

Appendix I

Mandate of the Inter-African force to monitor the
implementation of the Bangui Agreements

Recalling the decision of the heads of State and Government of France and Africa meeting in Ouagadougou from 4 to 6 December 1996,

Considering the declaration issued by the heads of State in Bangui on 25 January 1997,

Taking into account the Charter of the Organization of African Unity and the various decisions and resolutions concerning the settlement of disputes, including the resolution establishing the central organ of the Organization of African States for the prevention, management and settlement of disputes,

Bearing in mind letters No. 009/97 and No. 010/97 of 7 January 1997 from the President of the Central African Republic requesting that an inter-African force be established in the Central African Republic,

I, El Hadj Omar Bongo, President of the Gabonese Republic, representing the heads of State designated by the Nineteenth Summit Meeting of Heads of State and Government of France and Africa, to help find a peaceful solution to the Central Africa crisis, at the request of President Ange-Félix Patasse of the Central African Republic,

Hereby establish the terms of the mandate of the inter-African force for security and peace.

Article 1

A neutral inter-African force, to be known as the Inter-African Mission to Monitor the Implementation of the Bangui Agreements (MISAB), is hereby established.

Article 2

The objective of MISAB is to help restore peace and security by monitoring the implementation of the agreements signed on 25 January 1997 in Bangui.

Article 3

In order to attain this objective, MISAB shall conduct operations to disarm the ex-rebels, the militia and all other unlawfully armed individuals.

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Article 4

The force shall be composed initially of 600 men from the following six countries: Burkina Faso, Chad, Gabon, Mali, Senegal and Togo.

It shall be structured as an operational staff headquarters composed of the following offices:

- A personnel management and administration office;
- An information gathering and processing office;
- An office for the planning and conduct of operations;
- An office of infrastructure resources management;
- A legal and civilian affairs office;
- A military police force;
- A legal adviser for, inter alia, coordinating provostal and judicial action;
- A liaison office with the Central African authorities and other parties concerned.

The work of the various offices shall be coordinated by a superior officer, deputy to the Commander of the force and Chief of Staff.

Article 5

The force shall be provided with a French logistical command unit.

Article 6

MISAB shall be placed under the political authority of President El Hadj Omar Bongo. General Amadou Toumani Touré, in his capacity as Chairman of the International Monitoring Committee to supervise the implementation of the Bangui Agreements, shall have such authority delegated to him.

Article 7

The conditions of stay and deployment of MISAB shall be established by the status-of-forces agreement.

Article 8

The initial duration of the mandate shall be three months as from 31 January 1997. It may be renewed at the request of the President of the Central African Republic.

Article 9

The force shall be commanded by an officer appointed by President El Hadj Omar Bongo, representing the heads of State designated by the Summit Meeting of Heads of State and Government of France and Africa.

Article 10

The participating countries undertake to provide the necessary troops for the accomplishment of the mission.

Article 11

Logistical and financial support for the force shall be provided by France and/or other contributors of funds.

Article 12

The Commander of the force shall make an interim report to the President of the International Committee, who shall bring the report to the attention of President El Hadj Omar Bongo.

Bangui, 6 March 1997.

(Signed) El Hadj Omar BONGO
President of the Gabonese Republic
representing the heads of State designated
by the Nineteenth Summit Meeting of Heads of
State and Government of France and Africa

Appendix II

Status of the Inter-African Mission to Monitor the
Implementation of the Bangui Agreements

Agreement between the Government of the Central African Republic

and

the Governments of Burkina Faso, the Republic of Chad, the
the Gabonese Republic, the Republic of Mali, the Republic
of Senegal and the Togolese Republic

on the status of the forces

of the Inter-African Mission to Monitor the Implementation
of the Bangui Agreements

The Government of the Central African Republic and

The Governments of Burkina Faso, the Republic of Chad, the Gabonese Republic, the Republic of Mali, the Republic of Senegal and the Togolese Republic,

Bearing in mind the joint declaration of 25 January 1997 issued by His Excellency Mr. El Hadj Omar Bongo, President of the Gabonese Republic, representing the heads of State designated by the Nineteenth Summit Meeting of Heads of State and Government of France and Africa to help find a solution to the Central African crisis, and His Excellency Mr. Ange-Félix Patasse, President of the Central African Republic,

Have agreed as follows:

Article 1

For the purposes of the present Agreement the following definitions shall apply:

"MISAB" means the Inter-African Mission to Monitor the Implementation of the Bangui Agreements, its subsidiary bodies, its military headquarters and all the national constituent elements/units which provide support to, prepare and participate in the operation,

"The operation" means the efforts of MISAB and its personnel (support, implementation, preparation and participation) to facilitate the restoration of peace and the abatement of tension in Bangui.

"MISAB personnel" means the civilian and military personnel of the Inter-African Mission to Monitor the Implementation of the Bangui Agreements.

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"Installation" means any of the premises and sites which MISAB requires to conduct operational, training and administrative activities relating to the operation and to house its personnel.

