

**Security Council**

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Letter dated 22 June 2020 from the Chargé d'affaires a.i. of the Permanent Mission 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 to you, for the attention of the members of the Security Council, the letter of 23 March 2020 relating to the definitive version of the official position of the Government of the Democratic Republic of the Congo regarding the situation in the Democratic Republic of the Congo and the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), duly signed by Ms. Marie Tumba Nzeza, Minister of State at the Ministry of Foreign Affairs (see annex).

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

(Signed) Paul Losoko Efambe **Empole**
Minister Counsellor
Chargé d'affaires a.i.



Annex to the letter dated 22 June 2020 from the Chargé d'affaires a.i. of the Permanent Mission of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

Official position of the Government of the Democratic Republic of the Congo regarding the situation in the Democratic Republic of the Congo and the renewal of the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

Introduction

The present position relates to the forthcoming renewal of the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), which, in accordance with resolution [2502 \(2019\)](#), adopted by the Security Council on 19 December 2019, is due to expire on 20 December 2020.

The Government of the Democratic Republic of the Congo wishes to provide information to the members of the Security Council regarding various vital questions and the issues that should be addressed in the plenary debate on 24 March 2020 in connection with the issuance of the report of the Secretary-General on MONUSCO.

Important questions that will be discussed

Meeting of the Security Council concerning the situation in the Democratic Republic of the Congo and the renewal of the mandate of MONUSCO. Discussion of the report of the Secretary-General on MONUSCO.

The present official position relates to the following components:

- Peace, security and stability in the Great Lakes region;
- The electoral process;
- MONUSCO and the intervention brigade;
- Cooperation between the Democratic Republic of the Congo and the Mission;
- Cooperation between the Armed Forces of the Democratic Republic of the Congo (FARDC) and the Mission;
- Draft timetable for the gradual withdrawal of MONUSCO;
- Combating illicit exploitation of, and trafficking in, mineral resources;
- Combating illicit arms trafficking;
- Human rights and the political and humanitarian situation.

1. Peace, security and stability in the Great Lakes region

1.1. Peace and security continue to be essential to maintaining stability in the Great Lakes region. They require unfailing compliance with the agreements reached and political will on the part of the leadership to work for harmony in the region.

1.2. The security situation in the Democratic Republic of the Congo is generally calm but continues to be overshadowed by the activities of national armed groups and negative forces (foreign armed groups), in addition to intercommunal violence, particularly in the eastern part of the country.

1.3. Curiously, Zambia, a member country of the Southern African Development Community (SADC) and the Common Market for Eastern and Southern Africa (COMESA), with which the Democratic Republic of the Congo maintains good relations (including diplomatic and commercial relations), chose this moment to carry out a military invasion of Kibanga and Kalubamba, in the territory of Moba, from 13 to 21 March 2020, as may be seen from the following facts:

- On 13 March 2020 at 11 a.m. local time, a Zambian Navy patrol boat raided Kibanga;
- On 15 March 2020 from 3 to 5 p.m. local time, after a combined forces operation, the Zambian Army occupied Kibanga;
- On 17 March 2020 at 10 a.m. local time, two naval infantry patrol boats on Lake Tanganyika attempted to attack FARDC positions in Kalubamba. The enemy was driven back by FARDC;
- On 18 March 2020 at 3 p.m. local time, a Zambian fighter aircraft dropped more than five bombs on Kalubamba, about 3 km from Moliro, before calling in two helicopter gunships. On the same day, at around 5 p.m., four Zambian helicopters dropped bombs, causing casualties and damage;
- On 21 March 2020, at 12.57 p.m., two Zambian Army military helicopters flew five sorties into the airspace of the Democratic Republic of the Congo over the Moliro naval base in the territory of Moba, Tanganyika province, firing several rounds.

Notwithstanding this *casus belli*, the Democratic Republic of the Congo favours a diplomatic approach.

