



Security Council

Seventy-seventh year

9084th meeting
Thursday, 30 June 2022, 10 a.m.
New York

Provisional

President: Mr. Hoxha (Albania)

Members:

Brazil	Mr. Costa Filho
China	Mr. Zhang Jun
France	Mr. De Rivière
Gabon	Ms. Koumby Missambo
Ghana	Ms. Oppong-Ntiri
India	Mr. Vinito
Ireland	Ms. Byrne Nason
Kenya	Mr. Ndung'u
Mexico	Mr. De la Fuente Ramírez
Norway	Ms. Heimerback
Russian Federation	Ms. Evstigneeva
United Arab Emirates	Mr. Almutawa
United Kingdom of Great Britain and Northern Ireland	Dame Barbara Woodward
United States of America	Mr. Mills

Agenda

The situation concerning the Democratic Republic of the Congo

Letter dated 10 June 2022 from the Group of Experts extended pursuant to Security Council resolution 2582 (2021) addressed to the President of the Security Council (S/2022/479)

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22-40670 (E)



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The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning the Democratic Republic of the Congo

Letter dated 10 June 2022 from the Group of Experts extended pursuant to Security Council resolution 2582 (2021) addressed to the President of the Security Council (S/2022/479)

The President: The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2022/523, which contains the text of a draft resolution submitted by France.

I wish to draw the attention of Council members to document S/2022/479, which contains the text of a letter dated 10 June 2022 from the Group of Experts extended pursuant to Security Council resolution 2582 (2021) addressed to the President of the Security Council.

The Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Albania, Brazil, France, India, Ireland, Mexico, Norway, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

None

Abstaining:

China, Gabon, Ghana, Kenya, Russian Federation

The President: The draft resolution received 10 votes in favour, none against and 5 abstentions. The draft resolution has been adopted as resolution 2641 (2022).

I shall now give the floor to those members of the Council who wish to make statements after the voting.

Mr. De Rivi re (France) (*spoke in French*): France welcomes the adoption of resolution 2641 (2022), which renews the sanctions regime and the mandate of the Group of Experts concerning the Democratic Republic of the Congo. The Security Council met yesterday on

the situation in the country (see S/PV.9081), which continues to deteriorate. Armed groups are continuing their attacks against civilians, security forces and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo. Violations of human rights and international humanitarian law, attacks against civilian personnel and the pillaging of natural resources continue.

The Council should be prepared to sanction those responsible for instability in the eastern part of the country. The sanctions regime will now include a new designation criterion to combat the growing use of improvised explosive devices. By adopting this resolution, the Council welcomes the diplomatic efforts by the countries of the region and the conclaves held in Nairobi. It welcomes the steps taken to contribute to reconciliation, stabilization and safeguarding peace.

France has heard the calls by the Democratic Republic of the Congo with regard to the notification procedure for providing military materials and assistance. That is why, in order to support stepping up the capacity and reform of the Congolese armed forces, the resolution eases that procedure significantly. It does not relax the embargo on weapons destined for active armed groups in the country.

France regrets that this progress, which, albeit partial, reflects the balance of positions in the Security Council, was not subject to unanimous support. We hope that the measures still in place will in future be adapted to national efforts to combat trafficking and the spread of weapons.

Ms. Opong-Ntiri (Ghana): The Democratic Republic of the Congo is currently plagued by a plethora of security-related challenges that are characterized primarily by the incessant and deadly activities of armed groups such as the resurgent Mouvement du 23 mars, the Coop rative pour le d veloppement du Congo and the Allied Democratic Forces, with a very distressing humanitarian situation as the by-product. The ability of armed groups in the Democratic Republic of the Congo to acquire even the most sophisticated and state-of-the-art weapons and ammunition, despite the existence of an arms embargo in the country, is a testament to the need for the Government of the Democratic Republic to be better equipped to respond to the internal security threats it is currently facing.

As Ghana stated on behalf of the three African countries members of the Security Council at

yesterday's briefing on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (see S/PV.9081), the current notification requirement continues to impede the capacity of the Democratic Republic of the Congo to limit armed groups and to improve its ability to safeguard its internal security. As the Security Council has become aware, the notification requirement has not been entirely effective in curbing the problem of weapons proliferation within the Democratic Republic of the Congo. Ghana therefore believes that in response to the present dynamics of the situation in the Democratic Republic, the notification requirement, as expressed in resolution 2641 (2022) does not respond to the imperatives for peace in the country, nor reflective of its sovereignty. In solidarity with the Government and the people of the Democratic Republic in their quest for lasting peace, and in reaffirmation of our respect for the territorial integrity, sovereignty and political independence of the Democratic Republic of the Congo, we therefore decided to abstain in the voting.

