

<b>Country/entity</b>	Democratic Republic of Congo
<b>Region</b>	Africa (excl MENA)
<b>Agreement name</b>	Global and Inclusive Political Agreement of the Inter-diocesan Center of Kinshasa
<b>Date</b>	31 Dec 2016
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes
<b>Agreement/conflict level</b>	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 - )

<b>Stage</b>	Framework/substantive - comprehensive
<b>Conflict nature</b>	Government
<b>Peace process</b>	DRC: Second Congo war process

**Parties**

1. Majorité Présidentielle
  - a) Alexis THAMBWE-MWAMBA
  - b) Emmanuel RAMAZANI SHADARI
  - c) Adolphe LUMANU MULENDA BWANA N'SEFU
  - d) Martin KABWELULU
  - e) Lambert MENDE OMALANGA
  - f) Norbert NKULU MITUMBA KILOMBO
2. Opposition républicaine
  - a) Michel BONGONGO IKOLI NDOMBO
3. Opposition politique
  - a) Vital KAMERHE
  - b) Jean Lucien BUSSA
  - c) José MAKILA SUMANDA
  - d) Azarias RUBERWA MANYWA
  - e) Florentin MOKONDA BONZA
  - f) Stève MBIKAYI MABULUKI
4. Société civile
  - a) Marie-Madeleine KALALA NGOY MONGI
  - b) Monseigneur Jean-Luc KUYE-NDONDO
  - c) Maguy KIALA BOLENGA

**Third parties**

(Described as 'non-signatory' participants)

1. Rassemblement des Forces Politiques et Sociales
  1. Félix TSHISEKEDI TSHILOMBO
  2. Valentin Mubake Nombi
  3. Christophe LUTUNDULA APALA
  4. Gilbert KANKONDE NKASHAMA
  5. Jean-Marc KABUND-A-KABUND
  6. Joseph OLENGHANKOY MUKUNDJI
  7. Martin FAYULU MADIDI
  8. Delly SESANGA HIPUNGU
  9. Didier MOLISHO SADI
  10. Jean-Pierre LISANGA BONGANGA
  11. Olivier KAMITATU ETSU
2. Front pour le Respect de la Constitution
  1. Eve BAZAIBA MASUDI
  2. Jacques LUNGUANA MATUMONA
  3. Alexis LENGA WALENGA
3. Société Civile
  1. Georges KAPIAMBA KAPIAMBA
  2. Christopher NGOY MUTAMBA

<b>Description</b>	A version of this agreement was signed on 18 October 2018; however, this agreement includes more signatories. It reinforces respect for the constitution and sets out the necessary conditions and principles for future elections.
<b>Agreement document</b>	<a href="#">CD_161231_AccordCenco_En.pdf (opens in new tab)</a>   <a href="#">Download PDF</a>
<b>Agreement document (original language)</b>	<a href="#">CD_161231_Accord politique global et inclusif du centre Interdiocésain_FR.pdf (opens in new tab)</a>

## **Groups**

### **Children/youth**

Groups→Children/youth→Substantive

Page 8

2. For CENI [...]

c) Recruit more poll workers and train them, making sure to promote representation of women and young people;

Page 8

3. For the political parties: [...]

d) Ensure actual representation of women and young people on the candidate rolls

Page 9

IV.8.2 Recommendations

To resolve these problems and ensure the security of the citizens, the parties encourage the adoption of the following suitable measures: [...]

k) Create jobs for youths in order to keep them from joining armed groups and being used by particular political authorities;

Groups→Children/youth→Other

Page 9

IV.8.1 Observations

The parties note that multiple threats influence the security of citizens throughout the country and may have a negative impact on citizens' abilities to exercise their voting rights. These threats include: [...]

e) idle, delinquent youth;

Page 12, Section V: Easing of Political Tensions

In addition, there are the political figures prosecuted after the September 19, 2016, demonstrations and the youths from Lucha and Filimbi who were arrested on the day the efforts under the auspices of CENCO started, and all the people who were arrested and/or prosecuted around the country during the events of September 19 and December 19 and 20, 2016.