1.4. There are a large number of national armed groups, most of which are made up of Mai. Some are associated with foreign armed groups aligned with Uganda (the Allied Democratic Forces/Madina Tawheed wal Muwahideen (ADF-MTM)), Burundi (Front national de libération (FNL)), Résistance pour un état de droit au Burundi (RED-Tabara) and Forces républicaines du Burundi (FOREBU)) and Rwanda (Forces démocratiques de libération du Rwanda (FDLR), Conseil national pour la renaissance et la démocratie (CNRD), Rwanda National Congress (RNC) and others). These coalitions could poison relations between the Democratic Republic of the Congo and its neighbours, something that gives those threats a regional character.

The Hema and the Lendu are engaged in intercommunal conflicts in Ituri. On 28 February 2020, a peace agreement was signed between the provincial government of Ituri and the Force de résistance patriotique de l'Ituri (FRPI) armed group in Gety, where 1,125 fighters of the group are being held provisionally in Irumu territory. The agreement provides for disarmament after two weeks. In parallel to what happened in Irumu territory with FRPI, for the past three weeks Djugu territory has been experiencing deadly attacks by another group, Coalition des démocrates congolais (CODECO) (Ngudjolo), which has killed dozens of civilians and set fire to villages. The apparent objective of those attacks was for the group to make itself heard and negotiate from a position of strength.

As part of the process to restore peace in the middle and high plateaux of Uvira, Fizi and Mwenga in the province of South Kivu, intracommunity forums are being organized. Two forums were organized in Kinshasa on 12 and 13 February 2020 for the Banyamulunge community and in Uvira from 2 to 4 March 2020 for the Babembe.

In that context, talks were held between the local governments and armed groups in Uvira from 13 to 15 March 2020, following which a ceasefire agreement was signed.

1.5. With regard to disarmament, demobilization and reintegration, the Government is working on the implementation of a related coordination mechanism that will serve as an interface with MONUSCO. This will require financial, technical and logistical support from MONUSCO and other partners.

1.6. The President of the Democratic Republic of Congo launched large-scale military operations on 30 October 2019 in the town of Beni. They are being carried out by FARDC with the support of MONUSCO. Their purpose is to eradicate all threats, in particular that posed by ADF-MTM, a terrorist group that has pledged allegiance to Islamic State in Iraq and the Levant (ISIL).

Military pressure brought to bear by FARDC has had the following outcomes:

- On 12 March 2020, 90 ADF-MTM fighters were neutralized and 25 others captured; 105 collaborators were also arrested;
- Pockets of ADF-MTM terrorists who were not totally eliminated in their former strongholds are emerging in rear positions to continue killing members of the civilian population; as at March 2020, 389 civilians had been killed, 32 had been wounded and eight were missing. Following the killings, President Félix-Antoine Tshisekedi decided to establish front-line FARDC headquarters in Beni;
- Operations by FARDC against FDLR, in North Kivu, from September 2019 to the present, have essentially neutralized the heads of the Rwandan armed groups, namely Sylvestre Mudacumura and Juvénal Musabimana (alias Jean-Michel Africa);
- In South Kivu, more than 95 per cent of the bases of the negative forces of CNRD, a Rwandan rebel splinter group of FDLR, have been destroyed, with more than 200 fighters, including their leader, Wilson Irategeka, neutralized and his dependants and 147 weapons and ammunition of assorted calibres captured. Following that operation, the Government of the Democratic Republic of the Congo repatriated 390 fighters and 2,241 dependants to Rwanda at the Ruzizi border crossing. Some 100 fighters from this same group are roaming between the middle plateaux of Uvira and the Itombwe forest in the territory of Mwenga.

Confronted with this military pressure from FARDC, large numbers among the ranks of the Mai-Mai, Nyatura, Nduma défense du Congo-Rénové (NDC-R) and Raïa Mutomboki armed groups have surrendered with their weapons in North and South Kivu.

1.7. The Democratic Republic of the Congo has always worked to implement all its commitments under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region, commonly known as the Addis Ababa framework agreement.

