

8. The situation concerning the Democratic Republic of the Congo

Overview

During the period under review, the Security Council held 18 meetings in connection with the situation concerning the Democratic Republic of the Congo, including 2 private meetings with the troop-contributing countries,⁸¹ and adopted eight resolutions and three presidential statements. Responding to the deteriorating security and humanitarian situation linked to the continued presence of armed groups and militias in the eastern part of the country, the Council decided to refocus and strengthen the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) with regard to the protection of civilians, humanitarian personnel and United Nations personnel and facilities. The Council also expanded the mandate of MONUC to assist the Congolese authorities in organizing, preparing and conducting local elections.

The Council extended the mandate of MONUC twice for periods of one year.⁸² In addition, on four occasions the Council extended the sanctions regime against armed groups in the Democratic Republic of the Congo and the mandate of the Group of Experts monitoring the sanctions measures.⁸³

30 January 2008: authorization for MONUC to provide electoral assistance

On 30 January 2008, the Council adopted resolution 1797 (2008), authorizing MONUC to provide assistance to the Congolese authorities, including the National Independent Electoral Commission, in the organization, preparation and conduct of local elections. In addition, in a presidential statement, the Council, inter alia, welcomed the agreement to a ceasefire and the statements of commitment (*actes d'engagement*) signed in Goma between the armed groups in North and South Kivu and the Government of the Democratic Republic of the Congo, aimed at bringing peace and security to the Kivus. Moreover, the Council urged all parties to

respect the ceasefire and implement the commitments they had made.⁸⁴

15 February 2008 to 30 November 2009: extension of sanctions regime and mandated of Group of Experts

By resolutions 1799 (2008) of 15 February 2008, 1807 (2008) of 31 March 2008, and 1857 (2008) of 22 December 2008, the Council extended the sanctions regime against armed groups in the Democratic Republic of the Congo and the mandate of the Group of Experts monitoring the measures until 31 March 2008, 31 December 2008 and 30 November 2009, respectively.

On 30 November 2009, the Council adopted resolution 1896 (2009), in which it condemned the continuing illicit flow of weapons within and into the Democratic Republic of the Congo, and renewed until 30 November 2010 the arms embargo and sanctions regime against violators and others who threatened the peace. It also extended for a similar period the mandate of the Group of Experts, expanding its mandate to include guidelines on the buying and processing of minerals, and requested that it focus its activities in the eastern provinces.

21 October 2008 to 23 December 2009: escalation of violence and extension of mandate of MONUC

By a presidential statement dated 21 October 2008, the Council, inter alia, expressed its grave concern at the resurgence of violence in the eastern provinces of the Democratic Republic of the Congo and its alarm over the humanitarian consequences of the fighting. In addition, the Council urged all the parties to the Goma and Nairobi agreements to implement their commitments effectively and in good faith. In this respect, the Council strongly condemned the declarations by Laurent Nkunda calling for a national rebellion.⁸⁵

By a presidential statement dated 29 October 2008, the Council, inter alia, condemned the offensive of the Congrès national pour la défense du peuple (CNDP) in the eastern Democratic Republic of the

⁸¹ The 6023rd meeting, held on 26 November 2008, and the 6237th meeting, held on 10 December 2009.

⁸² Resolutions 1856 (2008) and 1906 (2009).

⁸³ Resolutions 1799 (2008), 1807 (2008), 1857 (2008) and 1896 (2009).

⁸⁴ S/PRST/2008/2.

⁸⁵ S/PRST/2008/38.

Congo, and demanded that it bring its operations to an end. The Council also welcomed the announcement by the group's leader, Laurent Nkunda, of an immediate ceasefire.⁸⁶

On 20 November 2008, the Council adopted resolution 1843 (2008), in which it decided, following the recommendations of the Secretary-General, to authorize a temporary increase of the military strength of MONUC by up to 2,785 military personnel and up to 300 police personnel, and authorized their immediate deployment.

