: ON HUMANITARIAN PRINCIPLES AND RESPECT FOR HUMAN RIGHTS: Strict observation of the regulations of international humanitarian law and human rights, in particular:</p> <ul style="list-style-type: none"> • Cessation of acts of violence, abuse, discrimination and exclusion, of any kind, against the civilian population, particularly women and children, elderly and disabled persons;
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

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	<p>Page 4: ARTICLE III: ON HUMANITARIAN PRINCIPLES AND RESPECT FOR HUMAN RIGHTS: Strict observation of the regulations of international humanitarian law and human rights, in particular:</p> <p>...</p> <ul style="list-style-type: none"> • Return of refugees to their countries under the supervision of the tripartite HCR, the DRC Government and the country of asylum (Burundi, Uganda, Rwanda and Tanzania) according to the timetable adopted by the Humanitarian and Social Technical Commission; • Establishment of a commission responsible for supervising internal displaced persons and reinstalling them in their places of origin in collaboration with the United Nations and other humanitarian organisations; • Creating favourable conditions for the supply of humanitarian aid and emergency services to the civilian population;
Traditional/ religious leaders	No specific mention.
Public administration	<p>Page 2-3, ARTICLE II: On the disengagement of CNDP, PARECO/N-K, Mai-Mai Kasindien, Mai-Mai Kifuafua, Mai-Mai Vurondo, Mai-Mai Mongol, UJPS, Mai-Mai Rwenzori, and Simba troops, and the creation of demilitarised zones for FARDC, on mixing, on integration, and on the PNDDR.</p> <p>A mixed Technical Peace and Security Commission, jointly chaired by the Government and the International Facilitators for this engagement, shall be legally authorised by the Government to examine and finalise the following questions:</p> <p>...</p> <ul style="list-style-type: none"> • Re-establishment of State Authority (Police, Administration, Justice);
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
Page 2-3, ARTICLE II: On the disengagement of CNDP, PARECO/N-K, Mai-Mai Kasindien, Mai-Mai Kifuafula, Mai-Mai Vurondo, Mai-Mai Mongol, UJPS, Mai-Mai Rwenzori, and Simba troops, and the creation of demilitarised zones for FARDC, on mixing, on integration, and on the PNDDR.
A mixed Technical Peace and Security Commission, jointly chaired by the Government and the International Facilitators for this engagement, shall be legally authorised by the Government to examine and finalise the following questions:
...
• Specification of the itinerary for the redeployment of armed groups to the transit centres (first movement) and to the mixing and demobilisation centres (second movement), followed where necessary by training and instruction;
• Specification of the procedures for mixing taking into account the presence of foreign armed groups referred to in the Joint Nairobi Communique of November 9, 2007
...
• Integration in the regular Armed Forces;
...
• Respect for DDR activities, leading either to mixing for purposes of integration in the FARDC, or to demobilisation and reinsertion to prepare for a definitive return to civilian life, an essential stage in the peace and security process in the province of North Kivu;
...
Power sharing→Military power sharing→Proportionality
In order to do this the following two Sub-Commissions of this Commission shall be created:
a) A Mixed Military Sub-Commission, responsible for:
• disengagement;
• mixing;
• demobilisation;
• social reinsertion;

Page 4, ARTICLE IV: POLITICAL AND JUDICIAL GUARANTEE MEASURES:
The DRC Government, enacting this engagement and at the request of the CNDP, the PARECO/N-K, the Mai-Mai Kasindien, the Mai-Mai Kifuafula, the Mai-Mai Vurondo, the Mai-Mai Mongol, the UJPS, the Mai-Mai Rwenzori, and the Simba; undertakes, in accordance with the relevant recommendation of the Conference on Peace, Security and Development of the Provinces of North and South Kivu:
...
2. To create a Technical Commission by Order of the President of the Republic, in particular to finalise the disengagement plan, and questions of rank, integration and management of demobilised personnel;

Human rights and equality

Human rights/RoL general

Page 1, Untitled Preamble:

...

2. Reiterating our support for the principles proclaimed and guaranteed by the Constitution and the laws of the Democratic Republic of Congo;

...