### **Disabled persons**

Groups→Disabled persons→Substantive

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2. For CENI: [...]

k) Take into account the specific needs of vulnerable groups, particularly people with reduced mobility, the blind, albinos, the elderly and pregnant women, when they register and go to vote, giving them priority of access;

l) Allow the blind to be accompanied by a trustworthy guide in order to help them vote for the candidates of their choosing;

### **Elderly/age**

Groups→Elderly/age→Substantive

Page 8

2. For CENI: [...]

k) Take into account the specific needs of vulnerable groups, particularly people with reduced mobility, the blind, albinos, the elderly and pregnant women, when they register and go to vote, giving them priority of access;

### **Migrant workers**

No specific mention.

<b>Racial/ethnic/ national group</b>	No specific mention.
<b>Religious groups</b>	<p>Groups→Religious groups→Substantive Page 8 2. For CENI: [...] i) Involve the traditional authority and religious faiths in community outreach efforts regarding registration and voting procedures;</p>
<b>Indigenous people</b>	No specific mention.
<b>Other groups</b>	No specific mention.
<b>Refugees/displaced persons</b>	<p>Groups→Refugees/displaced persons→Rhetorical Page 9 IV.8.1 Observations The parties note that multiple threats influence the security of citizens throughout the country and may have a negative impact on citizens' abilities to exercise their voting rights. These threats include: [...] g) humanitarian issues, particularly the issue of managing internally displaced persons; Groups→Refugees/displaced persons→Substantive Page 10 IV.8.2 Recommendations [...] j) Identify internally displaced persons and return them to their places of origin, which are secured beforehand;</p> <p>Page 11 Section V: Easing of Political Tensions V.1 The stakeholders in this Agreement duly note the establishment of a Commission of Chief Justices for a meticulous, individualized examination of the cases of political prisoners and prisoners of conscience, the beneficiaries of the most recent amnesty law who nonetheless have not yet been released, and the cases of political exiles and refugees appearing on the attached list.</p>
<b>Social class</b>	No specific mention.

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## Gender

<b>Women, girls and gender</b>	<p>Page 8</p> <p>2. For CENI:</p> <p>c) Recruit more poll workers and train them, making sure to promote representation of women and young people;</p> <p>Page 8</p> <p>3. For the political parties:</p> <p>d) Ensure actual representation of women and young people on the candidate rolls.</p> <p>Page 10</p> <p>IV.8.2 Recommendations</p> <p>l) Devote special attention to girls, women and children who are victims of violence, including sexual violence, and take the necessary preventive and punitive measures in this regard;</p>
<b>Men and boys</b>	No specific mention.
<b>LGBTI</b>	No specific mention.
<b>Family</b>	No specific mention.

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## State definition

<b>Nature of state (general)</b>	<p>Page 3, Section II: Respect for the Constitution</p> <p>II.2 Regarding concerns about the third term for Joseph Kabila, President of the Republic, the stakeholders note the formal affirmation he made in the following terms before the Parliament sitting in Congress on November 15, 2016: “To everyone who seems to be concerned day in and day out about my political future, I would like to say—without neglecting to thank them—that the DRC is a constitutional democracy. All relevant issues about the fate of institutions and their leaders are adequately resolved by the Constitution.” Therefore, having completed two terms, he may not seek a third.</p>
<b>State configuration</b>	No specific mention.
<b>Self determination</b>	No specific mention.
<b>Referendum</b>	No specific mention.
<b>State symbols</b>	No specific mention.
<b>Independence/secession</b>	No specific mention.

**Accession/  
unification** No specific mention.

**Border delimitation** No specific mention.

**Cross-border  
provision** No specific mention.

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**Political  
institutions (new or  
reformed)**

Governance→Political institutions (new or reformed)→General references

Pages 4-5, Section III: Institutions and Their Functioning During the Pre-election and Election Periods

III.1 Principles of governance

III.1.1 As part of their constitutional and legal prerogatives, the most important duties of the

country's national and provincial institutions entail:

- ensuring the continuity of the government;
- organizing within the agreed-to time period presidential elections, national and provincial legislative elections, senate elections and the elections of the governors and vice governors of the provinces.

III.1.2 The deadline for completing the pre-election and election procedures in accordance with the agreed-to sequence is 12 months as of the signature of this Agreement.

III.2 Institutions with an electoral mandate

III.2.1 President of the Republic

The stakeholders agree to abide by the Constitution of February 18, 2006, as revised in 2011, particularly the following provisions:

- Article 70(1), which states: "The President of the Republic is elected by universal, direct suffrage for a five-year term that may be renewed only once." It follows that any president who has served the second and last term may not seek a third term.
- The provisions of article 70(2), which state: "At the end of his term, the President of the Republic remains in office until the actual installation of the newly elected President." At the discretion of the Front for the Respect of the Constitution, it follows that even though he is at the end of his term, the President of the Republic shall remain in office until his elected successor is actually installed.

