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## National Security Council - African Affairs

### Frazer, Jendayi - Subject Files

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**COLLECTION TITLE:**

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**SERIES:**

Frazer, Jendayi - Subject Files

**FOLDER TITLE:**

Congo, 2002-2003 [4]

**FRC ID:**

35016

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]  
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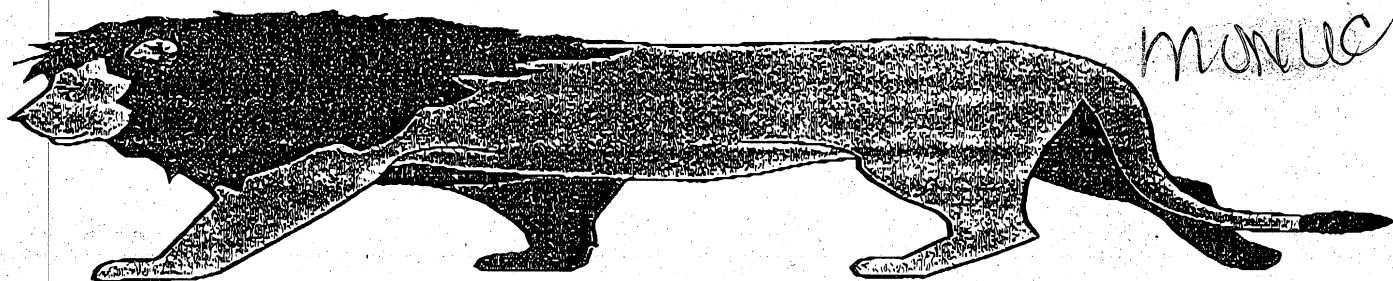
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**PEACE AGREEMENT BETWEEN THE GOVERNMENTS OF THE  
REPUBLIC OF RWANDA AND THE DEMOCRATIC REPUBLIC OF  
THE CONGO ON THE WITHDRAWAL OF THE RWANDAN  
TROOPS FROM THE TERRITORY OF THE DEMOCRATIC  
REPUBLIC OF THE CONGO AND THE DISMANTLING OF THE  
EX-FAR AND INTERAHAMWE FORCES IN THE DEMOCRATIC  
REPUBLIC OF THE CONGO (DRC).**

1. The Lusaka Ceasefire Agreement of 1999 sets out modalities for the tracking down and disarmament of ex-FAR and Interahamwe forces in the territory of the DRC. To date, it has not been possible to effectively implement the decisions relating to these armed groups.
2. The governments of the Democratic Republic of the Congo and the Republic of Rwanda have sought to find an expeditious manner of implementing these decisions.
3. The Parties acknowledge that there have been numerous attempts to implement agreements reached between them with regard to this matter. The Parties also acknowledge that the launch of the African Union, recent UN resolutions and the involvement of a third party present a window of opportunity to urgently resolve this matter.

By third party, both parties understand this to refer to the Secretary General of the United Nations and South Africa, in its dual capacity as Chairperson of the African Union and facilitator of this process.

The Parties further acknowledge that the resolution of this matter will be a process and not an event.

4. The government of the Democratic Republic of the Congo reaffirms its stated legitimate right that the forces of the government of Rwanda withdraw from the territory of the DRC without delay.
5. The government of Rwanda reaffirms its readiness to withdraw from the territory of the DRC as soon as effective measures that address its security concerns, in particular the dismantling of the ex-FAR and Interahamwe forces, have been agreed to. Withdrawal should start simultaneously with the implementation of the measures, both of which will be verified by MONUC, JMC and the third party.
6. The Interahamwe and ex-FAR armed groups fled to various countries, including the DRC, after participating in the 1994 genocide in Rwanda. The DRC government states that it does not wish to have these armed groups present in the territory of the DRC. The DRC government does not want its territory to be used as a base for attacks against its neighbouring countries.
7. The DRC government is ready to collaborate with MONUC, the JMC and any other Force constituted by the third party, to assemble and disarm the ex-FAR and Interahamwe in the whole of the territory of the DRC.
8. In this regard, the Parties agree as follows:
  - 8.1 The DRC government will continue with the process of tracking down and disarming the Interahamwe and ex-FAR within the territory of the DRC under its control.