It therefore calls on other regional States in general, and certain neighbouring countries in particular, to take earnest action, with the genuine support of the guarantors of the agreement, to comply with their commitments.

In that regard, a meeting of the heads of the security and intelligence services of Burundi, Uganda, Rwanda, Tanzania and the Democratic Republic of the Congo was held in Kinshasa from 4 to 6 June 2019 with a view to strengthening cooperation and the exchange of intelligence in order to neutralize armed groups.

Following that meeting, participants agreed to set up a technical working group. The objectives assigned to the group include developing the military and non-military measures necessary to neutralize the armed groups.

The working group met from 4 to 6 November 2019 in Dar es Salaam, Tanzania, in accordance with its assigned objectives. Within the same framework, the forty-

sixth meeting of the Addis Ababa framework agreement Regional Oversight Mechanism was held in Nairobi, Kenya.

The agenda for the tenth summit of Heads of State and Government has been prepared. Furthermore, during that high-level event, which is scheduled to take place in Kinshasa in 2020, President Félix-Antoine Tshisekedi Tshilombo will take the chair of the Regional Oversight Mechanism.

In view of efforts to contain the spread of the novel coronavirus pandemic, however, the summit has been postponed.

1.8. Taking stock of the detrimental effects of those armed groups and terrorists on peace in the Democratic Republic of the Congo, President Félix-Antoine Tshisekedi Tshilombo stated at the thirty-ninth summit of SADC that domestic and foreign armed groups were causing persistent insecurity in the eastern part of the Democratic Republic of the Congo. The most dangerous armed movement is ADF-MTM, the modus operandi of which is to perpetrate terrorist acts consistent with its affiliation with ISIL. This poses a threat to the Democratic Republic of the Congo and to the subregion.

1.9. At the forty-eighth meeting of the United Nations Standing Advisory Committee on Security Questions in Central Africa, held in Kinshasa from 27 to 31 May 2019, positive developments in the subregion were duly noted.

However, Central Africa, in particular the Democratic Republic of the Congo, continues to face considerable security challenges.

States therefore reaffirmed their determination to strengthen subregional cooperation and combat the activities of armed groups, terrorism, maritime piracy, mercenary activities and the illegal exploitation of natural resources.

1.10. At the forty-ninth meeting, held from 25 to 29 November in Luanda, Angola, in which the Democratic Republic of the Congo handed over the presidency to Angola, the Advisory Committee considered the geopolitical and security situation in each member State; countering violent extremism; the women and peace and security programme in Central Africa; the promotion of human rights; piracy and maritime security in Central Africa; the promotion of disarmament; pastoralism in Central Africa; and institutional reform of the Economic Community of Central African States. Participants took stock of the security challenges that need to be addressed and noted the need to address peace and security in the context of climate change.

1.11. In order to comply with the decision of the Heads of State taken at the eighth high-level meeting of the Regional Oversight Mechanism, held in Brazzaville on 19 October 2017, demanding the simultaneous and unconditional repatriation of FDLR and ex-March 23 Movement (ex-M23) fighters held in the Democratic Republic of the Congo, Rwanda and Uganda, the Democratic Republic of the Congo has closed the FDLR camps in Walungu, Kisangani and Kanyobayonga and expelled 1,648 members of the rebel movement, along with their dependants and the prisoners, to Rwanda.

1.12. The delegation of the Democratic Republic of the Congo and the leaders of ex-March 23 Movement (ex-M23) fighters held in camps on Rwandan territory engaged in talks in Kigali, Rwanda, on 28 October 2019 regarding facilitation by the Rwandan authorities with a view to formulating a road map leading to the voluntary repatriation of the ex-M23 fighters. The talks were held in accordance with the resolutions adopted at the first meeting held in Kigali on 11 and 12 July 2019.