III.2.2 The National Assembly, Senate and Provincial Assemblies

Given that the terms of the provincial deputies and those of the senators ended in 2012, and that the term of the national deputies expires in February 2017, the stakeholders agree that:

a. In accordance with articles 103(2), 105(2) and 197(6) of the Constitution, the national deputies, senators and provincial deputies in office remain in office until the actual installation of new corresponding legislative and deliberative assemblies chosen in the next elections to be held in accordance with the agreed-to schedule.

b. Depending on the situation and in addition to their standard constitutional assignments, the National Assembly, Senate and provincial assemblies shall have as priority legislative agendas the full set of legislative regulations and measures to defuse political tensions.

c. The stakeholders agree that the elected governors and vice governors remain in office in accordance with the provisions of the Constitution.

III.3 Institutions without an electoral mandate

III.3.1 In order to ensure institutional balance and guarantee equal treatment for

## Elections

### Page 1, Preamble

[...]

Whereas the divergences within the political class and the major risks of division of the Nation in light of the political crisis stemming from the impasse in the electoral process, whose lawfulness and continuity have been disrupted; [...]

Whereas the current political crisis led the stakeholders in national dialogue to sign the Political Agreement of October 18, 2016, for the organization of peaceful, credible and transparent elections in the Democratic Republic of the Congo (DRC);[...]

Motivated by the desire to reach a mutual understanding based on a pursuit of more inclusivity in order to resolve the political problems caused by the delay in the organization of elections;

### Page 3, Section I: Definitions

I.2 Pre-election and election period: the time between the signature of this compromise and the actual installation of the institutions arising from the elections.

### Page 3, Section II: Respect for the Constitution

II.1 The stakeholders undertake to respect the Constitution of February 18, 2006, as amended in 2011, and the laws of the Republic; and to organize presidential elections, national and provincial legislative elections and local elections in accordance with said Constitution. Notwithstanding the provisions of article 5(1), they agree not to undertake or support any initiative to revise or change the Constitution.

### Page 3, Section II: Respect for the Constitution

II.4 The parties renew their formal commitment to promote the independence of the judiciary; national cohesion; civil peace and democratic values, specifically, the democratic transfer of power resulting from credible, free, transparent and peaceful elections; national solidarity; political tolerance; the notion of compromise through dialogue; the equality of rights and opportunities; good governance; and accountability of leaders.

### Page 4, Section III: Institutions and Their Functioning During the Pre-election and Election Periods

#### III.1 Principles of governance

III.1.1 As part of their constitutional and legal prerogatives, the most important duties of the

country's national and provincial institutions entail:

- ensuring the continuity of the government;
- organizing within the agreed-to time period presidential elections, national and provincial legislative elections, senate elections and the elections of the governors and vice governors of the provinces.

### Page 4, Section III: Institutions and Their Functioning During the Pre-election and Election Periods

#### III.1 Principles of governance

[...]

#### III.2 Institutions with an electoral mandate

##### III.2.1 President of the Republic

The stakeholders agree to abide by the Constitution of February 18, 2006, as revised in 2011, particularly the following provisions:

- Article 70(1), which states: "The President of the Republic is elected by universal, direct suffrage for a five-year term that may be renewed only once." It follows that any president who has served the second and last term may not seek a third term.

[...]

##### III.2.2 The National Assembly, Senate and Provincial Assemblies

Pages 6-9, Section IV: The Electoral Processes

IV.1 The stakeholders agree to a complete overhaul of the election roster and a bimonthly assessment of current voter registration procedures.

IV.2 The stakeholders agree to hold elections in a single presidential and national and provincial legislative sequence no later than December 2017.

IV.3 The stakeholders agree that CENI shall keep the National Assembly, National Council for Overseeing the Agreement and the other stakeholders in the electoral process duly informed of the time chart that will take into account the following pre-election and election procedures:

- Completion of the creation of the consolidated election roster;
- Adoption of the law on the distribution of seats by electoral district and of the election law, and their enactment by the Head of State;
- Notice of elections by CENI;
- Organization of presidential and national and provincial legislative elections in a single sequence;
- Swearing-in and installation of the new President-elect of the Republic;
- Senate elections, elections of provincial governors and vice governors.