4. Determined to participate in restoring peace, security and the authority of the State throughout the Province of North Kivu;

Page 2-3, ARTICLE II: On the disengagement of CNDP, PARECO/N-K, Mai-Mai Kasindien, Mai-Mai Kifuafula, Mai-Mai Vurondo, Mai-Mai Mongol, UJPS, Mai-Mai Rwenzori, and Simba troops, and the creation of demilitarised zones for FARDC, on mixing, on integration, and on the PNDDR.

A mixed Technical Peace and Security Commission, jointly chaired by the Government and the International Facilitators for this engagement, shall be legally authorised by the Government to examine and finalise the following questions:

...

- Re-establishment of State Authority (Police, Administration, Justice);

Page 4: ARTICLE III: ON HUMANITARIAN PRINCIPLES AND RESPECT FOR HUMAN RIGHTS:

Strict observation of the regulations of international humanitarian law and human rights, in particular:

- Cessation of acts of violence, abuse, discrimination and exclusion, of any kind, against the civilian population, particularly women and children, elderly and disabled persons;
- Release of persons detained or taken hostage on the grounds of views expressed or belonging to insurrectionary movements;
- Return of property to its owners, whether physical or moral persons;
- Return of refugees to their countries under the supervision of the tripartite HCR, the DRC Government and the country of asylum (Burundi, Uganda, Rwanda and Tanzania) according to the timetable adopted by the Humanitarian and Social Technical Commission;
- Establishment of a commission responsible for supervising internal displaced persons and reinstalling them in their places of origin in collaboration with the United Nations and other humanitarian organisations;
- Creating favourable conditions for the supply of humanitarian aid and emergency services to the civilian population;
- A ban on any recruitment, and specific promotion of the rights of children in conflict (or post-conflict) zones;
- Free movement of goods and persons and the lifting of illegal road barriers.

Bill of rights/similar No specific mention.

Treaty incorporation	<p>Page 4: ARTICLE III: ON HUMANITARIAN PRINCIPLES AND RESPECT FOR HUMAN RIGHTS: Strict observation of the regulations of international humanitarian law and human rights, in particular:</p> <ul style="list-style-type: none"> • Cessation of acts of violence, abuse, discrimination and exclusion, of any kind, against the civilian population, particularly women and children, elderly and disabled persons; • Release of persons detained or taken hostage on the grounds of views expressed or belonging to insurrectionary movements; • Return of property to its owners, whether physical or moral persons; • Return of refugees to their countries under the supervision of the tripartite HCR, the DRC Government and the country of asylum (Burundi, Uganda, Rwanda and Tanzania) according to the timetable adopted by the Humanitarian and Social Technical Commission; • Establishment of a commission responsible for supervising internal displaced persons and reinstalling them in their places of origin in collaboration with the United Nations and other humanitarian organisations; • Creating favourable conditions for the supply of humanitarian aid and emergency services to the civilian population; • A ban on any recruitment, and specific promotion of the rights of children in conflict (or post-conflict) zones; • Free movement of goods and persons and the lifting of illegal road barriers.
Civil and political rights	<p>Human rights and equality→Civil and political rights→Freedom of movement</p> <p>Page 4: ARTICLE III: ON HUMANITARIAN PRINCIPLES AND RESPECT FOR HUMAN RIGHTS: Strict observation of the regulations of international humanitarian law and human rights, in particular:</p> <p>...</p> <ul style="list-style-type: none"> • Free movement of goods and persons and the lifting of illegal road barriers.
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	<p>Page 4: ARTICLE III: ON HUMANITARIAN PRINCIPLES AND RESPECT FOR HUMAN RIGHTS: Strict observation of the regulations of international humanitarian law and human rights, in particular:</p> <p>...</p> <ul style="list-style-type: none"> • Free movement of goods and persons and the lifting of illegal road barriers.

Protection measures No specific mention.

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 Page 2-3, ARTICLE II: On the disengagement of CNDP, PARECO/N-K, Mai-Mai Kasindien, Mai-Mai Kifuafula, Mai-Mai Vurondo, Mai-Mai Mongol, UJPS, Mai-Mai Rwenzori, and Simba troops, and the creation of demilitarised zones for FARDC, on mixing, on integration, and on the PNDDR.

A mixed Technical Peace and Security Commission, jointly chaired by the Government and the International Facilitators for this engagement, shall be legally authorised by the Government to examine and finalise the following questions:

...

