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Country/ entity Democratic Republic of Congo

Region Africa (excl MENA)

Agreement name Declaration of Murhesa II for a DDR, reintegration and community reconciliation process in South Kivu province

Date 16 Sep 2020

Agreement status Multiparty signed/agreed

Interim arrangement Yes

Agreement/ conflict level Intrastate/intrastate conflict (Congo Civil Wars (1996 -))

Stage Ceasefire/related

Conflict nature Government/territory

Peace process DRC: Eastern DRC processes

Parties Government Democratic Republic of Congo

Representatives from a coalition of around 70 armed groups from South Kivu province.

The agreement also describes those taking part in discussions as signing. The following are listed as attendees:

- The provincial authority represented by the Minister of the Interior
- The Commander of the 33rd Region military
- The Commander of the Sukola II North and South Kivu operational sector
- The provincial officer of the PNC, heads of various services, representatives of local communities, and actors from civil society.

Note - Most names were illegible on document. The following is a list of some of the organisations represented that were legible:

President of the Democratic Republic of Congo

APDC

ACN/EPDC

EPDC

FPP

BN-NR

CAP/EPDC

APCC

Kibalo-Kyetu

UCL

CNL/FAP

UVIRA

FNLD

MDP

UPCB

UCCB/BISHEMBUKE

Third parties The preamble described the meeting being held by the Minister for National Defense and states: Page 1, Preamble: ... The meeting, organised by the Interprovincial Commission for Support of the Community Awareness, Disarmament, Demobilisation and Reintegration Process (CIAP-DDRC for short), in close partnership with SFCG – Consortium Maji ya Amani, the Initiative for Cohesive Leadership (ILC) and the Association for Integrated Community Development (ADCI) was officially opened by the Minister for Defense on Monday 14 September

Description The agreement describes the discussion held in a meeting between state representative ministers and representatives of armed groups from South Kivu. The discussions led to six points of agreement with the objective of disarmament within communities, demobilization, reintegration and community reconciliation with an emphasis on armed operations ceasing and a return of displaced persons. The agreement substantively provides for the formation of an oversight committee to establish insecure zones and identify breaches of ceasefire, with parties calling for head of state to hold future dialogue. The agreement also commits the members of armed groups to work with tribes to participate in restitution to populations growing crops.

Agreement document [CD_200916_Declaration of Murhesa II for a DDR, reintegration and community reconciliation process in South Kivu province.pdf](#) | Download PDF

Agreement document (original language) [CD_200916_Declaration of Murhesa II for a DDR, reintegration and community reconciliation process in South Kivu province.pdf](#) | Download PDF

Groups

Children/
youth No specific mention.

Disabled
persons No specific mention.

Elderly/age No specific mention.

Migrant
workers No specific mention.

Racial/ ethnic/ national group	Groups→Racial/ethnic/national group→Rhetorical Page 1, Because the aim of this approach mirrors the expectations of populations in the east of the DRC above and beyond just South Kivu: a national territory with regular, duly sworn forces, responsible for the safety of the territory but also public order, respect for fundamental rights of the person and citizens. By acting with unfailing impartiality, these same forces would also guarantee living space in which all tribes could feel at ease in the inter-dependence which has characterised them for centuries.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/ displaced persons	Groups→Refugees/displaced persons→Rhetorical Page 3, First focal point: All armed groups in South Kivu Province agree to cease hostilities and to inform their respective members of the same. They demand that the Armed Forces for the Democratic Republic of the Congo resume their state functions, and take all necessary measures to foster an environment for rebuilding trust, by ceasing operations and ensuring the voluntary return of displaced persons.
Social class	No specific mention.

Gender

Women, girls and gender	No specific mention.
Men and boys	No specific mention.
LGBTI	No specific mention.

Family No specific mention.

State definition

Nature of state (general) Page 1, Preamble:
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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	<p>Page 2, Preamble:</p> <p>In the immediate short-term, this process must be approved by signature of this Joint Declaration. This must highlight the significant short-, medium- and long-term efforts which must be made by all parties concerned:</p> <p>[...]</p> <p>3. a major, decisive effort by security infrastructure of the Congolese state to offer humble and determined public service, in order to ensure constant and impartial protection of property, persons, and borders;</p>
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Governance

Political institutions (new or reformed)	<p>Governance→Political institutions (new or reformed)→General references</p> <p>Page 4, Fourth focal point:</p> <p>The undersigned parties encourage the head of state to engage all state institutions in incorporating structures responsible for Community Demobilisation, Disarmament, Reinsertion, Reintegration and Reconciliation (CIAP-DDRC) into institutional and budget plans, in order to facilitate the process.</p>
Elections	No specific mention.
Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	No specific mention.
Traditional/religious leaders	No specific mention.

Public
administration

Page 2, Preamble:

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[...]

3. a major, decisive effort by security infrastructure of the Congolese state to offer humble and determined public service, in order to ensure constant and impartial protection of property, persons, and borders;

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

No specific mention.

