

Inter-Congolese Dialogue
Pretoria Political Negotiations

Memorandum on Army and Security

On 17 December 2002, the Pretoria Agreement was signed by the Components and Entities to the Inter-Congolese Dialogue in the presence of the representatives of the United Nations Secretary-General and the President of the African Union.

This Memorandum deals with the mechanism regarding the establishment of a restructured and integrated Congolese army as well as the security during the Transition.

Pretoria, 06 March 2003

MEMORANDUM REGARDING THE MECHANISM FOR THE ESTABLISHMENT OF A RESTRUCTURED AND INTEGRATED NATIONAL ARMY.

Article 1.

Principles

1. In accordance with the objectives of the Transition, as listed in Chapter II of the Global and Inclusive Agreement regarding the Transition in the Democratic republic of the Congo, a restructured and integrated national army is formed;
2. The establishment of this army is based on the principles of the Global and Inclusive Agreement (paragraph 6. ch. III and chapter IV);
3. In accordance with paragraphs a. and b. of Chapter 6 of the Agreement, a facility for the establishment of a restructured and integrated national army is implemented. Such a facility is the meeting of the General Staffs;
4. The sharing out of the responsibilities within the restructured and integrated national army complies with the provisions of paragraph 6. ch. III of the Global and Inclusive Agreement, which stipulates that such a sharing out is done «on the basis of the principle of inclusion and equitable sharing between the Components and Entities to the Inter-Congolese Dialogue according to the criteria of competence, credibility, integrity and in a sprit of national reconciliation»;
5. In accordance with the resolution of the Inter-Congolese Dialogue of 18 April 2001 regarding the establishment of the restructured and integrated national army, «the restructured and integrated national army is the symbol of the national unity and the republican values, due to its national, republican and apolitical character».

Article 2.

General Staff Meetings

1. A meeting of the FAC, RCD, MLC, RCD-N, RCD-ML and Mai-Mai General Staffs is convened before the Transition Government takes office;
2. This meeting proceeds with the drafting of a master plan for the establishment of the restructured and integrated national army.

Memorandum regarding the security provisions during the Transition

I. Close quarter protection for the Leaders of the Transition

1. In accordance with item 1 (a) of Annexure 5 to the Global and Inclusive Agreement, each leader will choose 5 to 15 bodyguards for his personal safety.
2. The bodyguards' mission will be as follows:
 - a) Ensure the close-quarter and personal protection of the identified leaders;
 - b) Ensure the safety of their offices, residences and other buildings and key facilities until the commissioning of an integrated national police force.
3. Awaiting their eventual incorporation in the integrated national police force, the bodyguards will fall under the authority of an integrated central command that will benefit from an international support.
4. The integrated central command will help the parties to fix the exact number of members of personnel required for each leader's protection and will evaluate their equipment, logistic and weapons needs.

II. Integrated Police Force

1. The Government of the Transition will define the practical ways and means of the commissioning of an integrated national police force that will progressively assume the responsibility to ensure the safety of the Government and the population.
2. The distribution of the responsibilities within the integrated national police force will be carried out based on the principle of inclusion and equitable sharing between the Components and Entities to the Inter-Congolese Dialogue according to the competence, credibility and integrity criteria and in a spirit of national reconciliation.
3. Awaiting the commissioning of the integrated national police force, the FAC elements based in Kinshasa will remain in their garrisons and concentrate their activities or training and integration.
4. The police and security forces will have to act in full transparency and neutrality. Their activities will be the object of verification and surveillance carried out by a group of observers whose members will be designated by the Parties to the Global and Inclusive Agreement.

III. Additional Security Measures

1. The meeting of the FAC, RCD, MLC, RCD-N, RCD-ML and Mai-Mai General Staffs envisaged in item c of Chapter 6 of the agreement may propose additional security measures regarding some leaders according to their needs in accordance to item c of Annexure V to the same agreement.

IV. International Community Support to the protection of the Transition institutions

1. The parties to this Agreement request the International Community to grant, in accordance with item 2 (b) of Annexure V to the Agreement, its active support for the protection of the Transition institutions within the following fields:
 - a) The training and the retraining of the bodyguards of the Leaders/Coordinators of the Transition and the members of the future integrated national police force;
 - b) The taking over of the financial and logistical aspects of their functioning;
 - c) The parties request the deployment of a neutral force, on authorisation of the United Nations, to help ensure the general safety of the Government and the population in Kinshasa as well as in other key towns of the country. This force will be deployed for a limited period to allow the integrated national police force to become fully operational.

SIGNATORY PARTIES

On behalf of the Government of the Democratic Republic of the Congo:

signature

On behalf of the Rassemblement pour la Démocratie (RCD):

signature

On behalf of the Mouvement de Libération du Congo (MLC):

signature

SIGNATORY PARTIES

On behalf of the Rassemblement Congolais pour la Démocratie/ Mouvement de Libération du Congo (RCD-ML):

signature

signature

signature

On behalf of the Rassemblement Congolais pour la Démocratie/National (RCD-N):

signature

On behalf of the Mai-Mai:

With reservation: Neutral force

1. *Comd Anselme ENERUNGA, Head of delegation* - *signature*
2. *Comd YAKA SWEDY KOSCO* - *signature*
3. *Elias MULUNGULA HOBIGERA NALWINDI* - *signature*
4. *MBILIZI PIKO* - *signature*
5. *Raphaël LUHULU, secretary/reporter* - *signature*

SIGNATORY PARTIES

On behalf of the Political opposition¹:

1. *Read and approved on behalf of PALU* *G.MAYOBO -signature*
2. *G₁₄ Dr KABAMBA Mbebe* *-signature*
3. *xONUS Joseph OLENGHANKOY P.o* *-signature*
4. *F. LUBUMBA ?????* *-signature*
5. *BO-BOLIKO LOKONGA P.DSC.* *- signature*
6. *Dr. Alafick M. Kalala, RNS cocean, External Opposition* *-signature*
7. *Patrice-Aimé SESANGA ROM* *-signature*
8. *Attorney GERARD K.W. KAMANDA CADxxx* *-signature*
9. *Z' Ahidi Arthur Ngoma EGO* *-signature*
10. *UDPS - MUKAKE VALENTIN* *-signature*
11. *M.P.R / Privately done Mrs NZUZI - WA - MBAMBO T.K.M* *-signature*
12. *MPI Justin-Marie Bou??o Lokukle* *-signature*
13. *Honorin? KISIMBA-NGOY : UNAFEC* *-signature*
14. *On behalf of Fe?, Nicolas Georges BADINGAKI* *-signature*
Marie-Jeanne N?OLA *-signature*
15. *Conclave Political Forces FPC/FISDN* *AZIZ KUMBI -signature*

¹ Translator's Note: Kindly accept my apologies for the spelling mistakes.

WITNESSES

**His Excellency Mr. Thabo Mbeki,
President of the Republic of South
Africa and Incumbent President of the
African Union, represented by His
Excellency Mr. Sydney Mufamadi,
Minister of Provincial and Local
Government**

**His Excellency Mr. Moustapha Niasse,
Special Envoy of the United Nations
Secretary-General to the Inter-
Congolese Dialogue, representing His
Excellency Mr. Kofi Annan, Secretary -
General of the United Nations
Organisation**

signature

signature