- Re-establishment of State Authority (Police, Administration, Justice);

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction	<p>Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development</p> <p>Page 1, Untitled Preamble:</p> <p>...</p> <p>3. Emphasising the need to rapidly restore definitive and sustainable peace and security to facilitate the integrated development of North Kivu and South Kivu;</p> <p>...</p> <p>6. Declaring our commitment to respect the relevant Resolution of the Conference on Peace, Security and Development of the Provinces of North and South Kivu, the relevant Resolution on peace and the end of the war, for the sustainable development of the province, as well as all other resolutions and recommendations adopted at Goma by the above- mentioned Conference;</p> <p>Socio-economic reconstruction→Development or socio-economic reconstruction→Humanitarian assistance</p> <p>Page 2-3, ARTICLE II: On the disengagement of CNDP, PARECO/N-K, Mai-Mai Kasindien, Mai-Mai Kifuafula, Mai-Mai Vurondo, Mai-Mai Mongol, UJPS, Mai-Mai Rwenzori, and Simba troops, and the creation of demilitarised zones for FARDC, on mixing, on integration, and on the PNDDR.</p> <p>In order to do this the following two Sub-Commissions of this Commission shall be created:</p> <p>...</p> <p>b) A Humanitarian and Social Sub-Commission responsible for:</p> <ul style="list-style-type: none">• questions regarding internally displaced persons;• questions relating to refugees. <p>Page 4: ARTICLE III: ON HUMANITARIAN PRINCIPLES AND RESPECT FOR HUMAN RIGHTS: Strict observation of the regulations of international humanitarian law and human rights, in particular:</p> <p>...</p> <ul style="list-style-type: none">• Return of refugees to their countries under the supervision of the tripartite HCR, the DRC Government and the country of asylum (Burundi, Uganda, Rwanda and Tanzania) according to the timetable adopted by the Humanitarian and Social Technical Commission; <p>...</p> <ul style="list-style-type: none">• Creating favourable conditions for the supply of humanitarian aid and emergency services to the civilian population;
National economic plan	No specific mention.
Natural resources	No specific mention.
International funds	No specific mention.
Business	No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights Land, property and environment→Land reform/rights→Property return and restitution
Page 4: ARTICLE III: ON HUMANITARIAN PRINCIPLES AND RESPECT FOR HUMAN RIGHTS:
Strict observation of the regulations of international humanitarian law and human rights, in particular:

...

- Return of property to its owners, whether physical or moral persons;

**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 Guarantees

Page 1, Untitled Preamble:

...

3. Emphasising the need to rapidly restore definitive and sustainable peace and security to facilitate the integrated development of North Kivu and South Kivu;
4. Determined to participate in restoring peace, security and the authority of the State throughout the Province of North Kivu;
5. Deeply deploring the insecurity which has prevailed in the Province of North Kivu for so long; causing large scale displacements of the population and terrible suffering amongst civilians and extensive violations of human rights;

Ceasefire

Security sector→Ceasefire→Ceasefire provision

Page 2, ARTICLE I: ON THE CEASEFIRE:

1. To the immediate and complete cessation of:

- Hostilities throughout the Province of North Kivu;
- All acts of violence;
- All military movements and reinforcements;
- And of any new recruitment.

Upon signature of the present act of engagement, a formal order to cease hostilities shall be given in writing to our respective troops in copy to the United Nations, the SADC and the CEEAC.

2. To abstain from any activities which may damage peace and security, including:

- Any attacks and acts of provocation and sabotage;
- Any proposals or declarations which may lead to renewed hostilities;
- Any attempt to occupy new positions on the ground or to move forces and equipment from one place to another;
- The supply of arms, ammunition and other military equipment;
- Any action which may hinder the peace and security process in North Kivu.

Page 2-3, ARTICLE II: On the disengagement of CNDP, PARECO/N-K, Mai-Mai Kasindien, Mai-Mai Kifufua, Mai-Mai Vurondo, Mai-Mai Mongol, UJPS, Mai-Mai Rwenzori, and Simba troops, and the creation of demilitarised zones for FARDC, on mixing, on integration, and on the PNDDR.

...