The parties made the following commitments in that regard:

- No law would be adopted other than the amnesty law;

- Military and political integration would take place;
- Ex-M23 leaders expressed concerns regarding ex-M23 fighters allegedly held in cells and military prisons in the Democratic Republic of the Congo. Accordingly, arrest warrants would be lifted so that they could return freely to the country; looted goods would be identified jointly; the Government of the Democratic Republic of the Congo would organize the return of political officials and dependants of ex-M23 fighters and ensure the security of ex-M23 leaders;
- The return of the political officials would take place 60 days after the repatriation of the former fighters of the movement.

However, before the last round of talks, some fighters belonging to the movement had already been repatriated, including those who had been on Ugandan territory and the 900 former fighters who had been in Rwanda since 14 December 2014. One hundred other members in the Bihanga camp are being repatriated.

As regards the former fighters wanted by the military justice system, the National Oversight Mechanism of the Addis Ababa framework agreement gave instructions to the Chief Justice of the Armed Forces of the Democratic Republic of the Congo on 20 November 2019 to suspend the arrest warrants.

1.13. The Government of the Democratic Republic of the Congo hopes that States members of the Joint Oversight Mechanism for the repatriation of foreign fighters will comply with regional commitments made under the Addis Ababa framework agreement and the decisions taken recently by regional Heads of State.

1.14. The Government notes the dynamic set in motion by the Government of Uganda with regard to the repatriation of ex-M23 fighters. However, it regrets that the leader of the ex-M23 fighters held in Ngoma (Rwanda), Pastor Runiga, openly and violently inveighed against the candidates for repatriation to the Democratic Republic of the Congo, and did so in front of the representatives of the guarantors (namely SADC, the United Nations and the International Conference on the Great Lakes Region (ICGLR)), including those of the Democratic Republic of the Congo and Rwanda. In so doing, he hindered the implementation of the decisions taken by the Heads of State.

1.15. The Democratic Republic of the Congo therefore calls for the reactivation of meetings of the Tripartite Plus One Commission, which brings together the member countries, namely the Democratic Republic of the Congo, Rwanda and Burundi, and which was chaired by representatives of the United States Department of State. Those meetings came to a halt in 2010, but the agreement establishing the Commission has not been denounced by the parties.

2. The electoral process in the Democratic Republic of the Congo

2.1. The next local elections, which had been planned for 22 September 2019, have been delayed.

3. Cooperation between the Democratic Republic of the Congo and MONUSCO

3.1. In his first statement before the United Nations General Assembly, Head of State Félix-Antoine Tshisekedi Tshilombo stressed the urgent need to readjust the configuration of MONUSCO to the evolving situation on the ground and concentrate more on the capacity of United Nations forces to engage in operations alongside the Armed Forces of the Democratic Republic of the Congo: “The Democratic Republic of the Congo still needs MONUSCO, but a streamlined, well-equipped, robust MONUSCO, with an appropriate mandate, like the rapid intervention brigade that once helped to rout the Mouvement du 23 mars.”

3.2. In 2002, the Democratic Republic of the Congo raised the possibility of exchanges with the United Nations aimed at reducing the staffing of MONUSCO with an ultimate view to its full disengagement.

3.3. In its resolution [2277 \(2016\)](#) of 30 March 2016, the Security Council duly reiterated that any future reconfigurations of MONUSCO and its mandate should be determined in consultation with the Government of the Democratic Republic of the Congo on the basis of the evolution of the situation on the ground.

3.4. In his address of 15 February 2019 to the accredited diplomatic corps in the Democratic Republic of the Congo, President Félix-Antoine Tshisekedi Tshilombo recalled the governmental option of supporting the process of the progressive drawdown of MONUSCO while taking into account the developing security situation, by participating fully in the formulation of a joint exit strategy and its gradual transformation in the context of strategic dialogue.

4. Cooperation between the Armed Forces of the Democratic Republic of the Congo and MONUSCO

4.1. The intervention brigade should play an important role in neutralizing terrorists and armed groups in the eastern Democratic Republic of the Congo, as those groups are a spoiler of peace on the national territory.

4.2. There is an amendment to a technical arrangement between the Ministry of Defence and Former Combatants and MONUSCO concerning cooperation between FARDC and the MONUSCO force and covering the modalities of intervention in the areas of logistics, combat support and medical evacuation. That agreement was signed on 27 August 2019 for a one-year renewable term.

