

**Security Council**

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**Letter dated 1 September 2023 from the Permanent Representative  
of the Democratic Republic of the Congo to the United Nations  
addressed to the President of the Security Council**

On instructions from my Government, I have the honour to transmit herewith the letter dated 1 September 2023 from the Deputy Prime Minister and Minister for Foreign Affairs and la Francophonie, Christophe Lutundula Apala Pen'apala, concerning the phased, responsible and sustainable withdrawal of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Zénon **Mukongo Ngay**  
Ambassador  
Permanent Representative



## **Annex to the letter dated 1 September 2023 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council**

I am writing to reiterate to the Security Council the option proposed by the Government of the Democratic Republic of the Congo to accelerate and bring forward to the end of 2023 the phased, responsible and sustainable withdrawal of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), a withdrawal that was announced in 2018 by the Security Council in its resolution [2409 \(2018\)](#) of 27 March 2018 and for which the transition plan drawn up in agreement with the Government of the Democratic Republic of the Congo was adopted by the Council in its resolution [2612 \(2021\)](#) of 20 December 2021.

Given the gravity of the heightened security crisis in eastern Democratic Republic of the Congo, and the importance of the issue, it is worth recalling the following in order to better understand the position of my country's Government.

1. From 1998 onwards, the Democratic Republic of the Congo experienced a deep political and military crisis that caused it to break up into three distinct and autonomous entities administered respectively in the centre and south-west by the central Government based in the capital, Kinshasa, and in the north and east by two rebel organizations: the Mouvement de libération du Congo (MLC), based in Gbadolite, and the Rassemblement congolais pour la démocratie (RCD), based in Goma.

2. With the aim of helping to bring an end to the crisis, the Security Council, by its resolution [1279 \(1999\)](#) of 30 November 1999 (paragraph 4), established the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), which had a mandate to plan for the observation of the ceasefire and disengagement of forces, to maintain liaison with all parties to the Lusaka Ceasefire Agreement signed by the Democratic Republic of the Congo and five States in the region (Angola, Namibia, Rwanda, Uganda and Zimbabwe) and to establish contacts with the parties.

3. Under the terms of Security Council resolution [1291 \(2000\)](#) of 24 February 2000, the mandate fell under the scope of Chapter VII of the Charter of the United Nations.

4. However, given the conciliatory and defensive approach it adopted in practice, which was more in line with the principles of Chapter VI of the Charter than those of Chapter VII, MONUC was unable to avert the deadly clashes between the Ugandan and Rwandan armies in the town of Kisangani in June 2000, the fighting between armed militias in Bunia in 2003 and the seizure of Bukavu by Jules Mutebusi's rebels in February 2004, followed by those of Laurent Nkundabatware's Congrès national pour la défense du peuple (CNDP) between 2005 and 2009. It was also unable to protect the civilian population from the atrocities and collateral damage of these wars, or to curb the illegal exploitation of the natural resources of the Democratic Republic of the Congo. This brought to light the weaknesses and limitations of MONUC as the institutional response of the United Nations to the emerging threat to international peace and security in the country.

5. In collaboration with other multilateral partners (the European Union and the African Union) and bilateral partners (in particular the United States of America and the Republic of South Africa), MONUC did, however, play a significant role in the restoration of peace, the reunification of the country and a return to constitutional and republican order in the Democratic Republic of the Congo through the Sun City Inter-Congolese Dialogue and the 2006 electoral process, overseen by the

International Committee for Support to the Transition. The Congolese people will always be grateful to the aforementioned partners.

6. In May 2010, considering the importance of the continued support of the United Nations and the international community for the long-term security, peacebuilding efforts and stabilization of the Democratic Republic of the Congo, as well as the long-term development of the country and the entire Great Lakes region, the Security Council, in accordance with Chapter VII of the Charter of the United Nations, decided, in its resolution [1925 \(2010\)](#) of 18 May 2010, to transform MONUC into MONUSCO, with effect from 1 July 2010.