- Request to deploy MONUC observers to monitor the ceasefire;

Page 4: ARTICLE III: ON HUMANITARIAN PRINCIPLES AND RESPECT FOR HUMAN RIGHTS:

Strict observation of the regulations of international humanitarian law and human rights, in particular:

- Cessation of acts of violence, abuse, discrimination and exclusion, of any kind, against the civilian population, particularly women and children, elderly and disabled persons;

Page 4, ARTICLE IV: POLITICAL AND JUDICIAL GUARANTEE MEASURES:

The DRC Government, enacting this engagement and at the request of the CNDP, the PARECO/N-K, the Mai-Mai Kasindien, the Mai-Mai Kifufua, the Mai-Mai Vurondo, the Mai-Mai Mongol, the UJPS, the Mai-Mai Rwenzori, and the Simba; undertakes, in accordance with the relevant recommendation of the Conference on Peace, Security and Development of the Provinces of North and South Kivu:

...

3. To announce and respect the ceasefire, as stipulated in article I;

Police

Page 2-3, ARTICLE II: On the disengagement of CNDP, PARECO/N-K, Mai-Mai Kasindien, Mai-Mai Kifuafua, Mai-Mai Vurondo, Mai-Mai Mongol, UJPS, Mai-Mai Rwenzori, and Simba troops, and the creation of demilitarised zones for FARDC, on mixing, on integration, and on the PNDDR.

A mixed Technical Peace and Security Commission, jointly chaired by the Government and the International Facilitators for this engagement, shall be legally authorised by the Government to examine and finalise the following questions:

...

- Re-establishment of State Authority (Police, Administration, Justice);

Armed forces

Page 2, ARTICLE I: ON THE CEASEFIRE:

1. To the immediate and complete cessation of:

...

- All military movements and reinforcements;
- And of any new recruitment.

Page 2-3, ARTICLE II: On the disengagement of CNDP, PARECO/N-K, Mai-Mai Kasindien, Mai-Mai Kifuafua, Mai-Mai Vurondo, Mai-Mai Mongol, UJPS, Mai-Mai Rwenzori, and Simba troops, and the creation of demilitarised zones for FARDC, on mixing, on integration, and on the PNDDR.

A mixed Technical Peace and Security Commission, jointly chaired by the Government and the International Facilitators for this engagement, shall be legally authorised by the Government to examine and finalise the following questions:

- The formal order to troops to cease hostilities across all military terrain;

...

- Integration in the regular Armed Forces;

...

- Respect for DDR activities, leading either to mixing for purposes of integration in the FARDC, or to demobilisation and reinsertion to prepare for a definitive return to civilian life, an essential stage in the peace and security process in the province of North Kivu;
- The unconditional participation of the CNDP, the PARECO/N-K, the Mai-Mai Kasindien, the Mai-Mai Kifuafua, the Mai-Mai Vurondo, the Mai-Mai Mongol, the UJPS, the Mai-Mai Rwenzori, and the Simba, in accordance with national legislation, in implementing the Armed Forces of the Democratic Republic of Congo (Forces Armées de la République Démocratique du Congo, FARDC) integration plan, and in the National Programme of Disarmament, Demobilisation and Reinsertion (Programme Nationale de Désarmement, Démobilisation et Réinsertion, PNDDR);

...

In order to do this the following two Sub-Commissions of this Commission shall be created:

a) A Mixed Military Sub-Commission, responsible for:

- disengagement;
- mixing;
- demobilisation;
- social reinsertion;

Page 4: ARTICLE III: ON HUMANITARIAN PRINCIPLES AND RESPECT FOR HUMAN RIGHTS: Strict observation of the regulations of international humanitarian law and human rights, in particular:

- Cessation of acts of violence, abuse, discrimination and exclusion, of any kind, against the civilian population, particularly women and children, elderly and disabled persons;

...

- A ban on any recruitment, and specific promotion of the rights of children in conflict (or post-conflict) zones;

Page 4-5, ARTICLE IV: POLITICAL AND JUDICIAL GUARANTEE MEASURES:

The DRC Government, enacting this engagement and at the request of the CNDP, the PARECO/N-K, the Mai-Mai Kasindien, the Mai-Mai Kifuafua, the Mai-Mai Vurondo, the Mai-Mai Mongol, the UJPS, the Mai-Mai Rwenzori, and the Simba; undertakes, in accordance with the relevant recommendation of the Conference on Peace, Security and Development of the Provinces of North and South Kivu:

...

