

Memorandum on the mechanism for the establishment of a restructured and integrated national army

Pretoria, March 6, 2003

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”.

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

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.

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.

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.

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.