7. The original mandate of MONUSCO was to contribute, during a well-defined transition period, to the stabilization of the Democratic Republic of the Congo, a post-conflict country, in particular by protecting the civilian population and supporting key governance and security reforms. The mandate was subsequently the subject of several consecutive Security Council resolutions.

8. While acknowledging the contribution of MONUSCO, including to the electoral process, the Armed Forces of the Democratic Republic of the Congo (FARDC) and the Congolese National Police, as well as to humanitarian action, it cannot be denied that after 14 years in the country its record has been mixed and its effectiveness increasingly questioned.

9. While not exempting the Congolese authorities from their constitutional responsibility to defend their country and ensure its stability and internal and external security, it is undeniable that, despite the deployment of some 16,000 military and police personnel in the Democratic Republic of the Congo to support the Government's efforts, the vicious cycle of massacres of civilians, massive human rights violations, war crimes and crimes against humanity, as well as the flagrant illegal exploitation of the country's natural resources, by national and foreign armed groups (such as the Forces démocratiques alliées (ADF)/Madina Tawheed Waljihad (MTW), the Union des patriotes congolais pour la paix (UPCP), the Union des patriotes pour la libération du Congo (UPLC), the Forces démocratiques de libération du Rwanda (FDLR), the Mouvement du 23 smars (M23), Nyatura, Raïa Mutomboki, CODECO and Zaïre) has continued and intensified in the east of the country, particularly in the provinces of Ituri, North Kivu and South Kivu. Da'esh fundamentalist terrorism has even extended its tentacles into Ituri through the Allied Democratic Forces.

10. The well-documented reports of the various United Nations expert groups mandated by the Security Council to investigate the situation of insecurity in eastern Democratic Republic of the Congo provide details and clearly identify those who are responsible for these criminal acts.

11. In a white paper on the documented aggression against the Democratic Republic of the Congo by Rwanda and international crimes committed, published in December 2022, the Government of the Democratic Republic of the Congo further demonstrated the veracity of these heinous crimes and their gravity under public international law and criminal international law. It called on the international community to punish the perpetrators, both material and intellectual, namely the armed terrorist groups and their supporters, including some of the countries neighbouring the Democratic Republic of the Congo, particularly Rwanda.

12. In his report to the Security Council of 2 August 2023 ([S/2023/574](#)), the Secretary-General gave a dire assessment of the security and humanitarian situation in the Democratic Republic of the Congo following 25 years of continuous United Nations presence in the country through MONUC and then MONUSCO.

13. In essence, the Secretary-General's assessment of the past 12 months (2022/23) is clear: "the humanitarian situation has deteriorated dramatically", "with hundreds of thousands of civilians being forcibly displaced", and the number of acts of sexual violence "against children" and women had "more than doubled from 2021 to 2022". In the east of the country, in the two provinces most affected by the violence, "28 per cent of the population in North Kivu and 39 per cent in Ituri", that is, around 4 million people, have been displaced. "Regional tensions were further heightened". The Secretary-General adds that at the heart of the chaos was the 2021 resurgence of M23, which "has seized large swathes" of North Kivu province, in which it has established parallel administrations and is "carrying out arbitrary arrests and extrajudicial executions".

14. The massacres perpetrated in Rutshuru territory by M23, backed by Rwanda Defence Force (RDF) soldiers, on 28 November 2022 in Kishishe, in March 2023 in Kizimba, in May 2023 in Tongo and in July 2023 in Bukombo, have elevated the horror in the east of our country to new heights. Those events should have done more than simply stir the moral conscience of the community of nations; they should have led those who exercise world leadership through the Security Council to take responsibility and prompted the Council to impose peace in eastern Democratic Republic of the Congo.

15. Faced with yet another tragedy, MONUSCO was powerless to ensure the protection of civilians, one of its primary mandated responsibilities. The United Nations in general, and the Security Council in particular, have not done enough to reassure the Congolese people and convince it of their real political will to help the Democratic Republic of the Congo to put an end to the crisis, for which the country's citizens are paying a heavy price.

