



<b>Country/entity</b>	Democratic Republic of Congo
<b>Region</b>	Africa (excl MENA)
<b>Agreement name</b>	Acte d'Engagement Gaborone
<b>Date</b>	24 Aug 2001
<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>	Pre-negotiation/process
<b>Conflict nature</b>	Government
<b>Peace process</b>	DRC: Second Congo war process
<b>Parties</b>	Unsigned copy. The parties are defined in the agreement as: The Government of the Democratic Republic of Congo, the Congo Liberation Movement (Mouvement pour la Libération du Congo, MLC), the Congolese Rally for Democracy (Rassemblement pour la Démocratie, RCD), the political opposition organisations and groups, and the "life-blood" of the nation.

<b>Third parties</b>	In the presence of Ketumile Masire (then President of Botswana) as the neutral facilitator of the inter-congolese political negotiations
<b>Description</b>	This agreement between the DRC Government, the MLC, the RCD and political opposition parties covers a range of issues including liberalisation of political life, human rights and humanitarian issues, political prisoner release and suspension of military court proceedings for civilian cases, and a range of security issues.

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**Agreement document** [CD\\_010824\\_Acted'EngagementGaberone-tr.pdf \(opens in new tab\)](#) | [Download PDF](#)

**Agreement document (original language)** [CD\\_010824\\_Acted'engagementGaberone.pdf \(opens in new tab\)](#)

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## Groups

<b>Children/youth</b>	Groups→Children/youth→Substantive Page 2, We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions: ... 7. To ensure the protection of the civilian population against raids, arbitrary arrest, appropriations, dispossessions, forced labour, massacres, indiscriminate bombing, torture, rape of women, child mutilation and deportations, and ensure that collaboration with genocidal forces shall cease definitively;
<b>Disabled persons</b>	No specific mention.
<b>Elderly/age</b>	No specific mention.
<b>Migrant workers</b>	No specific mention.
<b>Racial/ethnic/national group</b>	No specific mention.
<b>Religious groups</b>	No specific mention.
<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</p> <p>Page 2,</p> <p>We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:</p> <p>...</p> <p>7. To ensure the protection of the civilian population against raids, arbitrary arrest, appropriations, dispossessions, forced labour, massacres, indiscriminate bombing, torture, rape of women, child mutilation and deportations, and ensure that collaboration with genocidal forces shall cease definitively;</p> <p>...</p> <p>12. To ensure the return of displaced and refugee population groups to their normal places of residence;</p> <p>13. To refrain from using refugees for political or military purposes, and to desist from any form of provocation during the Inter-Congolese political negotiations;</p>
<b>Social class</b>	No specific mention.

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## Gender

<b>Women, girls and gender</b>	<p>Nous...</p> <p>- prenons l'engagement solennel et inconditionnel d'appliquer, sur toute l'étendue du territoire national, les dispositions ci-après :</p> <p>...</p> <p>(p. 2)</p> <p>7. assurer la protection des populations civiles contre les rafles, les arrestations arbitraires, les réquisitions, les spoliations, les travaux forcés, les massacres, les bombardements aveugles, les tortures, les viols des femmes, les mutilations des enfants, les déportations et assurer l'arrêt définitif à la collaboration avec les forces génocidaires;</p> <p>-----</p> <p>Translation:</p> <p>Page 2,</p> <p>We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:</p> <p>...</p> <p>7. To ensure the protection of the civilian population against raids, arbitrary arrest, appropriations, dispossessions, forced labour, massacres, indiscriminate bombing, torture, rape of women, child mutilation and deportations, and ensure that collaboration with genocidal forces shall cease definitively;</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

**Nature of state (general)** No specific mention.

**State configuration** Page 1, Untitled Preamble:  
...  
- reaffirming the sovereignty, independence, territorial integrity and untouchability of a single and undivided Democratic Republic of Congo;

**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** Page 1, Untitled Preamble:  
...  
- reaffirming the sovereignty, independence, territorial integrity and untouchability of a single and undivided Democratic Republic of Congo;

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

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## Governance

**Political institutions (new or reformed)** No specific mention.

**Elections** No specific mention.

**Electoral commission** No specific mention.

**Political parties reform** No specific mention.

<b>Civil society</b>	<p>Page 1-2:</p> <p>We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:</p> <p>...</p> <p>1. To ensure the immediate, effective and complete liberalisation of political and community life, to refrain from any behaviour which may compromise this liberalisation, and to encourage tolerance in political and community activities;</p> <p>...</p> <p>3. To release immediately and unconditionally, under the auspices of the CICR and Congolese human rights NGOs, all detained or imprisoned political prisoners, hostages and those who have been detained or imprisoned on the basis of their origin or their political and/or legal activities in the past;</p> <p>...</p> <p>11. To guarantee access for humanitarian organisations to population victim groups;</p>
<b>Traditional/ religious leaders</b>	No specific mention.
<b>Public administration</b>	No specific mention.
<b>Constitution</b>	No specific mention.