On 26 November 2008, in his briefing to the Council, the Special Representative of the Secretary-General for the Democratic Republic of the Congo and Head of MONUC reported that over 250,000 people had been directly affected by resumed hostilities, and overall a quarter of the people of North Kivu were displaced. He also reported that, as a result of talks initiated by the Special Envoy of the Secretary-General on the Great Lakes Region, a ceasefire had been established and CNDP and other armed groups had pulled back in order to create a zone of separation between the fighting forces in the southern part of North Kivu.⁸⁷

In the deliberations that followed, Council members expressed support for the Secretary-General's recommendation to extend the Mission's mandate for an additional 12 months, and for the need to reconfigure the Mission to carry out its mandate effectively.

On 22 December 2008, the Council adopted resolution 1856 (2008), in which it extended the deployment of MONUC by one year until 31 December 2009, increasing its military strength and reiterating its mandate to prioritize the protection of civilians under imminent threat of physical violence.

On 23 December 2009, the Council adopted resolution 1906 (2009), in which it decided that the mandate of MONUC should be extended until 31 May 2010 and should include, in order of priority, and in cooperation with the Government of the Democratic Republic of the Congo, the effective protection of civilians, humanitarian and United Nations personnel and facilities; enhanced disarmament, demobilization and reintegration of Congolese armed groups, as well as disarmament, demobilization, repatriation, resettlement and reintegration of foreign armed groups; and support for Government-led security sector reform.

Following the vote, the representative of the Democratic Republic of the Congo, *inter alia*, stated that some in the press had deliberately sought to influence public opinion and thereby the Council's decisions, and further challenged the intellectual probity of the Special Rapporteur of the United Nations on extrajudicial, summary and arbitrary executions. Referring to the "supposed or acknowledged lack of discipline of the Armed Forces of the Democratic Republic of the Congo (FARDC)", he also expressed that view that the resolution reeked of "this bitter criticism of the FARDC", which was the result of opinions "strongly influenced by those who benefited from the instability in the eastern Democratic Republic of the Congo and the entire Great Lakes region".⁸⁸

17 February to 16 December 2009: joint operations against armed groups

On 17 February 2009, in his briefing to the Council, the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator reported, during the preceding six months, deteriorating stability in several areas; renewed fighting between various rebel groups; the resurgence of armed groups and subsequent clashes with FARDC; and attacks by the Lord's Resistance Army (LRA). He noted that those developments had left many hundreds dead, provoked the displacement of a further half-million people and worsened the already dire humanitarian situation. He also drew attention to more positive political and military developments, including joint mediation by the Special Envoy of the Secretary-General on the Great Lakes Region and the African Union, joint operations by the Governments of the Democratic Republic of the Congo and Rwanda against the Forces démocratiques de libération du Rwanda (FDLR) in North Kivu, and the integration of CNDP elements into FARDC following the arrest of Laurent Nkunda in Rwanda.⁸⁹

On 9 April 2009, in his briefing to the Council, the Special Representative of the Secretary-General reported that important progress had been made in the integration of ex-combatants into FARDC, and also in joint operations with FARDC against FDLR. However, he also warned of the humanitarian consequences of continued joint operations, such as further attacks on civilians and new displacements.⁹⁰

⁸⁶ S/PRST/2008/40.

⁸⁷ S/PV.6024, p. 2.

⁸⁸ S/PV.6253, p. 3.

⁸⁹ S/PV.6083, p. 2.

⁹⁰ S/PV.6104, pp. 2-4.

On 10 July 2009, in his briefing to the Council, the Special Representative of the Secretary-General reported that the two processes of integration of armed groups into FARDC and the operations against foreign armed groups had been accompanied by serious humanitarian consequences, specifically population displacements and serious human rights violations against the civilian population through a spate of reprisal attacks by FDLR and LRA. He emphasized that the task of neutralizing once and for all the threat posed by armed groups destabilizing the eastern part of the country could be completed by pooling all efforts in a comprehensive military, diplomatic, legal, socioeconomic and political strategy to support the Government of the Democratic Republic of the Congo. However, this would not succeed without the material, political and diplomatic support of the Council.⁹¹

On 16 October 2009, in his briefing to the Council, the Special Representative of the Secretary-General reported that overall FARDC had made progress in its operations against FDLR, whose forces had been pushed out of most populated areas and were now dispersed and weakened. As a result, the integration of Congolese armed groups into FARDC was continuing, and displaced persons and refugees were in the process of returning to their homes. However, he warned that many challenges remained, including continued armed attacks by FDLR and LRA, ethnic tension and land disputes arising from the return of displaced persons and refugees after many years,