Human rights and equality

Human rights/RoL general

Page 1,
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Page 3, Third focal point:

To guide those acting on the Oversight Committees mentioned in the second focal point above, the undersigned parties agree to produce maps of insecure zones, for confidential use. These maps are intended to hold all those involved in respecting the ceasefire responsible, and to permit accurate identification of possible breaches. Because this Murhesa II process does not allow for any form of breach, particularly in terms of respecting fundamental human rights.

Bill of rights/similar

No specific mention.

Treaty incorporation

No specific mention.

Civil and political rights

Human rights and equality→Civil and political rights→Life

Page 2, Preamble:

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Socio-economic rights

Human rights and equality→Socio-economic rights→Property

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Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access No specific mention.

Protection measures Rights related issues→Protection measures→Protection of civilians

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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 No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

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, Fifth focal point:

Members of armed groups and several tribes agree to make joint restitutions, as far as they are able to do so, in order to save the upcoming growing season.

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 sector

Security
Guarantees

Page 2, Preamble:

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Ceasefire Security sector→Ceasefire→Ceasefire provision

Page 3, Second focal point:

The undersigned parties agree to communicate on respecting the present Declaration of Murhesa II. This will be possible thanks to the creation of an informal Oversight Committee, on a sector-bysector basis, which will communicate on a weekly or even daily basis, if necessary, and by analysing methods of respecting cessation of incidents and hostilities.

Third focal point:

To guide those acting on the Oversight Committees mentioned in the second focal point above, the undersigned parties agree to produce maps of insecure zones, for confidential use. These maps are intended to hold all those involved in respecting the ceasefire responsible, and to permit accurate identification of possible breaches. Because this Murhesa II process does not allow for any form of breach, particularly in terms of respecting fundamental human rights.

Security sector→Ceasefire→General commitments

Page 3, First focal point:

All armed groups in South Kivu Province agree to cease hostilities and to inform their respective members of the same. They demand that the Armed Forces for the Democratic Republic of the Congo resume their state functions, and take all necessary measures to foster an environment for rebuilding trust, by ceasing operations and ensuring the voluntary return of displaced persons.

Police No specific mention.

Armed forces Page 1,
Because the aim of this approach mirrors the expectations of populations in the east of the DRC above and beyond just South Kivu: a national territory with regular, duly sworn forces, responsible for the safety of the territory but also public order, respect for fundamental rights of the person and citizens. By acting with unfailing impartiality, these same forces would also guarantee living space in which all tribes could feel at ease in the inter-dependence which has characterised them for centuries.

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DDR Security sector→DDR→DDR programmes

Page 2, Preamble:

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[...]

2. an effort by all militia groups which have not committed serious crimes to find a way to rebuild their lives in the bosom of society via viable and lasting reintegration pathways, with the help of public and private partners, in the Congo and abroad;

Page 4, Fourth focal point:

The undersigned parties encourage the head of state to engage all state institutions in incorporating structures responsible for Community Demobilisation, Disarmament, Reinsertion, Reintegration and Reconciliation (CIAP-DDRC) into institutional and budget plans, in order to facilitate the process.

Intelligence services No specific mention.

Parastatal/
rebel and
opposition
group
forces

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Page 4, Fifth focal point:

Members of armed groups and several tribes agree to make joint restitutions, as far as they are able to do so, in order to save the upcoming growing season.

Page 4, Sixth and final focal point:

Heads of coalitions of armed groups have expressed the desire to be able to express directly to the Head of State, in a location of his choosing, their original motivations and their desire to see the central state take issues in hand in a lasting manner.

Withdrawal
of foreign
forces

No specific mention.

Corruption

No specific mention.

Crime/
organised
crime

No specific mention.

Drugs

No specific mention.

Terrorism

No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon Transitional justice→Amnesty/pardon→Amnesty prohibition
Page 2, Preamble:

This attentive presence was accompanied by an extremely clear guideline, based on the refusal to grant amnesty to perpetrators of imprescriptible crimes, and an individual invitation to take part in standard selection for any candidate joining national security forces.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations Transitional justice→Reparations→Material reparations

Page 4, Fifth focal point:

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Reconciliation Page 3, Preamble:

... The days were devoted to very specific topics, related to the implementation of all phases of a DDR process: Community Demobilisation, Disarmament, Reinsertion, Reintegration and Reconciliation. Yes, reconciliation, because above and beyond simple technical considerations, this was about restoring bonds of trust destroyed by years of extreme violence and worsened by manipulation and movement of money by big players and diaspora, who fueled hatred out of self-interest, ignorance and failure to listen to local sages - these men and women, compasses of peace and social harmony, who are to be found in every tribe on the African continent.

Page 4, Fourth focal point:

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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 No specific mention.

Enforcement mechanism Page 3, Second focal point:

The undersigned parties agree to communicate on respecting the present Declaration of Murhesa II. This will be possible thanks to the creation of an informal Oversight Committee, on a sector-bysector basis, which will communicate on a weekly or even daily basis, if necessary, and by analysing methods of respecting cessation of incidents and hostilities.

Page 3, Third focal point:

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Related cases No specific mention.

Source https://reliefweb.int/sites/reliefweb.int/files/resources/S_2020_1283_E.pdf (pages 174-178, annex 47) Accessed on 13/6/2022