- 8.2 The DRC government will collaborate with MONUC and the JMC in the dismantling of the ex-FAR and Interahamwe forces in the DRC.
- 8.3 The Rwandan government undertakes to withdraw its troops from the DRC territory, following the process outlined in paragraph 5. This will be according to measures as detailed in the implementation programme.
- 8.4 That MONUC, acting together with all relevant UN Agencies, should be requested to immediately set up processes to repatriate all Rwandese, ex-FAR and Interahamwe to Rwanda, including those in Kamina, in co-ordination with the governments of Rwanda and the DRC.
- 8.5 The governments of the DRC and Rwanda would provide the facilitator of this meeting and the UN Secretary General with all the information in their possession relating to these armed groups.
- 8.6 The third party will take responsibility for verifying whatever information received, through whatever measures deemed necessary.
- 8.7 The Parties agree to accept the verification report from the third party.
- 8.8 That the UN considers changing the mandate of MONUC into a Peace-keeping mission.



- 8.9 MONUC should immediately proceed to implement Phase 3 of its DDDR and finalise its deployment in the DRC, especially in the eastern part of the territory.
- 8.10 The Parties agree that their respective governments would put into place a mechanism for the normalisation of the security situation along their common border. This mechanism may include the presence of an International Force to cooperate with the two countries, in the short term, to secure their common border.
- 8.11 That a bilateral team, facilitated by South Africa and the UN Secretary General, work on a detailed calendar to implement this agreement.
- 8.12 Both Parties commit themselves to accepting the role and findings of the third party in the process of implementing this agreement, and further accept that the commitments and agreements reached in this Peace Agreement are binding.

**PROGRAMME OF IMPLEMENTATION OF THE PEACE AGREEMENT BETWEEN THE GOVERNMENTS OF THE REPUBLIC OF RWANDA AND THE DEMOCRATIC REPUBLIC OF THE CONGO ON THE WITHDRAWAL OF THE RWANDAN TROOPS FROM THE TERRITORY OF THE DEMOCRATIC REPUBLIC OF THE CONGO AND THE DISMANTLING OF THE EX-FAR AND INTERAHAMWE FORCES IN THE DEMOCRATIC REPUBLIC OF THE CONGO (DRC)**

The governments of the Republic of Rwanda and the Democratic Republic of the Congo, with the understanding that;

- The third party, defined in the main agreement as the Secretary General of the United Nations and South Africa, in its dual capacity as Chairperson of the African Union and as facilitator, will throughout the process of implementing the programme as agreed to by the parties, take authority over the management of the programme.
- The Third party commits itself to continuously overseeing and verifying the processes that will be undertaken by both parties in the spirit of executing the commitments made in the Peace Agreement.
- The Third party shall establish, for the purpose of overseeing and verifying the implementation of this programme, a Permanent Secretariat, to be determined by the third party.
- Both Parties further agree to commit themselves to accepting as final, verification reports by the third party and consider this agreement to be binding.

hereby commit themselves to the following calendar of events:

| Principle in Peace Agreement | Activity                                                                                                                                                                                                                                                                                                          | Time Frame | Responsibility                                                                 |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|--------------------------------------------------------------------------------|
|                              | Formal signing of the Agreement between Government of Rwanda and the DRC on the Withdrawal of the Rwandan troops from the DRC territory and dismantling of the ex-FAR and Interahamwe forces in the DRC, in the presence of the UN Secretary General and President Thabo Mbeki, Chairperson of the African Union. | D1         | Governments of Rwanda and the Democratic Republic of the Congo and Third party |
| 5                            | Declaration of withdrawal by the Government of Rwanda on the basis of this agreement and the time-table thereof.                                                                                                                                                                                                  | D1         | Rwanda                                                                         |
|                              | Rwanda to submit detailed plans/programme for withdrawal.                                                                                                                                                                                                                                                         | D5-10      | Rwanda                                                                         |
| 8.6                          | Establishment of the verification mechanism and implementation structure by the third party, (in liaison with signatories, where necessary)                                                                                                                                                                       | D5-90      | Third Party                                                                    |
| 8.5                          | Communication of information to the third party's verification structure on relevant matters by both parties, including information on ex-FAR and Interahamwe                                                                                                                                                     | D5-90      | Rwanda and DRC                                                                 |
| 8.6                          | Verification process of information received begins                                                                                                                                                                                                                                                               | D10-90     | Third Party                                                                    |
| 8.9                          | Finalisation of MONUC Phase 3 Deployment                                                                                                                                                                                                                                                                          | D1-15      | MONUC                                                                          |