4.3. Nevertheless, on the ground and particularly in the territory of Beni, this support is not effective because the intervention brigade, which is supposed to support FARDC, has been deprived of its essential strike capabilities (including artillery and helicopter gunships).

4.4. The Democratic Republic of the Congo supports the principle of increasing the operational capacity of the intervention brigade and opposes the withdrawal of troops from it.

4.5. The intervention brigade should be provided with special units geared to asymmetric warfare; its artillery battery and combat engineering units should be brought back to capacity; and the South African helicopters should be redeployed immediately.

5. Draft timetable for the gradual withdrawal of MONUSCO

5.1 The Democratic Republic of the Congo is in favour of the gradual and peaceful disengagement of MONUSCO, but with deadlines to be set later and by mutual agreement on the basis of the reality on the ground.

6. Combating illicit exploitation of, and trafficking in, mineral resources

6.1. The resource wealth of the Democratic Republic of the Congo has long been coveted by its neighbours and even Westerners.

6.2. This greed has been both internal and external and has led to the illegal exploitation of natural resources, with consequences for national peace and security, and for environmental protection.

6.3. Of the actors most implicated in the destruction of the environment in the Democratic Republic of the Congo, FDLR is undoubtedly the most violent “armed

group” causing instability in the east of the country. Even protected areas, declared World Heritage Sites by the United Nations Educational, Scientific and Cultural Organization, have not been spared. The multiple armed conflicts in the Democratic Republic of the Congo have engendered a tragedy affecting all areas of life since 1996.

6.4. In recent years, the Democratic Republic of the Congo has taken steps to transform its natural resource management systems. It is a member of the International Conference on the Great Lakes Region (ICGLR).

6.5. In 2010, the 11 ICGLR member countries signed the Lusaka Declaration and endorsed the Regional Initiative against the Illegal Exploitation of Natural Resources.

6.6. In 2014, the Democratic Republic of the Congo became the second State member of ICGLR to issue certificates under the regional certification mechanism, a mandatory regional standard which certifies that tin, tantalum, tungsten and gold supplies are conflict-free.

6.7. The Democratic Republic of the Congo is also a member of the Kimberley Process and is required to put in place internal control mechanisms to certify that its rough diamonds have not been subject to conflict. It renewed this commitment on 3 March 2020 in New York with the adoption of the most recent General Assembly resolution on the matter.

6.8. The exploitation of minerals in the east of the country continues to be carried out by criminal networks and other illegal groups. However, the Democratic Republic of the Congo is keen to reform the mining sector through further regulation.

6.9. It is in that context that the Government introduced a new Mining Code on 9 March 2018. That was motivated by the desire to increase the level of management control over State mining, mining titles and quarries, to clarify aspects of the social and environmental responsibility of mining companies with regard to the communities affected by their projects, and to balance the tax, customs and foreign exchange regime under the partnership framework between the State and mining operators.

6.10. To support that reform, on 25 October 2019 the Government, in partnership with the International Organization for Migration, launched a project to improve the security of mining sites and reduce illicit trafficking in minerals, child labour and gender-based violence.

6.11. At the forty-eighth meeting of the United Nations Standing Advisory Committee on Security Questions in Central Africa, the Democratic Republic of the Congo called for the support of the international community in combating illicit trafficking in its natural resources and in the traceability of its raw materials.

7. Combating illicit arms trafficking

7.1. Within the framework of the national policy to combat the proliferation of small arms and light weapons and reduce armed violence, and taking into account the United Nations Programme of Action and the Nairobi Protocol, as well as the adverse economic, social, cultural and environmental effects associated with the proliferation of small arms, the Government of the Democratic Republic of the Congo, a signatory to those agreements, has set up a national structure that brings together all State and civil society actors, known as the National Commission for the Control of Small Arms and Light Weapons and the Reduction of Armed Violence.