Local, town and city elections shall be held in 2018.

The stakeholders are thus requesting that CENI and the Government of the Republic take all the necessary measures for this purpose.

The stakeholders request that the Minister of the Interior revoke his decree no. 19/2015 of March 11, 2015, registering a political party called Mouvement de Libération du Congo Libéral (MLC/L).

The stakeholders also request that the Minister of the Interior revoke his decree no. 25/CAB/VPM/MININTER SEC/EB/001/2016 of January 23, 2016, registering a political party called Mouvement Social pour le Renouveau (MSR).

IV.4 Regarding the funding of elections and without affecting articles 6 and 52 of CENI's fundamental law, the stakeholders:

- recommend that the Government:
  - o gather the internal and external resources required for the election budget and scrupulously abide by the disbursement plan agreed to with CENI, in accordance with the operational implementation plan;
  - o set up a quarterly allowance for the benefit of CENI in accordance with its disbursement plan to fund the entire electoral process, including the protection of the process;
  - o provide all the resources needed to fund the elections;
  - o explore the processes and methods of rationalization of the electoral system in order to reduce the excessive election costs.

Encourage the International Community to support and help CENI logistically, financially and technically in order to properly carry out the electoral procedures.

Urge Parliament to conduct a quarterly audit on the use of the budgetary resources provided to CENI.

Require and diligently carry out an external audit on the management of CENI.

Require that CENI be transparent in the execution of contracts and encourage it to

## **Political parties reform**

Governance→Political parties reform→Other political parties reform

Page 3, Section II: Respect for the Constitution

II.4 The parties formally agree to respect the institutions and laws of the Republic, the Rule of Law, Human Rights, fundamental collective and individual freedoms, the separation of powers guaranteed by the Constitution and the right of opposition parties to exist and engage in their political activities.

Page 6, Section IV: The Electoral Process

[...]

The stakeholders request that the Minister of the Interior revoke his decree no. 19/2015 of March 11, 2015, registering a political party called Mouvement de Libération du Congo Libéral (MLC/L).

The stakeholders also request that the Minister of the Interior revoke his decree no. 25/CAB/VPM/MININTER SEC/EB/001/2016 of January 23, 2016, registering a political party called Mouvement Social pour le Renouveau (MSR).

Page 8, Section IV: The Electoral Process

[...]

3. For the political parties:

- a. Train activists in electoral matters and educate them about citizenship;
- b. Sign and abide by the Code of Good Conduct;
- c. Agree to abide by the results of the ballot boxes and to demonstrate electoral civility;
- d. Ensure actual representation of women and young people on the candidate rolls.

Page 12, Section V: Easing of Political Tensions

[...]

V.4 The stakeholders request that the Minister in charge of the interior and public safety refrain from meddling in any way and from arbitrating the internal conflicts of political parties that fall under the jurisdiction of the courts, and that he instruct the regional authorities to avoid all hindrances to the activities of political organizations (parties and platforms) in their respective jurisdictions.

[...]

V.7 Regarding the splitting into two of political parties, the stakeholders agree that the political groups that were subject to this will regain the status they had before this division.

## Civil society

### Page 1, Preamble

We the participants in the Kinshasa talks at the Interdiocesan Center of the National Episcopal Conference of Congo (CENCO) and Representatives of the Presidential Majority, the Opposition and Civil Society, signatories to the Agreement of October 18, 2016, at Cité de l'Union Africaine, the parties of the first part, and representatives of the Rassemblement coalition, the Front for the Respect of the Constitution and Civil Society, nonsignatories to the aforementioned Agreement, the parties of the second part;

### Page 2, Preamble

Whereas the current political crisis led the stakeholders in national dialogue to sign the Political Agreement of October 18, 2016, for the organization of peaceful, credible and transparent elections in the Democratic Republic of the Congo (DRC);

Whereas some representatives of the political parties and Civil Society did not take part in this Agreement;

### Page 3, Section I: Definitions

I.1. Stakeholders: the signatories and non-signatories to the Agreement of October 18, 2016, with their representatives (the Presidential Majority, Political Opposition and Civil Society signatories to the October 18 Agreement on the one hand, and the Rassemblement, the Front for the Respect of the Constitution and Civil Society non-signatories to the Agreement on the other hand).

