

Standing Orders of the Central African Multinational Force (FOMAC) (2002)

SECTION 1: Definition, Mission and Objectives of the FOMAC

Article 1

The Central African Multinational Force (FOMAC) is a force composed of national interservice, police, gendarmerie contingents and of civilian modules from Member States of the ECCAS, with a view to carrying out peace, security and humanitarian assistance missions. The FOMAC may receive reinforcements from civilian units composed of non-governmental organisations (NGO) and associations authorised by the ECCAS General Secretariat.

Article 2

FOMAC shall be entrusted, among other things, with the following missions: (a) Observation and monitoring; (b) Peacekeeping and restoration of peace; (c) Humanitarian intervention following a humanitarian disaster;

(d) Enforcement of sanctions as provided for by the existing regulations; (e) Preventative deployment; (f) Peacebuilding, disarmament and demobilisation; (g) Policing activities, including the control of fraud and organised crime; (h) Any other operations as may be mandated by the Conference.

Article 3

The FOMAC shall be implemented in conformity with the provisions of articles 25 and 26 of the Protocol relating to the COPAX and in collaboration with the United Nations Organisation and the Organization of African Unity (OAU), without prejudice to the powers of the Central Organ of the OAU for Conflict Prevention, Management and resolution in Africa.

SECTION 2: Organisation of FOMAC

Article 4

National modules for the FOMAC may include: • Army; • Land force units; • Navy units; • Gendarmerie units; • Police units; • Civilian modules.

Article 5

(a) The FOMAC may comprise strengths of the size of:

- one major brigade at the lowest estimate;
- two major brigades at the average estimate;
- three major brigades at the highest estimate with in each case adequate air and naval facilities.

(b) However, Member States shall set up the Force from a light brigade of up

to two thousand (2,000) troops, varying according to the situation and depending on the hypothesis taken into consideration by the Conference, in conformity with Annex A to these Standing Orders.

Article 6

General Staffs engaging the FOMAC shall be multinational for each operation.

Article 7

Officers who form the General Staffs engaging the FOMAC shall be appointed by consensus by Member States.

Article 8

The COPAX may put contingents of the FORCE at the disposal of the United Nations Organisation (UNO) or the Organization of African Unity (OAU) at their request.

SECTION 3: Legal Status and Rules of Conduct of FOMAC

Article 9

For the accomplishment of their missions, the FOMAC personnel shall enjoy diplomatic status.

Article 10

The FOMAC personnel shall enjoy the clauses of the Convention on Security of the United Nations staff and associate staff.

Article 11

The FOMAC shall be deployed in conformity with the basic rules and principles contained in the conventions which codify the international Humanitarian Law including the Conventions of Vienna of 12 August 1949 and their additional Protocols.

Article 12

Specific Codes of conduct shall be worked out on each engagement of the FOMAC.

Article 13

In zones of operations, general discipline matters shall come within the competence of the heads of contingents. They shall draw on the existing regulations of their respective armies, gendarmerie and police. Duly noted cases of sheer indiscipline may be subject to sanctions pronounced by the Force Commander.

Article 14

Common law infractions attributable to FOMAC staff in the accomplishment of their mission shall fall within the cognisance of their national courts of law. The presumed authors shall be sent back to their countries of origin.

Article 15

Ad hoc courts shall be set up to take cognisance of infractions, which occur in the execution of FOMAC operations, which can be described as war crime or genocide. Ad hoc courts shall be set up at the request of the Chairman of the Conference.

Article 17

For operational purposes, the FOMAC shall be exempted from customs duties and shall make use of port, airport, hospital and telecommunications facilities of Member States. Specific arrangements may be concluded with the host State when necessary.

SECTION 4: Functioning of FOMAC

Article 18

For the conditioning of FOMAC contingents, the COPAX shall be responsible for coordinating training programmes.

Article 19

The duration of engagement initially estimated may be renewed by the Conference.

Article 20

Any engagement may be interrupted at any moment upon instruction from the serving Chairman after consultation with the other members of the Conference.

Article 21

Pending the engagement, each FOMAC national module shall be supported by its Army

logistics.