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#### **Power sharing**

<b>Political power sharing</b>	No specific mention.
<b>Territorial power sharing</b>	No specific mention.
<b>Economic power sharing</b>	No specific mention.
<b>Military power sharing</b>	No specific mention.

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## Human rights and equality

### Human rights/RoL general

Page 1, Untitled Preamble:

...

- recalling our adherence to the international conventions on human rights ratified by the Democratic Republic of Congo;
- wishing to agree a republican pact and as a token of good faith so that the Inter-Congolese political negotiations may proceed peacefully, and to demonstrate to the Congolese people and the international community our unquenchable desire to establish the Rule of Law in which fundamental liberties and human rights are respected;

Page 1:

We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:

...

2. To guarantee the human rights and fundamental liberties of all citizens, in particular the right to life and physical safety, the freedom of the press and freedom of expression and opinion, and access for all to the public media;
3. To release immediately and unconditionally, under the auspices of the CICR and Congolese human rights NGOs, all detained or imprisoned political prisoners, hostages and those who have been detained or imprisoned on the basis of their origin or their political and/or legal activities in the past;

**Bill of rights/similar** No specific mention.

### Treaty incorporation

Page 1, Untitled Preamble:

...

- recalling our adherence to the international conventions on human rights ratified by the Democratic Republic of Congo;

**Civil and political rights**

Human rights and equality→Civil and political rights→Life

Page 1:

We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:

...

2. To guarantee the human rights and fundamental liberties of all citizens, in particular the right to life and physical safety, the freedom of the press and freedom of expression and opinion, and access for all to the public media;

Human rights and equality→Civil and political rights→Freedom of movement

Page 1:

We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:

...

4. To guarantee the free movement of civilians and legitimate goods, and freedom to enter and leave the national territory, and provide migration documents to any citizen requesting these;

Human rights and equality→Civil and political rights→Freedom of association

Page 1, Article 1:

To ensure the immediate, effective and complete liberalisation of political and community life, to refrain from any behaviour which may compromise this liberalisation, and to encourage tolerance in political and community activities;

Human rights and equality→Civil and political rights→Thought, opinion, conscience and religion

Page 1:

We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:

...

2. To guarantee the human rights and fundamental liberties of all citizens, in particular the right to life and physical safety, the freedom of the press and freedom of expression and opinion, and access for all to the public media;

**Socio-economic rights**

No specific mention.



## **Rights related issues**

### **Citizenship**

Rights related issues→Citizenship→Citizens, specific rights

Page 1-2:

We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:

...

2. To guarantee the human rights and fundamental liberties of all citizens, in particular the right to life and physical safety, the freedom of the press and freedom of expression and opinion, and access for all to the public media;

...

4.To guarantee the free movement of civilians and legitimate goods, and freedom to enter and leave the national territory, and provide migration documents to any citizen requesting these;

### **Democracy**

No specific mention.

### **Detention procedures**

No specific mention.

### **Media and communication**

Rights related issues→Media and communication→Media roles

Page 1:

We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:

...

2. To guarantee the human rights and fundamental liberties of all citizens, in particular the right to life and physical safety, the freedom of the press and freedom of expression and opinion, and access for all to the public media;

Rights related issues→Media and communication→Media logistics

Page 2, Article 5:

To Authorise or re-establish air, rail, river, lake, road, telephone and postal communication channels;

### **Mobility/access**

Page 2:

We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:

...

5. To Authorise or re-establish air, rail, river, lake, road, telephone and postal communication channels;

....

11. To guarantee access for humanitarian organisations to population victim groups;

<b>Protection measures</b>	<p>Rights related issues→Protection measures→Protection of civilians</p> <p>Page 2,</p> <p>We...</p> <p>- solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:</p> <p>...</p> <p>7. To ensure the protection of the civilian population against raids, arbitrary arrest, appropriations, dispossessions, forced labour, massacres, indiscriminate bombing, torture, rape of women, child mutilation and deportations, and ensure that collaboration with genocidal forces shall cease definitively;</p> <p>Rights related issues→Protection measures→Protection of groups</p> <p>Page 2,</p> <p>We...</p> <p>- solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:</p> <p>...</p> <p>7. To ensure the protection of the civilian population against raids, arbitrary arrest, appropriations, dispossessions, forced labour, massacres, indiscriminate bombing, torture, rape of women, child mutilation and deportations, and ensure that collaboration with genocidal forces shall cease definitively;</p>
<b>Other</b>	No specific mention.

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## Rights institutions

<b>NHRI</b>	No specific mention.
<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.
<b>State of emergency provisions</b>	No specific mention.
<b>Judiciary and courts</b>	No specific mention.
<b>Prisons and detention</b>	No specific mention.
<b>Traditional Laws</b>	No specific mention.