⁹¹ S/PV.6159, p. 2 and p. 8.

ongoing sexual violence, and finally the raised hopes of the population, which wanted to see a real peace dividend.⁹²

Following the briefing, the representative of the Democratic Republic of the Congo emphasized that while MONUC must succeed in its mission and that his country did not wish its hasty withdrawal, it was imperative that MONUC make a successful exit. He stressed that cooperation was necessary to define the parameters of a timetable for the disengagement of MONUC, as well as for a road map which would sanction the transition from a peacekeeping operation to a peacebuilding operation.⁹³

On 16 December 2009, in his briefing to the Council, the Special Representative of the Secretary-General outlined several challenges MONUC faced in implementing its mandate, in particular regarding the protection of civilians, the integration and demobilization of Congolese armed groups, and support for returning internally displaced persons and refugees. While MONUC could assist in creating a favourable environment in terms of peace and security, he expressed the view that its mandate had raised expectations beyond its resources or capabilities. In that context he expressed the hope that future mandates would simplify the range of tasks that MONUC would be expected to undertake.⁹⁴

⁹² S/PV.6203, pp. 2-3.

⁹³ Ibid., p. 8.

⁹⁴ S/PV.6244, pp. 3-5.

Meetings: the situation concerning the Democratic Republic of the Congo

<i>Meeting and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
5828th 30 January 2008	Twenty-fourth report of the Secretary-General on MONUC (S/2007/671)	Draft resolution (S/2008/50)	Rule 37 Democratic Republic of the Congo		Resolution 1797 (2008) 15-0-0 S/PRST/2008/2
	Letter dated 30 November 2007 from the Secretary-General addressed to the President of the Security Council (S/2007/694)				

**Part I. Consideration of questions under the responsibility of
the Security Council for the maintenance of
international peace and security**

<i>Meeting and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
5836th 15 February 2008		Draft resolution (S/2008/97)	Rule 37 Democratic Republic of the Congo		Resolution 1799 (2008) 15-0-0
5861st 31 March 2008	Letter dated 11 February 2008 from the Chairman of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo addressed to the President of the Security Council (S/2008/43)	Draft resolution submitted by 7 Member States ^a (S/2008/213)	Rule 37 Democratic Republic of the Congo		Resolution 1807 (2008) 15-0-0
5998th 21 October 2008			Rule 37 Democratic Republic of the Congo		S/PRST/2008/38
6006th 29 October 2008			Rule 37 Democratic Republic of the Congo		S/PRST/2008/40
6018th 20 November 2008	Letter dated 31 October 2008 from the Secretary-General addressed to the President of the Security Council (S/2008/703)	Draft resolution submitted by 8 Member States ^b (S/2008/716)	Rule 37 Democratic Republic of the Congo	South Africa	Resolution 1843 (2008) 15-0-0

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<i>Meeting and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
6024th 26 November 2008	Fourth special report of the Secretary-General on MONUC (S/2008/728)	Explanatory note by the Department of Peacekeeping Operations regarding the additional requirements for MONUC (S/2008/703, annex)	Rule 37 Democratic Republic of the Congo, Rwanda Rule 39 Special Representative of the Secretary-General for the Democratic Republic of the Congo and Head of MONUC	13 Council members, ^c the Special Representative of the Secretary-General for the Democratic Republic of the Congo and Head of MONUC, Democratic Republic of the Congo, Rwanda	
6055th 22 December 2008	Fourth special report of the Secretary-General on MONUC (S/2008/728 and Add.1)	Draft resolution submitted by Belgium, France, United Kingdom (S/2008/800)	Rule 37 Democratic Republic of the Congo (Minister for Foreign Affairs), Rwanda	9 Council members, ^d Democratic Republic of the Congo, ^e Rwanda ^e	Resolution 1856 (2008) 15-0-0
6056th 22 December 2008	Letter dated 10 December 2008 from the Chairman of the Security Council Committee established pursuant to resolution 1533 (2004) (S/2008/773)	Report of the Group of Experts on the Democratic Republic of the Congo (S/2008/772, annex) Draft resolution submitted by Belgium, France (S/2008/801)	Rule 37 Democratic Republic of the Congo		Resolution 1857 (2008) 15-0-0
6083rd 17 February 2009			Rule 39 Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator	Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator	