### Page 7, Section IV: The Electoral Process

[...]

IV. 5 In order to guarantee CENI's independence and impartiality and regain the trust of all the

election candidates, the parties agree that:

a. CENI must be revitalized as soon as possible. For that purpose, the stakeholders charge the National Council for Overseeing the Agreement with recommending all the adjustments and measures to take regarding organic structures as well as the functioning of CENI, and the suitable mechanisms to put in place in order to reinforce its capabilities and the transparency of the preelection and election procedures;

b. The Presidential Majority, the Political Opposition and Civil Society, from which the current members of CENI are drawn and which desire it, are free to replace their representatives in accordance with standard law within 14 days of the signature of this Agreement. The affected members shall tender their resignations as soon as the request is made to them by their original representatives.

### Page 9, Section IV: The Electoral Process

[...]

7. For Civil Society:

- a. Remain apolitical;
- b. Support the consensus for peaceful, credible and transparent elections;
- c. Promote the teaching of peace and nonviolence;
- d. Prepare the population by raising awareness and educating it about the election issues;
- e. Make the legal texts and the code of good conduct accessible to all people;
- f. Observe the elections and report on them with impartiality;
- g. Compose objective analyses on all the election issues.

**Traditional/  
religious leaders**

Page 8, Section IV: The Electoral Process

[...]

4. For the traditional authority and religious faiths:

- a. Take part in educating the population about the electoral process, ensuring the apolitical and impartial character related to their status;
- b. When necessary, support CENI in identifying individuals when they register;
- c. Promote peaceful intercommunity coexistence.

**Public  
administration**

Page 7, Section IV: The Election Process

[...]

1. For the Government:

[...]

b) Ensure the apolitical character of the public administration, National Police, and security.

Page 10, Section IV: The Election Process

[...]

IV.8.2 Recommendations

To resolve these problems and ensure the security of the citizens, the parties encourage the adoption of the following suitable measures:

g) Ensure the actual presence of the public administration all over the country;

## Constitution

Governance→Constitution→Constitution affirmation/renewal

Page 3, Section II: Respect for the Constitution

The fundamental principles enacted by the stakeholders in their understanding of “respect for the Constitution” may essentially be summarized as follows:

II.1 The stakeholders undertake to respect the Constitution of February 18, 2006, as amended in 2011, and the laws of the Republic; and to organize presidential elections, national and provincial legislative elections and local elections in accordance with said Constitution. Notwithstanding the provisions of article 5(1), they agree not to undertake or support any initiative to revise or change the Constitution.

II.2 Regarding concerns about the third term for Joseph Kabila, President of the Republic, the stakeholders note the formal affirmation he made in the following terms before the Parliament sitting in Congress on November 15, 2016: “To everyone who seems to be concerned day in and day out about my political future, I would like to say—without neglecting to thank them—that the DRC is a constitutional democracy. All relevant issues about the fate of institutions and their leaders are adequately resolved by the Constitution.” Therefore, having completed two terms, he may not seek a third.

II.3 The parties formally agree to respect the institutions and laws of the Republic, the Rule of Law, Human Rights, fundamental collective and individual freedoms, the separation of powers guaranteed by the Constitution and the right of opposition parties to exist and engage in their political activities.

II.4 The parties renew their formal commitment to promote the independence of the judiciary; national cohesion; civil peace and democratic values, specifically, the democratic transfer of power resulting from credible, free, transparent and peaceful elections; national solidarity; political tolerance; the notion of compromise through dialogue; the equality of rights and opportunities; good governance; and accountability of leaders.

II.5 The parties agree to carry out in good faith this compromise and the recommendations made by the National Council for Overseeing the Electoral Agreement and Process (CNSA).

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### Power sharing

**Political power sharing** No specific mention.

**Territorial power sharing** No specific mention.

**Economic power sharing** No specific mention.

**Military power sharing** No specific mention.

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## Human rights and equality

**Human rights/RoL general** Page 3, Section II: Respect for the Constitution  
II.3 The parties formally agree to respect the institutions and laws of the Republic, the Rule of Law, Human Rights, fundamental collective and individual freedoms, the separation of powers guaranteed by the Constitution and the right of opposition parties to exist and engage in their political activities.

Page 10, IV.9

The stakeholders also agree to put in place a warning platform and platform for addressing security challenges, especially with regard to violations of human rights and fundamental freedoms during the political campaigns.