Article 2

The MISAB personnel participating in the operation in the territory of the Central African Republic shall enjoy the same privileges and immunities as members of the administrative and technical staff of diplomatic missions under the Vienna Convention on Diplomatic Relations of 18 April 1961.

Article 3

All personnel enjoying privileges and immunities under article 2 of the present Agreement shall be required to comply with the laws of the Central African Republic, in so far as such laws are compatible with their mandate, and not to engage in any activity that is incompatible with the nature of the operation.

Should any MISAB personnel breach Central African laws while in the territory of the Central African Republic, they shall be repatriated immediately to their country of origin, where appropriate action shall be taken against them.

The Government of the country to which the person committing the breach belongs shall be required to inform the Government of the Central African Republic of any legal proceedings instituted against that person.

Any MISAB personnel mistakenly arrested or detained by the authorities of the Central African Republic shall be handed over immediately to the MISAB authorities.

Article 4

The Government of the Central African Republic recognizes that emergency procedures for the entry and departure of MISAB personnel are called for. In the case of MISAB personnel, it shall waive the passport and visa formalities and the registration requirements applicable to aliens.

MISAB personnel shall carry on them identity documents, which they may be asked to show to the Central African authorities, it being understood that the operation and any movements that the operation entails shall not be hampered or delayed by a request of this nature.

Article 5

MISAB military personnel shall normally wear uniforms. All MISAB personnel may possess and bear arms if so authorized by the regulations which apply to them.

The Central African authorities shall accept as valid, and shall exempt from fees or charges, driving licences and permits issued to MISAB personnel by their respective national authorities.

Article 6

MISAB may display a distinctive marking and/or the national flags of its constituent elements or units on all MISAB uniforms, transport and installations.

Article 7

MISAB personnel, together with MISAB vehicles, aircraft and equipment, shall enjoy unrestricted freedom of movement and unhampered freedom of access throughout the Central African Republic, including in Central African airspace. Such freedom shall include, but not be restricted to, the right to bivouac, hold manoeuvres, establish quartering and make use of any area or installation necessary to the operation, subject to consultations with the competent Central African authorities.

The Central African authorities shall facilitate by any appropriate means all movements of personnel, vehicles, aircraft and supplies passing through airports or along roads.

MISAB shall not be required to pay dues, fees, tolls or other charges for the use of airports or roads. However, it shall not claim exemption from reasonable charges imposed for services requested and rendered, it being understood that operations/movements and access cannot be delayed until such charges have been paid.

Article 8

MISAB shall be entitled to import and export, free of duty or other restriction, equipment, provisions and supplies which are required for the operation, provided that such goods are for the official use of MISAB or for resale in the commissaries or canteens established for the benefit of MISAB personnel. The goods sold shall be for the exclusive use of MISAB personnel and shall not be transferred to third parties.

Article 9

MISAB shall be entitled to have its own internal mail and telecommunication services.

The Government of the Central African Republic recognizes that the use of telecommunication lines is necessary to the operation. Use of telecommunication lines and other means of communication which could interfere with the Central African telecommunication services shall be coordinated with the appropriate Central African authorities free of charge.

Article 10

The Government of the Central African Republic shall, wherever possible, assist MISAB to occupy and use at least expense the installations which are required for MISAB operations.

Article 11

The Central African Republic, on the one hand, and the States participating in MISAB, on the other, shall not take action against each other for any damage arising out of the action of MISAB personnel during the operation.

The Government of the Central African Republic shall bear the cost of damage caused to third parties. To this end, it shall be liable instead of MISAB, in any proceedings instituted by a third party or an assign thereof, for the compensation of damage caused to the person or the property of that third party as a result of the actions of MISAB personnel during the operation.

Article 12

MISAB shall be entitled to conclude contracts for services or supplies in the Central African Republic directly, without having to pay charges. Such services and supplies shall not be subject to sales or other tax.

Article 13

During the operation MISAB may have to improve or modify Central African infrastructure (distribution networks, bridges, buildings, etc.).

Improvements or modifications which are not temporary shall become part of the original infrastructure and belong to the same owner. Temporary improvements or modifications may be dismantled at the discretion of the Commander of MISAB, in which case the installation shall be restored as nearly as possible to its original state.

Article 14

Disputes between the Central African Republic and the States participating in MISAB relating to the interpretation or implementation of the present Agreement shall, unless already resolved, be settled through the diplomatic channel.

Article 15

Supplemental arrangements may be concluded to establish the technical details of the operation, in the light also of subsequent developments.

Article 16

The Government of the Central African Republic shall allow States not members of MISAB which participate in the operation, together with their personnel, to enjoy the same privileges and immunities as those which States members of MISAB and their personnel enjoy under the present Agreement.

Article 17

The Government of the Central African Republic undertakes to establish an ad hoc committee to help MISAB make representations to the competent Central African authorities and to monitor compliance with the present Agreement.

Article 18

The present Agreement shall remain in force until the end of the operation, unless the parties agree otherwise.

Article 19

The present Agreement shall enter into force upon its signature.