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|---------------------------------|--|
| <b>Country/entity</b>           | Democratic Republic of Congo   |
| <b>Region</b>                   | Africa (excl MENA)   |
| <b>Agreement name</b>           | Declaration of Murhesa II for a DDR, reintegration and community reconciliation process in South Kivu province |
| <b>Date</b>                     | 16 Sep 2020  |
| <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>           | Ceasefire/related          |
| <b>Conflict nature</b> | Government/territory       |
| <b>Peace process</b>   | 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.

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**Agreement document** [CD\\_200916\\_Declaration of Murhesa II for a DDR, reintegration and community reconciliation process in South Kivu province.pdf \(opens in new tab\) | 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 \(opens in new tab\)](#)

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## 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.

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## Gender

**Women, girls and gender** No specific mention.

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** No specific mention.

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## **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**

Page 2, Preamble:

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:

[...]

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;

## **Governance**

|   |   |
|---|---|
| <b>Political institutions (new or reformed)</b> | Governance→Political institutions (new or reformed)→General references<br>Page 4, Fourth focal point:<br><br>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.   |
| <b>Elections</b>                                | No specific mention.  |
| <b>Electoral commission</b>                     | No specific mention.  |
| <b>Political parties reform</b>                 | No specific mention.  |
| <b>Civil society</b>                            | No specific mention.  |
| <b>Traditional/religious leaders</b>            | No specific mention.  |
| <b>Public administration</b>                    | Page 2, Preamble:<br><br>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:<br><br>[...]<br><br>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; |
| <b>Constitution</b>                             | No specific mention.  |

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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 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.

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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[...]

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**Socio-economic rights**

Human rights and equality→Socio-economic rights→Property  
Page 2, Preamble:

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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  
Page 2, Preamble:

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**Other**

No specific mention.

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**Rights institutions**

**NHRI**

No specific mention.

**Regional or international human rights institutions**

No specific mention.

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**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.

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## **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.

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## **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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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;

### **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,

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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**

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, 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.

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**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.

|                         |  |
|-------------------------|--|
| <b>Courts</b>           | No specific mention.   |
| <b>Mechanism</b>        | No specific mention.   |
| <b>Prisoner release</b> | No specific mention.   |
| <b>Vetting</b>          | No specific mention.   |
| <b>Victims</b>          | No specific mention.   |
| <b>Missing persons</b>  | No specific mention.   |
| <b>Reparations</b>      | Transitional justice→Reparations→Material reparations<br>Page 4, Fifth focal point:<br>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.  |
| <b>Reconciliation</b>   | Page 3, Preamble:<br><br>... 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.<br><br>Page 4, Fourth focal point:<br><br>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. |

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## **Implementation**

|                                      |                      |
|--------------------------------------|----------------------|
| <b>UN signatory</b>                  | No specific mention. |
| <b>Other international signatory</b> | No specific mention. |
| <b>Referendum for agreement</b>      | No specific mention. |

**International mission/force/similar**

No specific mention.

**Enforcement mechanism**

Page 3, Second 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](https://reliefweb.int/sites/reliefweb.int/files/resources/S_2020_1283_E.pdf) ( pages 174-178, annex 47) Accessed on 13/6/2022

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