2. To create a Technical Commission by Order of the President of the Republic, in particular to finalise the disengagement plan, and questions of rank, integration and management of demobilised personnel:

DDR

Security sector→DDR→DDR programmes

Page 2-3, ARTICLE II: On the disengagement of CNDP, PARECO/N-K, Mai-Mai Kasindien, Mai-Mai Kifuafua, Mai-Mai Vurondo, Mai-Mai Mongol, UJPS, Mai-Mai Rwenzori, and Simba troops, and the creation of demilitarised zones for FARDC, on mixing, on integration, and on the PNDDR.

A mixed Technical Peace and Security Commission, jointly chaired by the Government and the International Facilitators for this engagement, shall be legally authorised by the Government to examine and finalise the following questions:

- The formal order to troops to cease hostilities across all military terrain;

...

- Integration in the regular Armed Forces;

...

- Respect for DDR activities, leading either to mixing for purposes of integration in the FARDC, or to demobilisation and reinsertion to prepare for a definitive return to civilian life, an essential stage in the peace and security process in the province of North Kivu;

- The unconditional participation of the CNDP, the PARECO/N-K, the Mai-Mai Kasindien, the Mai-Mai Kifuafua, the Mai-Mai Vurondo, the Mai-Mai Mongol, the UJPS, the Mai-Mai Rwenzori, and the Simba, in accordance with national legislation, in implementing the Armed Forces of the Democratic Republic of Congo (Forces Armées de la République Démocratique du Congo, FARDC) integration plan, and in the National Programme of Disarmament, Demobilisation and Reinsertion (Programme Nationale de Désarmement, Démobilisation et Réinsertion, PNDDR);

- Communication of lists of personnel and of arms, and of their locations, upon signature of the present Act, in accordance with the timetable established by the ad hoc Committee, with the assistance of the International Community. In order to do this the following two Sub-Commissions of this Commission shall be created:

a) A Mixed Military Sub-Commission, responsible for:

- disengagement;
- mixing;
- demobilisation;
- social reinsertion;

Page 4-5, ARTICLE IV: POLITICAL AND JUDICIAL GUARANTEE MEASURES:

The DRC Government, enacting this engagement and at the request of the CNDP, the PARECO/N-K, the Mai-Mai Kasindien, the Mai-Mai Kifuafua, the Mai-Mai Vurondo, the Mai-Mai Mongol, the UJPS, the Mai-Mai Rwenzori, and the Simba; undertakes, in accordance with the relevant recommendation of the Conference on Peace, Security and Development of the Provinces of North and South Kivu:

...

2. To create a Technical Commission by Order of the President of the Republic, in particular to finalise the disengagement plan, and questions of rank, integration and management of demobilised personnel;

...

4. To create a demilitarised zone to enable, in particular, the deployment of MONUC observers and the safety and return of displaced persons;

Page 5, ARTICLE IV: POLITICAL AND JUDICIAL GUARANTEE MEASURES:

The DRC Government, enacting this engagement and at the request of the CNDP, the PARECO/N-K, the Mai-Mai Kasindien, the Mai-Mai Kifuafua, the Mai-Mai Vurondo, the Mai-Mai Mongol, the UJPS, the Mai-Mai Rwenzori, and the Simba; undertakes, in accordance with the relevant recommendation of the Conference on Peace, Security and Development of the Provinces of North and South Kivu:

...

4. To create a demilitarised zone to enable, in particular, the deployment of MONUC observers and the safety and return of displaced persons;

**Intelligence
services**

No specific mention.

**Parastatal/rebel
and opposition
group forces**

Page 2, ARTICLE I: ON THE CEASEFIRE:

1. To the immediate and complete cessation of:

...

- All military movements and reinforcements;
- And of any new recruitment.

Page 2-3, ARTICLE II: On the disengagement of CNDP, PARECO/N-K, Mai-Mai Kasindien, Mai-Mai Kifuafua, Mai-Mai Vurondo, Mai-Mai Mongol, UJPS, Mai-Mai Rwenzori, and Simba troops, and the creation of demilitarised zones for FARDC, on mixing, on integration, and on the PNDDR.