**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.

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## **Rights related issues**

<b>Citizenship</b>	<p>Rights related issues→Citizenship→Citizenship other</p> <p>Page 8, 3. For the political parties</p> <p>a) Train activists in electoral matters and educate them about citizenship;</p>
<b>Democracy</b>	<p>Page 1, Preamble</p> <p>[...]</p> <p>Becoming aware of the need for national cohesion to reestablish internal harmony grounded in a shared sense of respect for the Constitution, the laws of the Republic and universally accepted democratic principles;</p> <p>Page 3, Section II: Respect for the Constitution</p> <p>II.4 The parties renew their formal commitment to promote the independence of the judiciary; national cohesion; civil peace and democratic values, specifically, the democratic transfer of power resulting from credible, free, transparent and peaceful elections; national solidarity; political tolerance; the notion of compromise through dialogue; the equality of rights and opportunities; good governance; and accountability of leaders.</p> <p>Page 12, Section VI: The Mechanism for Overseeing the Implementation of the Political Agreement and the Electoral Process</p> <p>VI.1 Principle on the nature of the Structure</p> <p>In accordance with article 222(3) of the Constitution, the stakeholders agree to put in place an Institution to support democracy that is responsible for overseeing the implementation of the Agreement established between them. While awaiting the adoption of the fundamental law in urgent procedure, this Institution is set up and operates on the basis of this Compromise.</p>
<b>Detention procedures</b>	<p>No specific mention.</p>
<b>Media and communication</b>	<p>Rights related issues→Media and communication→Governance of media</p> <p>Page 9, 6. For the Superior Audiovisual and Communication Council (CSAC)</p> <p>a. Ensure that all stakeholders get equal access to public media;</p> <p>b. Guarantee freedom of expression;</p> <p>c. Ensure that journalists, including correspondents of the foreign press operating in the Democratic Republic of the Congo, comply with the moral code and ethics of their profession;</p> <p>d. Enforce the law on the press.</p> <p>Rights related issues→Media and communication→Media logistics</p> <p>Page 11, Section V: Easing of Political Tensions</p> <p>V.2 Within 15 days of the signature of this Agreement, the Minister in charge of the media shall make sure to restore the signal of the audiovisual companies that were closed or barred as a precautionary measure or for noncompliance with the law.</p> <p>V.3 The stakeholders agree to guarantee equal access to public media to all political movements, specifically, by setting, in cooperation with the CSAC, a regulated airtime and by instituting in the program schedule of this media the right of reply to the Government, in accordance with article 14 of the law on the status of the Opposition in the Democratic Republic of the Congo.</p>

<b>Mobility/access</b>	No specific mention.
<b>Protection measures</b>	No specific mention.
<b>Other</b>	No specific mention.

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## **Rights institutions**

<b>NHRI</b>	No specific mention.
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<b>Regional or international human rights institutions</b>	No specific mention.
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## **Justice sector reform**

<b>Criminal justice and emergency law</b>	No specific mention.
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<b>State of emergency provisions</b>	No specific mention.
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<b>Judiciary and courts</b>	Page 3, Section II: Respect for the Constitution II.4 The parties renew their formal commitment to promote the independence of the judiciary; national cohesion; civil peace and democratic values, specifically, the democratic transfer of power resulting from credible, free, transparent and peaceful elections; national solidarity; political tolerance; the notion of compromise through dialogue; the equality of rights and opportunities; good governance; and accountability of leaders.
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<b>Prisons and detention</b>	No specific mention.
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<b>Traditional Laws</b>	No specific mention.
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## Socio-economic reconstruction

<b>Development or socio-economic reconstruction</b>	<p>Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development</p> <p>Page 10, IV.8.2 Recommendations</p> <p>To resolve these problems and ensure the security of the citizens, the parties encourage the adoption of the following suitable measures:</p> <p>[...]</p> <p>k) Create jobs for youths in order to keep them from joining armed groups and being used by particular political authorities;</p>
<b>National economic plan</b>	<p>No specific mention.</p>
<b>Natural resources</b>	<p>Page 9, IV.8. Regarding the protection of persons and property</p> <p>IV.8.1 Observations</p> <p>The parties note that multiple threats influence the security of citizens throughout the country and may have a negative impact on citizens' abilities to exercise their voting rights. These threats include:</p> <p>[...]</p> <p>h) economic crime, including the unlawful exploitation of natural resources and money laundering that is stimulated by arms trafficking in the affected areas;</p>
<b>International funds</b>	<p>Page 7, IV.4</p> <p>Regarding the funding of elections and without affecting articles 6 and 52 of CENI's fundamental law, the stakeholders:</p> <p>[...]</p> <p>-encourage the International Community to support and help CENI logistically, financially, and technically in order to properly carry out the electoral procedures.</p>
<b>Business</b>	<p>No specific mention.</p>
<b>Taxation</b>	<p>No specific mention.</p>
<b>Banks</b>	<p>No specific mention.</p>

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## **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.