Article 22

1. The FOMAC logistic support shall be provided by the COPAX during the engagement period. However the FOMAC may receive logistic support from any other institution or donor State, subject to the consent of the Chairman of the Conference.

2. In the event of FOMAC engagement on behalf of the United Nations Organisation (UNO) or the Organization of African Unity (OAU) the logistics shall be provided by these organisations.

Article 23

The operational procedure shall be in the working languages of the Community.

SECTION 5: The Special Representative and the Commander of the FOMAC

Article 24

1. The Conference shall appoint a Special Representative for each operation. 2. The Special Representative shall be directly accountable to the Conference.

Article 25: Role and functions of the Special Representative

The role and functions of the Special Representative shall, among other things, include the following:

- (i) Acting as a chief of mission and being responsible for the political orientation of the mission;
- (ii) Directing peacekeeping activities and initiating political and diplomatic negotiations with parties, neighbouring States and other governments involved in the conflict;
- (iii) Briefing troop-contributing States and other States on the situation and operations of the mission;
- (iv) Coordinating the activities of subregional and international organisations, including NGOs involved in humanitarian relief and peace-building in the mission area.

The Special Representative shall keep in touch with the Secretary-General of ECCAS.

Article 26

A FOMAC Commander shall be appointed by the Conference in accordance with article 8 of the Protocol on COPAX.

Article 27

The missions of the FOMAC Commander shall include the following: (i) Preparing and being responsible for the efficiency of operational,

administrative and logistic plans of the mission;

- (ii) Issuing instructions to the contingents commanders for all operational activities;
- (iii) Ensuring the security of the staff and equipment of humanitarian organisations in the mission area.

Article 28

- . (a) The FOMAC Commander shall be accountable for his activities to the Conference through the Special Representative and shall inform the General Secretariat of ECCAS thereof.
- . (b) All contingents Commanders shall report directly to the Force Commander.
- . (c) All civilian units shall report directly to the Special Representative. SECTION 6: Chain of Conduct

Article 29

Hierarchy with regard to command for both officers and non-commissioned officers is specified in Annex B to these Standing Orders. Within this hierarchy, command shall be assumed by the senior officer in the highest rank.

Article 30

The duration of command and the stay of officers at the Force Multinational Interservice Staff shall be six months, renewable only once.

SECTION 7: FOMAC Remuneration System

Article 31

At national level, the FOMAC personnel shall continue to be paid the whole of their wages and benefits provided for by the existing regulations.

Article 32

At multinational level, the FOMAC personnel shall receive a COPAX remuneration including:

- . (a) A food allowance and an operation allowance for non-commissioned staff;
 - . (b) A food, housing and operation allowance for commissioned officers.
- SECTION 8: Contributions to the Functioning of FOMAC

Article 33

All COPAX Member States shall contribute to the financing of all operations. External partners may contribute to the financing of COPAX operations on the basis of arrangements to be concluded with the General Secretariat, subject to the consent of the serving Chairman of ECCAS.

Article 34

All Member States contributing troops shall prefinance the cost of military operations for the first three (3) months of their engagement. Beyond that period, COPAX shall take over. The prefinancing shall be refunded by the COPAX budget.

Article 35

The governments of host countries shall put at the disposal of the peace mission all necessary logistic facilities.

SECTION 9: Miscellaneous and Final Provisions Article 36

Any FOMAC staff on mission shall be considered as being in the field.

Article 37

FOMAC staff shall be granted a twelve-day leave every three (3) months to be spent in an area made secure.

Article 38

FOMAC staff may be granted the following awards: • Special preferment to national title; • COPAX decorations; • Mention in ECCAS order; • Expression of satisfaction; • Congratulations.

Article 39

Troops that make up contingents shall be relieved periodically, depending on the planning of their respective States.

Article 40

FOMAC contingents may be visited or inspected by national relevant authorities.

Article 41

Adherence to the Protocol on Central African Council for Peace and Security (COPAX) shall entail the acceptance of these Standing Orders of the FOMAC.

Article 42

These Standing Orders may be amended by the Conference at the request of any Members State. They shall enter into force from their date of signature and shall be published in the Official Journal of the Community in English, French, Portuguese and Spanish.