| <b>Principle in Peace Agreement</b> | <b>Activity</b>                                                                                                                                                                      | <b>Time Frame</b> | <b>Responsibility</b>                                  |
|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|--------------------------------------------------------|
| 7                                   | Establishment and operationalisation of the assembly points for the holding of ex-FAR and Interahamwe, including securing of the assembly points in terms of MONUC and JMC processes | D5- 25            | MONUC, JMC and Third party                             |
| 8.6                                 | Verification of the establishment and functionality of assembly points                                                                                                               | D5-75             | Third party                                            |
| 8.1                                 | Tracking down, disarming and dismantling Interahamwe and ex-FAR leaders and troops                                                                                                   | D10-90            | MONUC, DRC, JMC, Rwanda <sup>1</sup> , and Third party |
| 8.9                                 | Movement to assembly areas of ex-FAR and Interahamwe and its leadership                                                                                                              | D15-90            | MONUC                                                  |
|                                     | Verification/monitoring of dismantling and cessation of support to ex-FAR and Interahamwe                                                                                            | D10-90            | Third party, JMC and MONUC                             |
| 8.4                                 | Repatriation of ex-FAR and Interahamwe forces                                                                                                                                        | D30-90            | Rwanda, DRC, MONUC and Third party                     |
| 5 and 8.3                           | Verification of process of repatriation                                                                                                                                              | D30-90            | Third party                                            |
| 5                                   | Withdrawal of Rwandan troops                                                                                                                                                         | D45-90            | Rwanda                                                 |
| 8.6                                 | Verification of process of withdrawal                                                                                                                                                | D45-90            | Third party and MONUC                                  |

<sup>1</sup> Rwanda's and DRC's participation will depend on the extent to which they control the areas related to the task, as determined by the Third party.

| <b>Principle in Peace Agreement</b> | <b>Activity</b>                                                             | <b>Time Frame</b> | <b>Responsibility</b> |
|-------------------------------------|-----------------------------------------------------------------------------|-------------------|-----------------------|
| 8.6                                 | Final verification process on completion of the 90 Days Programme of Action | D90-120           | Third party           |
|                                     | Submission of final report                                                  | D90-120           | Third party           |
|                                     | Normalisation of relations between the two countries                        | D1 - ongoing      | DRC and Rwanda        |

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**H.E. MR PAUL KAGAME  
PRESIDENT**

**FOR THE GOVERNMENT OF THE  
REPUBLIC OF RWANDA**

---

**H.E. MR JOSEPH KABILA  
PRESIDENT**

**FOR THE GOVERNMENT OF THE  
DEMOCRATIC REPUBLIC OF THE  
CONGO**

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**H.E. MR THABO M. MBEKI  
PRESIDENT OF THE  
REPUBLIC OF SOUTH AFRICA**

---

**H.E. MR KOFI ANNAN  
SECRETARY-GENERAL OF  
THE UNITED NATIONS**

**FOR THE THIRD PARTY**

39

**AGREEMENT BETWEEN THE GOVERNMENTS OF THE  
DEMOCRATIC REPUBLIC OF THE CONGO AND THE  
REPUBLIC OF UGANDA ON WITHDRAWAL OF UGANDAN  
TROOPS FROM THE DEMOCRATIC REPUBLIC OF THE  
CONGO, COOPERATION AND NORMALISATION OF  
RELATIONS BETWEEN THE TWO COUNTRIES**

**PREAMBLE**

The Government of the Democratic Republic of the Congo (hereinafter referred to as "the DRC") and the Government of the Republic of Uganda (hereinafter referred to as "the GOU"), both hereinafter referred to as "the Parties", under the facilitation and auspices of the Government of the Republic of Angola;

**Reiterating** the principle of respect for national sovereignty, territorial integrity, non-use of force against each other, peaceful resolution of conflicts, and non-interference in the internal affairs of States, guided by the United Nations and the African Union (AU) Charters;

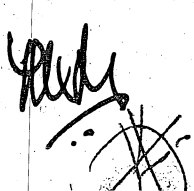
**Considering** that Article 52 of the United Nations (UN) Charter provides for the pursuit of regional initiatives, with a view to uphold these principles in enhancing relations among States and the establishment of a peaceful atmosphere of security and stability along common borders;