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## **Security sector**

**Security  
Guarantees** No specific mention.

**Ceasefire** No specific mention.

**Police** Page 7, Section IV: The Election Process  
[...]  
1. For the Government:  
[...]  
b) Ensure the apolitical character of the public administration, National Police, and security.

Page 10, IV.8.2 Recommendations  
To resolve these problems and ensure the security of the citizens, the parties encourage the adoption of the following suitable measures:  
f) Recruit new police officers to add to the current workforce and effectively protect polling stations;

<b>Armed forces</b>	<p>Page 7, Section IV: The Election Process [...] 1. For the Government: [...] b) Ensure the apolitical character of the public administration, National Police, and security.</p> <p>Page 9, IV. Regarding the protection of persons and property IV.8.1 Observations The parties note that multiple threats influence the security of citizens throughout the country and may have a negative impact on citizens' abilities to exercise their voting rights. These threats include: [...] d) the actions of some uncontrolled segments of the national security forces;</p> <p>Page 10, IV.8.2 Recommendations To resolve these problems and ensure the security of the citizens, the parties encourage the adoption of the following suitable measures: a) Neutralize armed national and foreign groups that are rampant in the DRC; [...] m) Strengthen cooperation between MONUSCO and the National Security Forces in order to ensure the population's security and protection; [...] o) Improve the socio-professional conditions of the staff of the Security and Defense Services;</p>
<b>DDR</b>	<p>Security sector→DDR→Demilitarisation provisions Page 10, IV.8.2 Recommendations To resolve these problems and ensure the security of the citizens, the parties encourage the adoption of the following suitable measures: [...] e) Revitalize and speed up DDR programs;</p>
<b>Intelligence services</b>	No specific mention.
<b>Parastatal/rebel and opposition group forces</b>	<p>Page 9, IV. Regarding the protection of persons and property IV.8.1 Observations The parties note that multiple threats influence the security of citizens throughout the country and may have a negative impact on citizens' abilities to exercise their voting rights. These threats include: a. local and foreign armed groups;</p>
<b>Withdrawal of foreign forces</b>	No specific mention.
<b>Corruption</b>	No specific mention.

<b>Crime/organised crime</b>	<p>Page 9, IV. Regarding the protection of persons and property</p> <p>IV.8.1 Observations</p> <p>The parties note that multiple threats influence the security of citizens throughout the country and may have a negative impact on citizens' abilities to exercise their voting rights. These threats include:</p> <p>[...]</p> <p>c) the persistence of urban crime and organized crime; [...]</p> <p>h) economic crime, including the unlawful exploitation of natural resources and money laundering that is stimulated by arms trafficking in the affected areas;</p>
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<b>Drugs</b>	No specific mention.
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<b>Terrorism</b>	No specific mention.
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**Transitional justice**

<b>Transitional justice general</b>	No specific mention.
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<b>Amnesty/pardon</b>	<p>Transitional justice→Amnesty/pardon→Amnesty/pardon proper</p> <p>Page 11, Section V: Easing of Political Tensions</p> <p>V.1 The stakeholders in this Agreement duly note the establishment of a Commission of Chief Justices for a meticulous, individualized examination of the cases of political prisoners and prisoners of conscience, the beneficiaries of the most recent amnesty law who nonetheless have not yet been released, and the cases of political exiles and refugees appearing on the attached list.</p>
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<b>Courts</b>	No specific mention.
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<b>Mechanism</b>	No specific mention.
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**Prisoner release**

Page 11, Section V: Easing of Political Tensions

V.1 The stakeholders in this Agreement duly note the establishment of a Commission of Chief Justices for a meticulous, individualized examination of the cases of political prisoners and prisoners of conscience, the beneficiaries of the most recent amnesty law who nonetheless have not yet been released, and the cases of political exiles and refugees appearing on the attached list.