16. The growing discontent and frustration felt by the people of Ituri and North Kivu erupted in violent public demonstrations in June and July 2022 in Goma, Beni, Butembo and Kasindi, during which demonstrators demanded the withdrawal of MONUSCO from the country, and which resulted in the tragic deaths of 30 civilians and 5 peacekeepers.

17. Since then, the inhabitants of these regions, if not the Congolese people as a whole, have lost their trust in MONUSCO and that trust has not been restored. The tension may not be visible but it is latent, ready to erupt into a head-on clash at any moment, as demonstrated by the ultimatum to leave Congolese territory by December, issued in Rutshuru by the Wazalendo to MONUSCO and the regional forces of the East African Community. The unfortunate recent incidents in Goma on 30 August 2023, which resulted in loss of life, have only reinforced tensions and should prompt the Security Council to take action.

18. The Congolese people's rejection of the United Nations mission has been further exacerbated by the fact that the Nairobi and Luanda peace processes have been blocked by Rwanda and M23, which are refusing to comply with the demands of the international community and implement the peace plan that resulted from the two processes, and neither the United Nations peacekeepers nor the regional forces of the East African Community in North Kivu are forcing them to do so.

It is clear from the historical account given above that MONUSCO has lost its credibility and the trust of the Congolese people. It has disqualified itself from serving as an adequate and effective institutional response to the security crisis in eastern Democratic Republic of the Congo. In fact, the Congolese people see it as a problem to be solved rather than a solution to the crisis. There are many reasons for the poor standing of MONUSCO.

Firstly, MONUSCO was born out of the ashes of MONUC and inherited its flaws and weaknesses. The ambiguous nature of its mandate and of the positions taken by the Security Council, as well as the fact that the resources made available to it have been inadequate given the nature and scale of the crisis to be resolved, have meant that the United Nations mission in the field has been operating under Chapter VI of the Charter of the United Nations rather than under Chapter VII, and as a peacekeeping force in a country in which, paradoxically, peace has yet to be restored across a large part of the national territory.

In 2013, MONUSCO was only able to help FARDC to defeat M23 insurgents in North Kivu through the Intervention Brigade, composed of soldiers from South Africa, Malawi and Tanzania, established by the Security Council and given an exceptional offensive mandate and substantial military resources. With the Intervention Brigade dispersed across the eastern front and stripped of its land and air weaponry, MONUSCO has to some extent been disarmed. It has lost its strike force and deterrence capability.

Secondly, the conflict involves a State Member of the United Nations, Rwanda, which is attacking another, the Democratic Republic of the Congo, and supporting a terrorist armed group, M23, that is targeting the latter country's constitutional institutions, in flagrant violation of international law and the Charter of the United Nations. Rather than condemning the aggression and punishing the aggressor, the Security Council has opted to deploy a peace mission without a mandate or resources that are adapted to the real challenges and issues arising from an armed conflict between two Member States.

In an attempt to fill this gap in legal and military capabilities, in September last year, the Secretary-General, acting constructively and with sincerity and a sense of responsibility, acknowledged the inability of MONUSCO to confront M23 with sophisticated weapons that it did not possess and called in vain for the review of the mandate of MONUSCO and the substantial reinforcement of its weaponry in order to render it a credible deterrent and thus restore the tarnished image of the United Nations in the Democratic Republic of the Congo.

Speaking on behalf of the Government of the Democratic Republic of the Congo to the Security Council at its meeting of 9 December 2022, I asked substantive questions about the exact nature and scope of the MONUSCO mandate, and proposed that the mandate be adjusted to the real security needs of the Democratic Republic of the Congo or, at the very least, that it be clarified. I also asked that the Mission be provided with the resources it needed to carry out its mandated tasks effectively.