7.2. Despite the remarkable achievements arising from the implementation of various activities, the proliferation of illicit small arms and light weapons remains a sad reality in the Democratic Republic of the Congo, with its 10,300 km² of borders,

nine neighbouring countries and more than 60 million inhabitants, owing to the ease with which those weapons are acquired by rebels operating inside the Democratic Republic of the Congo and the threat that they pose to human security.

7.3. The Democratic Republic of the Congo is in an embryonic phase and much remains to be done to eradicate the problem of small arms and light weapons. It is making progress in this area in terms of compliance with the requirements of the United Nations Programme of Action (2001) on and the Nairobi Protocol (2004).

8. Human rights and the political and humanitarian situation

8.1. The Government of the Democratic Republic of the Congo has made it its mission to combat impunity for violations of human rights and international humanitarian law.

8.2. In particular, it has:

- Strengthened judicial staffing capacities through training;
- Strengthened the legal framework (by harmonizing national legislation with the Rome Statute);
- Strengthened the institutional framework (by splitting the Supreme Court of Justice into three courts, namely a Constitutional Court, a Court of Cassation and a Council of State);
- Built and rehabilitated infrastructure (including the Luzumu prison, Kinshasa Prison and Rehabilitation Centre, Ndolo military prison and National Judicial Training Institute);
- Organized trials that have led to the conviction of senior officials and, inter alia, mobile court hearings and expedited hearings, in North Kivu, South Kivu and Ituri.

8.3. The Government consistently endeavours to respect human rights and fundamental freedoms. It upholds respect for freedoms pertaining to the democratic space, for instance through the professional control of public demonstrations.

8.4. As regards combating violations of human rights and humanitarian law targeting children in conflict areas, a road map has been formulated with a view to ending the recruitment and use of children in armed groups and protecting them from sexual violence. The road map was signed by some 10 commanders of armed groups in December 2018 and January 2019, making it possible to free 553 children.

8.5. The justice system has been independently and professionally conducting hearings regarding the case of the murder of two United Nations experts, taking into consideration the information received from the mission of international investigators and additional information from the team of the special prosecutor.

8.6. Political de-escalation is taking place across the country and reassuring political and social stakeholders. The presidential amnesties of 29 December 2018 made it possible to free at least 1,131 people, including 35 women.

8.7. President Félix-Antoine Tshisekedi Tshilombo has also announced the reform of the security services, the closure of secret prisons, and the ongoing release of persons said to be political prisoners or prisoners of conscience.

8.8. The Government of the Democratic Republic of the Congo notes a significant improvement in the human rights situation in the east, following the FARDC operations that routed ADF-MTM and other armed groups. These are at the root of most of the human rights violations, as indicated in the report of the United Nations

Joint Human Rights Office that the Congolese Government intends to address on the basis of evidence gathered on the ground.

8.9. In May 2019, the Government of the Democratic Republic of the Congo responded decisively to the outbreak of Ebola haemorrhagic fever by establishing a technical task force supervised by the Head of State and coordinated by Professor Jean-Jacques Muyembe. The task force has enabled the introduction of a new strategy to tackle the epidemic, including the following points:

- Awareness-raising, education and dialogue in the fight against Ebola, targeting local populations through community-level communication;
- Government support, provided by the Ministry of Health, towards the revision of the multisectoral operational strategy;
- Mobilizing government partner funds to combat the scourge of Ebola, which is exacerbating the security risk.

8.10 To date, no more confirmed cases of Ebola have been recorded in the Democratic Republic of the Congo since the last hospitalized patient was discharged on Tuesday, 3 March 2020. By 12 April 2020, by closely monitoring, among others, former patients who may still carry the virus in their seminal fluid, the country will stamped out the Ebola epidemic.

8.11 An additional 136 people have received the rVSV-ZEBOV-GP vaccine against Ebola. To date, a total of 225,852 people have been vaccinated since August 2018.

Done at Kinshasa on 23 March 2020

(Signed) Marie **Tumba Nzeza**