The parties have noted with satisfaction that the cases of Messrs Antipas Mbusa Nyamwisi, Roger Lumbala, Floribert Anzuluni and Moïse Moni Dela have already been processed by the aforementioned commission, which has already ruled to halt proceedings for the first three and to free the last.

The stakeholders request that the Commission of Chief Justices outright release Messrs Bagayamukwe and Mbonekuba as they have already been pardoned regarding the reasons for their respective judgments of culpability.

Concerning the case of Eugene Diomi Ndongala, the stakeholders request that CENCO take action to achieve a suitable, satisfactory solution.

The stakeholders request that the Commission of Chief Justices postpone ruling on the cases of Messrs Moïse Katumbi and Jean-Claude Muyambo, which they state are entrusted to CENCO as part of the continuation of its good offices, in order to take steps and contact the relevant authorities so as to achieve a suitable, satisfactory solution.

In addition, there are the political figures prosecuted after the September 19, 2016, demonstrations and the youths from Lucha and Filimbi who were arrested on the day the efforts under the auspices of CENCO started, and all the people who were arrested and/or prosecuted around the country during the events of September 19 and December 19 and 20, 2016.

The stakeholders agree to stop unjustified legal proceedings due to tax harassment against some members of the Opposition.

In the greater national interest, the stakeholders are tasking CENCO with continuing its good offices with regard to all the relevant authorities for the follow-up on and actual resolution of remaining illustrative cases, namely, those of Moïse Katumbi and Jean-Claude Muyambo, in order for them to regain their freedom.

**Vetting**

No specific mention.

**Victims**

Page 12, Section V: Easing of Political Tensions

V.5 Within the context of reinforcing national unity and solidarity, the stakeholders request that the government of the Republic examine the possibility of granting fixed and equal aid to the victims of the bloody events of September 19 and 20 and December 19 and 20, 2016, and to the political parties whose headquarters were set on fire on those occasions.

**Missing persons**

No specific mention.

**Reparations** No specific mention.

**Reconciliation** Page 12, Section V: Easing of Political Tensions  
V.6 The stakeholders agree to perform any other actions necessary to restoring trust within the DRC, including combining their efforts in order to maintain peace and continue to bolster national agreement and to bar any behavior and words that are incompatible with peace.

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## **Implementation**

**UN signatory** No specific mention.

**Other international signatory** No specific mention.

**Referendum for agreement** No specific mention.

**International mission/force/ similar** Page 8-9, 5. For MONUSCO  
5. For MONUSCO:  
a. Support the Government in strengthening the abilities of the elements that are trained to provide protection;  
b. Give CENI logistical and technical assistance in order to properly carry out the electoral procedures;  
c. Ensure the implementation of the other relevant mechanisms of UN Security Council Resolution 2277.

Page 10, IV.8.2 Recommendations  
To resolve these problems and ensure the security of the citizens, the parties encourage the adoption of the following suitable measures: [...]  
m) Strengthen cooperation between MONUSCO and the National Security Forces in order to ensure the population's security and protection;



**Enforcement mechanism**

Page 13, V1.2.3 Assignments

The stakeholders agree that the CNSA's mission will be to ensure compliance with the political Agreement by all the leaders of the Institutions, and to provide oversight and assess its implementation in order to guarantee the organization of credible, transparent and peaceful elections.

For that purpose, it will need to:

- Oversee the time chart of the implementation of the Agreement;
- Conduct regular assessments of the electoral process once every two months with CENI and the Government;
- Communicate regularly on the progress of the implementation of the Agreement;
- Formulate recommendations for Parliament, the Government and CENI for the proper enforcement of the Agreement;
- Ensure the resolution of possible divergences that arise from the interpretation of the Agreement between the stakeholders and reconcile their points of view in this regard;
- Consult together with the Government and CENI in order to align their outlooks on the success of the electoral process;
- Develop its by-laws subject to their compliance with the Constitution;
- Based on consensus, assess the time needed to finalize the aforementioned elections with the government and CENI.

A fundamental law shall be adopted by Parliament in order to establish the National Council for Overseeing the Agreement as an institution.

**Related cases**

No specific mention.

**Source**

On file with author. Also available at: United States Department of Justice (n.d.) <https://efile.fara.gov/docs/3492-Informational-Materials-20180615-9.pdf> (Accessed 14 October 2020).

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