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## **Socio-economic reconstruction**

**Development or socio-economic reconstruction** No specific mention.

**National economic plan** No specific mention.

**Natural resources** Page 2:  
We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:  
...  
8. To protect the nation's heritage and resources and prevent any plundering of these resources;

**International funds** No specific mention.

**Business** No specific mention.

**Taxation** No specific mention.

**Banks** No specific mention.

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## **Land, property and environment**

**Land reform/rights** Land, property and environment→Land reform/rights→Property return and restitution  
Page 2:

We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:

...

6. To immediately and unconditionally return any goods seized and/or confiscated illegally for political reasons, including buildings occupied with neither rights nor title;

**Pastoralist/  
nomadism rights** No specific mention.

**Cultural heritage** Land, property and environment→Cultural heritage→Tangible  
Page 2:

We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:

...

8. To protect the nation's heritage and resources and prevent any plundering of these resources;

**Environment** No specific mention.

**Water or riparian  
rights or access** Page 2:  
We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:

...

5. To Authorise or re-establish air, rail, river, lake, road, telephone and postal communication channels;

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## **Security sector**

**Security  
Guarantees** Page 2:  
We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:

...

7. To ensure the protection of the population against raids, arbitrary arrest, appropriations, dispossessions, forced labour, massacres, indiscriminate bombing, torture, rape of women, child mutilation and deportations, and ensure that collaboration with genocidal forces shall cease definitively;

...

13. To refrain from using refugees for political or military purposes, and to desist from any form of provocation during the Inter-Congolese political negotiations;

**Ceasefire** No specific mention.

**Police** No specific mention.

<b>Armed forces</b>	<p>Page 2:</p> <p>We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:</p> <p>...</p> <p>14. To suspend the use of Military Jurisdictions for matters relating to the civilian population.</p>
<b>DDR</b>	No specific mention.
<b>Intelligence services</b>	No specific mention.
<b>Parastatal/rebel and opposition group forces</b>	No specific mention.
<b>Withdrawal of foreign forces</b>	No specific mention.
<b>Corruption</b>	<p>Page 2:</p> <p>We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:</p> <p>... 6. To immediately and unconditionally return any goods seized and/or confiscated illegally for political reasons, including buildings occupied with neither rights nor title;</p> <p>... 8. To protect the nation's heritage and resources and prevent any plundering of these resources;</p>
<b>Crime/organised crime</b>	No specific mention.
<b>Drugs</b>	No specific mention.
<b>Terrorism</b>	No specific mention.

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## **Transitional justice**

<b>Transitional justice general</b>	No specific mention.
<b>Amnesty/pardon</b>	No specific mention.
<b>Courts</b>	No specific mention.
<b>Mechanism</b>	No specific mention.

<b>Prisoner release</b>	<p>Page 1:</p> <p>We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:</p> <p>...</p> <p>3. To release immediately and unconditionally, under the auspices of the ICRC and Congolese human rights NGOs, all detained or imprisoned political prisoners, hostages and those who have been detained or imprisoned on the basis of their origin or their political and/or legal activities in the past;</p>
<b>Vetting</b>	No specific mention.
<b>Victims</b>	<p>Page 2:</p> <p>We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:</p> <p>...</p> <p>11. To guarantee access for humanitarian organisations to population victim groups;</p>
<b>Missing persons</b>	No specific mention.
<b>Reparations</b>	<p>Transitional justice→Reparations→Material reparations</p> <p>Page 2:</p> <p>We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:</p> <p>...</p> <p>6. To immediately and unconditionally return any goods seized and/or confiscated illegally for political reasons, including buildings occupied with neither rights nor title;</p>
<b>Reconciliation</b>	<p>Page 1, Untitled Preamble:</p> <p>- aware that national reconciliation is above all the responsibility of the Congolese people and their leaders;</p> <p>Page 2:</p> <p>We... - solemnly and unconditionally engage to implement, on the entire national territory, the following provisions:</p> <p>...</p> <p>10. To abstain from any activity which may interfere with the process of national reconciliation;</p>

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## Implementation

<b>UN signatory</b>	No specific mention.
<b>Other international signatory</b>	In the presence of Ketmile Masire (former president of Botswana acc. to search) as facilitator
<b>Referendum for agreement</b>	No specific mention.

<b>International mission/force/similar</b>	No specific mention.
<b>Enforcement mechanism</b>	Page 2: To this end, in order to ensure the implementation and successful outcome of the present act of engagement, we agree to establish a Monitoring Committee in which the components are equally represented, under the authority of the Facilitator in the Inter-Congolese political negotiations.
<b>Related cases</b>	No specific mention.
<b>Source</b>	<a href="http://peacemaker.un.org/">http://peacemaker.un.org/</a>

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