In its resolution [2666 \(2022\)](#) of 20 December 2022, the Security Council, in renewing the mandate of MONUSCO for the umpteenth time, failed to heed the Secretary General's sound advice or to address the major concerns expressed by the Democratic Republic of the Congo regarding the role of MONUSCO and the Congolese people's strong and pressing political demand for the Mission's withdrawal. On the contrary, the Council has continued to follow a fixed logic that only feeds mistrust and exacerbates tension between that people and the United Nations, through MONUSCO.

In the memorandum submitted to the Security Council delegation during its working visit to Kinshasa from 9 to 12 March 2023, the Government of the Democratic Republic of the Congo once again reiterated its demand for MONUSCO to be revitalized in order to restore its credibility and that of the United Nations. The call went unheeded.

Since the Security Council has never drawn the real lessons from the various reports mentioned above and from the situation on the ground, let alone make the

necessary adjustments to deal with the root of the problem, the general observation is that after nearly 25 years, and despite tens of billions of dollars spent, the United Nations missions in the Democratic Republic of the Congo (MONUC and MONUSCO) have been unable to deal with the insurgencies and armed conflicts that are tearing the country and the Great Lakes region apart, or to protect civilians. On the whole, the Security Council has not succeeded in creating a dynamic of lasting peace, so it is fair to ask what purpose MONUSCO is currently serving, especially when even the senior political and administrative leadership of the United Nations recognizes that it is incapable of confronting M23 and the Rwandan Army, which has attacked the Democratic Republic of the Congo, or of controlling the armed groups that are ravaging the Ituri and North Kivu provinces.

The Government of the Democratic Republic of the Congo considers it an urgent priority to put an end to the Rwandan aggression and eradicate the armed terrorist groups, including M23, in order to restore peace nationwide, stabilize the country and implement its national development programme. Restoring peace is the prerequisite for maintaining peace. It is illusory to expect to be successful in peacekeeping in a climate of war and insecurity.

This is why, in the unfavourable climate of the current political and military turmoil, our Government believes that it is essential to speed up the gradual withdrawal of MONUSCO by bringing its start date forward from 2024 to the end of 2023. This is necessary not only to defuse the ever-increasing tension between MONUSCO and the Congolese people, and to experiment with other mechanisms for collaboration with the United Nations that are better suited to the current circumstances, but also to consolidate the partnership with the United Nations for peace on the basis of the needs and priorities of the Democratic Republic of the Congo. In any case, it is illusory and counterproductive to continue to insist on maintaining MONUSCO in order to restore peace and stabilize the country.

The Government of the Democratic Republic of the Congo therefore calls on the Security Council to instruct the Secretariat and all relevant agencies in the United Nations system to sign and implement the revised transition plan for MONUSCO, without delay or prevarication, in order to begin its withdrawal at the end of this year (2023).

In this context, certain preparatory steps need to be taken, including the following:

1. Preparation by the General Staff of FARDC and the Office of the MONUSCO Force Commander of a disengagement plan and timetable for the gradual withdrawal of United Nations troops.
2. Establishment of the practical arrangements for the gradual transfer of activities among MONUSCO, the United Nations agencies, funds and programmes, and the Government.
3. Progressive drawdown of MONUSCO.
4. Joint drafting by the Government and MONUSCO of the operational road map for the transition.

The Government welcomes the Secretary-General's support for the accelerated withdrawal of MONUSCO.

It also wishes to make it clear that there is absolutely no intention to rush the withdrawal of MONUSCO from the Democratic Republic of the Congo, and still less to sever ties with the United Nations.

On the contrary, our Head of State, Félix-Antoine Tshisekedi Tshilombo, and our Government attach the utmost importance to maintaining good relations with the United Nations, which they view as an essential partner in the restoration of peace in the Democratic Republic of the Congo and in its socioeconomic development. They remain convinced that it is only through mutual understanding, harmony, sincerity and greater political will that the laborious process of restoring peace and security to the east of the country will be successfully concluded.

The Government of the Democratic Republic of the Congo would like to thank the Security Council for its care and diligence in relation to the present letter, and would be grateful if the letter could be circulated as a document of the Council.

(Signed) Christophe **Lutundula Apala Pen'apala**

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