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6104th 9 April 2009	Twenty-seventh report of the Secretary-General on MONUC (S/2009/160)		Rule 37 Democratic Republic of the Congo Rule 39 Special Representative of the Secretary- General	Special Representative of the Secretary- General	
6159th 10 July 2009	Twenty-eighth report of the Secretary-General on MONUC (S/2009/335)		Rule 37 Democratic Republic of the Congo Rule 39 Special Representative of the Secretary- General	Special Representative of the Secretary- General	
6203rd 16 October 2009	Twenty-ninth report of the Secretary-General on MONUC (S/2009/472)		Rule 37 Democratic Republic of the Congo Rule 39 Special Representative of the Secretary- General	Special Representative of the Secretary- General, Democratic Republic of the Congo	
6225th 30 November 2009		Draft resolution submitted by France (S/2009/604) Final report of the Group of Experts on the Democratic Republic of the Congo (S/2009/603 , enclosure)			Resolution 1896 (2009) 15-0-0

<i>Meeting and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
6244th 16 November 2009	Thirtieth report of the Secretary-General on MONUC (S/2009/623)		Rule 39 Special Representative of the Secretary-General	Special Representative of the Secretary-General	
6253rd 23 December 2009	Thirtieth report of the Secretary-General on MONUC (S/2009/623)	Draft resolution submitted by France (S/2009/663)	Rule 37 Democratic Republic of the Congo	Democratic Republic of the Congo	Resolution 1906 (2009) 15-0-0

^a Belgium, Costa Rica, Croatia, France, Italy, United Kingdom and United States.

^b Belgium, Costa Rica, Croatia, France, Italy, South Africa, United Kingdom and United States.

^c Belgium, Burkina Faso, China, Costa Rica, France, Indonesia, Italy, Libyan Arab Jamahiriya, Russian Federation, South Africa, United Kingdom, United States and Viet Nam.

^d Belgium, Burkina Faso, China, Costa Rica, France, Italy, South Africa, United Kingdom and United States.

^e The representative made a second statement.

9. The situation in the Central African Republic

Overview

During the period 2008-2009, the Security Council held six meetings and the President made two statements in connection with the situation in the Central African Republic. The Council followed the progress towards implementing the recommendations of the inclusive political dialogue held in December 2008 and heard regular briefings by the Chair of the Central African Republic configuration of the Peacebuilding Commission on its activities.

In a letter dated 23 December 2008 addressed to the Secretary-General,⁹⁵ the Council took note of the recommendation of the Secretary-General to extend the mandate of the United Nations Peacebuilding Support Office in the Central African Republic (BONUCA) for an additional year, from 1 January to 31 December 2009, and acknowledged the need to establish an integrated United Nations office in the Central African Republic.⁹⁶ The President (Croatia) then made a statement on behalf of the Council, in which the Council welcomed the establishment of the United Nations Integrated Peacebuilding Office in the Central

African Republic (BINUCA) on 1 January 2010 for the period of one year.

2 December 2008 to 21 December 2009: political dialogue between the Government and rebel groups

Introducing the report of the Secretary-General on the situation in the Central African Republic,⁹⁷ on 2 December 2008, the Special Representative of the Secretary-General and Head of the United Nations Peacebuilding Support Office in the Central African Republic briefed members on the commencement of the inclusive political dialogue between the Government and rebel groups on 5 December, which would pave the way for national reconciliation and long-term stability. He added that the dialogue would undoubtedly help to create the peaceful environment needed for the successful holding of the general elections scheduled for 2010.⁹⁸

On 10 March 2009, while briefing members on the conclusion of the inclusive political dialogue, the Special Representative of the Secretary-General stated that a number of important agreements had been

⁹⁵ S/2008/809.

⁹⁶ S/PRST/2009/35.

⁹⁷ S/2008/733.

⁹⁸ S/PV.6027, pp. 3-5.