**Reaffirming** all pertinent resolutions of the United Nations Security Council on the DRC.

**Conscious** of the need to give impetus to the stalled implementation of the Lusaka Cease-fire Agreement;

**Further considering** the need to normalize relations, build confidence and bring about good neighbourliness in order to contribute to the speedy pacification of Central Africa and the Great Lakes Region and put an end to insecurity and instability;

**Conscious** of the potential their joint action can contribute towards removing obstacles to the full normalization of relations between the two countries;



**Convinced** that peace, security and stability of the Parties constitute essential factors for their development;

**Hereby agree as follows:**

## **ARTICLE 1**

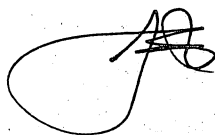
### **WITHDRAWAL OF UGANDAN TROOPS**

1. The GOU commits itself to the continued withdrawal of its forces from the DRC in accordance with the Implementation Plan marked Annex 'A' and attached hereto.
2. The GOU has unilaterally and unconditionally issued orders to her troops in Gbadolite, Beni and their vicinities to immediately withdraw from DRC.
3. The Parties agree to put in place, with the assistance of the United Nations Organisation Mission in the Democratic Republic of the Congo( MONUC), a Joint Pacification Committee on Ituri consisting of the Parties, political, military, economic and social forces active in the Bunia area, and the inhabitant grassroots communities. In addition thereto, Uganda re-affirms her readiness to withdraw her troops from Bunia as stipulated in Annex 'A'.
4. The Parties agree that the Ugandan troops shall remain on the slopes of Mt. Ruwenzori until the Parties put in place security mechanisms guaranteeing Uganda's security, including training and coordinated patrol of the common border.
5. The DRC and the GOU undertake to keep the Government of the Republic of Angola informed on the progress of the withdrawal of Ugandan troops.

## **ARTICLE 2**

### **SECURITY CONCERNS**

In order to respect national sovereignty, territorial integrity, political independence as well as international borders, the parties agree as follows:



1. To work towards the restoration of the dignity and sovereignty of the DRC as well as address Uganda's security concerns.
2. To refrain from all types of military and logistical support including the provision of bases and sanctuary to the armed groups, inter-ethnic militia, subversive organisations and all rebel movements against the interests of the Parties.
3. To work closely together in order to expedite the pacification of the DRC territories currently under the Uganda control and the normalization of the situation along the common border.
4. To exchange intelligence on all matters of security interest among them.

### **ARTICLE 3**

#### **DIPLOMATIC COOPERATION**

The Parties agree to cooperate in efforts to restore full diplomatic relations.

### **ARTICLE 4**

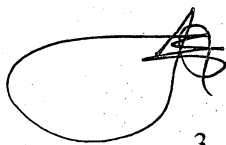
#### **LEGAL RELATIONS**

The Parties agree to find a mutually acceptable formula of resolving any existing or arising legal issues between them.

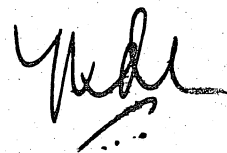
### **ARTICLE 5**

#### **DEFENCE AND SECURITY COOPERATION**

The Parties agree to cooperate in the areas of defence and security including training, coordinated border patrols, exchange of intelligence and liaison work.



3





## **ARTICLE 6**

### **SOCIAL / ECONOMIC COOPERATION**

The Parties agree to re-establish the Joint Ministerial Commission for cooperation in the various areas, including trade and investment, infrastructure, transport, communications and cultural exchange.

## **ARTICLE 7**

### **CONFLICT RESOLUTION**

The Parties agree to resolve any future differences between them through dialogue and any other peaceful means.

## **ARTICLE 8**

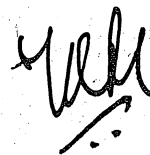
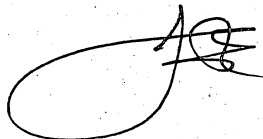
### **IMPLEMENTATION/REVIEW MECHANISM**

1. The Parties will, among others, implement this Agreement as stipulated in Annex 'A'.
2. The Parties in collaboration with the Republic of Angola, agree to have regular review for the effective implementation of this Agreement.

## **ARTICLE 9**

### **AMENDMENTS**

This Agreement may be amended by the mutual written consent of the Parties.