A mixed Technical Peace and Security Commission, jointly chaired by the Government and the International Facilitators for this engagement, shall be legally authorised by the Government to examine and finalise the following questions:

- The formal order to troops to cease hostilities across all military terrain;
- Geographic location of armed groups (exact map positions);
- Determination of disengagement and buffer zones;
- Request to deploy MONUC observers to monitor the ceasefire;
- Implementing the plan resulting from the Joint Nairobi Communique on the disarmament and repatriation of armed foreign groups;
- Specification of the itinerary for the redeployment of armed groups to the transit centres (first movement) and to the mixing and demobilisation centres (second movement), followed where necessary by training and instruction;
- Specification of the procedures for mixing taking into account the presence of foreign armed groups referred to in the Joint Nairobi Communique of November 9, 2007
- Request to deploy the MONUC in all terrain occupied by the CNDP, the PARECO/N-K, the Mai-Mai Kasindien, the Mai-Mai Kifuafua, the Mai-Mai Vurondo, the Mai-Mai Mongol, the UJPS, the Mai-Mai Rwenzori, and the Simba;
- Re-establishment of State Authority (Police, Administration, Justice);
- Integration in the regular Armed Forces;
- Demobilisation and social reinsertion;
- Respect for DDR activities, leading either to mixing for purposes of integration in the FARDC, or to demobilisation and reinsertion to prepare for a definitive return to civilian life, an essential stage in the peace and security process in the province of North Kivu;
- The unconditional participation of the CNDP, the PARECO/N-K, the Mai-Mai Kasindien, the Mai-Mai Kifuafua, the Mai-Mai Vurondo, the Mai-Mai Mongol, the UJPS, the Mai-Mai Rwenzori, and the Simba, in accordance with national legislation, in implementing the Armed Forces of the Democratic Republic of Congo (Forces Armées de la République Démocratique du Congo, FARDC) integration plan, and in the National Programme of Disarmament, Demobilisation and Reinsertion (Programme Nationale de Désarmement, Démobilisation et Réinsertion, PNDDR);
- Communication of lists of personnel and of arms, and of their locations, upon signature of the present Act, in accordance with the timetable established by the ad hoc Committee, with the assistance of the International Community.

In order to do this the following two Sub-Commissions of this Commission shall be created:

a) A Mixed Military Sub-Commission, responsible for:

- disengagement;
- mixing;
- demobilisation;
- social reinsertion;

Page 3: ARTICLE III: ON HUMANITARIAN PRINCIPLES AND RESPECT FOR HUMAN RIGHTS:

Strict observation of the regulations of international humanitarian law and human rights, in particular:

- Cessation of acts of violence, abuse, discrimination and exclusion of any kind, against

Withdrawal of foreign forces	<p>Page 2-3, ARTICLE II: On the disengagement of CNDP, PARECO/N-K, Mai-Mai Kasindien, Mai-Mai Kifuafua, Mai-Mai Vurondo, Mai-Mai Mongol, UJPS, Mai-Mai Rwenzori, and Simba troops, and the creation of demilitarised zones for FARDC, on mixing, on integration, and on the PNDDR.</p> <p>...</p> <ul style="list-style-type: none"> • Implementing the plan resulting from the Joint Nairobi Communiqué on the disarmament and repatriation of armed foreign groups;
Corruption	<p>Page 4: ARTICLE III: ON HUMANITARIAN PRINCIPLES AND RESPECT FOR HUMAN RIGHTS: Strict observation of the regulations of international humanitarian law and human rights, in particular:</p> <p>...</p> <ul style="list-style-type: none"> • Free movement of goods and persons and the lifting of illegal road barriers.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	<p>Transitional justice→Amnesty/pardon→Amnesty/pardon proper</p> <p>Page 4, ARTICLE IV: POLITICAL AND JUDICIAL GUARANTEE MEASURES: The DRC Government, enacting this engagement and at the request of the CNDP, the PARECO/N-K, the Mai-Mai Kasindien, the Mai-Mai Kifuafua, the Mai-Mai Vurondo, the Mai-Mai Mongol, the UJPS, the Mai-Mai Rwenzori, and the Simba; undertakes, in accordance with the relevant recommendation of the Conference on Peace, Security and Development of the Provinces of North and South Kivu:</p> <ol style="list-style-type: none"> 1. To present to Parliament an Amnesty Law project for acts of war and insurrection, covering the period from June 2003 to the date of promulgation of the Law, and not including crimes of war, crimes against humanity and genocide;
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	<p>Page 4: ARTICLE III: ON HUMANITARIAN PRINCIPLES AND RESPECT FOR HUMAN RIGHTS: Strict observation of the regulations of international humanitarian law and human rights, in particular:</p> <p>...</p> <ul style="list-style-type: none"> • Release of persons detained or taken hostage on the grounds of views expressed or belonging to insurrectionary movements;

Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	<p>Transitional justice→Reparations→Material reparations</p> <p>Page 4: ARTICLE III: ON HUMANITARIAN PRINCIPLES AND RESPECT FOR HUMAN RIGHTS: Strict observation of the regulations of international humanitarian law and human rights, in particular:</p> <p>...</p> <ul style="list-style-type: none"> • Return of property to its owners, whether physical or moral persons;
Reconciliation	No specific mention.

Implementation

UN signatory	<p>LES FACILITATEURS INTERNATIONAUX:</p> <p>Pour les NATIONS-UNIES, Mr Alan Doss</p>
Other international signatory	<p>LES FACILITATEURS INTERNATIONAUX:</p> <p>Pour l'UNION EUROPEENNE, Mr Roeland van de Geer</p> <p>Pour les ETATS-UNIS D'AMERIQUE, Mr Tim Shortley</p> <p>Pour l'UNION AFRICAINE, Mr Pierre Yere</p> <p>Pour la CONFERENCE INTERNATIONALE SUR LA REGION DES GRANDS LACS, Mme Liberata Mulamula</p>
Referendum for agreement	No specific mention.

International mission/force/similar

Page 2, ARTICLE I: ON THE CEASEFIRE:

1. To the immediate and complete cessation of:

- Hostilities throughout the Province of North Kivu;
- All acts of violence;
- All military movements and reinforcements;
- And of any new recruitment.

Upon signature of the present act of engagement, a formal order to cease hostilities shall be given in writing to our respective troops in copy to the United Nations, the SADC and the CEEAC.

Page 2-3, ARTICLE II: On the disengagement of CNDP, PARECO/N-K, Mai-Mai Kasindien, Mai-Mai Kifuafua, Mai-Mai Vurondo, Mai-Mai Mongol, UJPS, Mai-Mai Rwenzori, and Simba troops, and the creation of demilitarised zones for FARDC, on mixing, on integration, and on the PNDDR.

...

- Request to deploy MONUC observers to monitor the ceasefire;

...

- Request to deploy the MONUC in all terrain occupied by the CNDP, the PARECO/N-K, the Mai-Mai Kasindien, the Mai-Mai Kifuafua, the Mai-Mai Vurondo, the Mai-Mai Mongol, the UJPS, the Mai-Mai Rwenzori, and the Simba;

...

- Communication of lists of personnel and of arms, and of their locations, upon signature of the present Act, in accordance with the timetable established by the ad hoc Committee, with the assistance of the International Community.

Page 4: ARTICLE III: ON HUMANITARIAN PRINCIPLES AND RESPECT FOR HUMAN RIGHTS: Strict observation of the regulations of international humanitarian law and human rights, in particular:

...

- Establishment of a commission responsible for supervising internal displaced persons and reinstalling them in their places of origin in collaboration with the United Nations and other humanitarian organisations;

Page 5, ARTICLE IV: POLITICAL AND JUDICIAL GUARANTEE MEASURES:

The DRC Government, enacting this engagement and at the request of the CNDP, the PARECO/N-K, the Mai-Mai Kasindien, the Mai-Mai Kifuafua, the Mai-Mai Vurondo, the Mai-Mai Mongol, the UJPS, the Mai-Mai Rwenzori, and the Simba; undertakes, in accordance with the relevant recommendation of the Conference on Peace, Security and Development of the Provinces of North and South Kivu:

...

4. To create a demilitarised zone to enable, in particular, the deployment of MONUC observers and the safety and return of displaced persons;

Enforcement mechanism

No specific mention.

Related cases

No specific mention.

Source

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