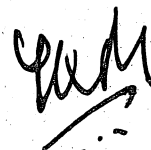
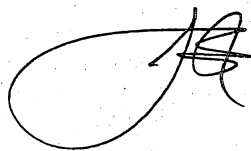
## Annex A

**PLAN FOR THE IMPLEMENTATION OF THE AGREEMENT BETWEEN THE GOVERNMENTS OF THE DEMOCRATIC REPUBLIC OF THE CONGO AND THE REPUBLIC OF UGANDA ON THE WITHDRAWAL OF UGANDAN TROOPS FROM THE DEMOCRATIC REPUBLIC OF THE CONGO, COOPERATION AND NORMALISATION OF RELATIONS BETWEEN THE TWO COUNTRIES.**

| DATE         | EVENTS                                                                                     | RESPONSIBILITIES    |
|--------------|--------------------------------------------------------------------------------------------|---------------------|
| D Day -      | Signing of the agreement                                                                   | DRC, Uganda, Angola |
| D+5 days-    | Completion of Ugandan troops withdrawal from Beni and Gbadolite.                           | Uganda              |
| D + 7 days   | Experts meet to work out mechanisms for securing the western slopes of Mt. Rwenzori.       | DRC, Uganda.        |
| D+10 days-   | Meeting of technical teams for the constitution of the Ituri Pacification Committee (IPC). | DRC, Uganda, MONUC  |
| D +14 days   | Meeting of Joint Technical Committee on resolution of legal issues                         | DRC, Uganda         |
| D + 14 days  | Meeting of technical teams in Kinshasa on the opening of the Uganda Embassy in DRC.        | DRC, Uganda         |
| D+20 days-   | Inauguration of IPC in Bunia.                                                              | DRC, Uganda, MONUC  |
| D + 30 days- | The IPC starts work.                                                                       | DRC, Uganda, MONUC  |
| D + 30 days  | Meeting of technical teams on defence and security cooperation.                            | DRC, Uganda.        |
| D + 32 days  | Ministerial meeting on defence and security cooperation.                                   | DRC, Uganda.        |

|              |                                                                           |              |
|--------------|---------------------------------------------------------------------------|--------------|
| D+40 days-   | Decision on a mechanism to maintain law and order in Ituri.               | IPC          |
| D+45 days-   | Establishment of Administrative authority in Ituri.                       | IPC          |
| D+50 days-   | Detailed Withdraw Plan of Ugandan troops from Bunia.                      | Uganda       |
| D + 70 days- | Beginning of withdrawal of Ugandan troops from Bunia.                     | Uganda.      |
| D + 74 days  | Handover and official opening of the Uganda Embassy premises in Kinshasa. | DRC, Uganda. |
| D+100days-   | Completion of the withdrawal of UPDF Troops from Bunia.                   | Uganda       |

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## ARTICLE 10

### COMMENCEMENT

This Agreement shall come into force upon signature.

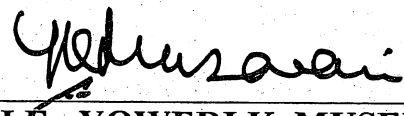
In witness whereof, the Parties have signed this Agreement in the Portuguese, English and French languages, all texts being equally authentic.

**DONE AT LUANDA, ANGOLA, THIS SIXTH DAY OF SEPTEMBER 2002.**

**FOR THE GOVERNMENT  
OF THE DEMOCRATIC  
REPUBLIC OF THE CONGO:**

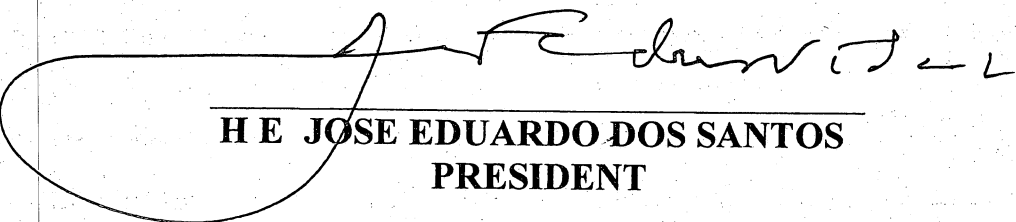
  
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**H E JOSEPH KABILA  
PRESIDENT**

**FOR THE GOVERNMENT OF  
THE REPUBLIC OF UGANDA**

  
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**H E YOWERI K. MUSEVENI  
PRESIDENT**

**WITNESS**

**FOR THE GOVERNMENT OF THE  
REPUBLIC OF ANGOLA**

  
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**H E JOSE EDUARDO DOS SANTOS  
PRESIDENT**