Ms. Koumy Missambo (Gabon) (*spoke in French*): Gabon abstained in the voting on the renewal of the sanctions regime imposed on the Democratic Republic of the Congo (resolution 2641 (2022)).

It is our belief that the current notification requirement continues to hamper the Democratic Republic of the Congo's ability to quickly and effectively counter the activities of armed groups, which are heavily equipped and not subject to the embargo or the notification requirement, and whose ravages and massacres of the civilian population are known to all.

Restricting the operational security capabilities of a State run by democratically elected authorities is tantamount to giving a licence to armed groups whose agenda boils down to spreading terror and chaos among the civilian population. That is why my country remains in favour of a complete lifting of the notification requirement to allow the Forces armées de la République démocratique du Congo to more effectively carry out their constitutional mandate of defending the territorial integrity of their country.

We regret the lack of consensus among the members of the Security Council at a time when the Democratic Republic of the Congo needs international solidarity more than ever. It is therefore essential that the international community recalibrate its priorities in the Democratic Republic and focus, above all, on the

interests of the people, taking into account the national sovereignty of this country.

Mr. Ndung'u (Kenya): My delegation thanks France, the penholder, for facilitating the negotiations on the Security Council resolution on the sanctions regime imposed on the Democratic Republic of the Congo (resolution 2641 (2022)).

We note that that some of the proposals made by the three African countries members of the Security Council were taken on board. Indeed, the new resolution reflects a modest positive step in lifting the notification requirement on supplies of non-lethal military equipment intended solely for humanitarian and protective use, unrelated technical assistance and training. However, Kenya abstained in the voting on the resolution because it falls short of the appeal made by the Democratic Republic of the Congo for a full lifting of the notification requirement on arms and the provision of assistance and training related to military activities. In our view, the notification requirement is unnecessary, as it has not been an effective tool in addressing the illicit proliferation and supply of weapons to armed groups. If anything, it serves only to make information available that should otherwise remain privileged for a sovereign State.

Armed groups continue to acquire weapons, including heavy artillery, even as they know the notification requirement continues to impede the capacity of the Democratic Republic of the Congo to improve its ability to safeguard its national security. Essentially, the Council has continued to unintentionally suppress the Democratic Republic's capacity to develop its security sector, thereby limiting its ability to respond effectively to such security threats as the resurgent Mouvement du 23 mars.

The retention of this requirement fails to recognize that despite the great odds, the Democratic Republic of the Congo has managed to register some important milestones in strengthening its weapons- and ammunition-management system to ensure better control and protection of the weapons in its possession. Kenya will continue to work with the Democratic Republic of the Congo and regional and international partners, including all members of the Security Council, to support further progress in this regard. We sincerely hope that the notification requirement will not be necessary when resolution 2641 (2022) next comes up for review.

Ms. Evstigneeva (Russian Federation) (*spoke in Russian*): The Russian Federation abstained in the voting on the resolution prepared by France for the extension of the sanctions regime imposed on the Democratic Republic of the Congo (resolution 2641 (2022)).

We believe that Security Council sanctions should reflect the situation on the ground, facilitate the political process and account for the views of the host country and countries in the region. Restrictions need to be regularly reviewed and modified up to the full lifting thereof.

Based on our assessments, many of the sanctions regimes of the Security Council currently in effect now fail to reflect the situation on the ground. They impede national Governments' plans in the area of State-building and the establishment of effective armed forces and security structures. We regret that many of these sanctions regimes merely persist for the purposes of exerting pressure.

Mr. Zhang Jun (China) (*spoke in Chinese*): The Security Council's sanctions regime imposed on the Democratic Republic of the Congo were designed to curb the violent activities of armed groups. Regrettably, 18 years after its initial implementation, armed groups in the eastern part of the Democratic Republic of the Congo remain rampant while the Democratic Republic's Government's security capacity has been constrained.

The Government of the Democratic Republic of the Congo has repeatedly requested that the Council lift the arms embargo on country. Lately, we have seen a deterioration in the security situation in the eastern part of the country, with many civilian casualties and displacements caused by the insurgency by the Mouvement du 23 mars (M-23). But the Forces armées de la République démocratique du Congo (FARDC), affected by the arms embargo and other factors, do not have adequate security capacity in the face of the threat posed by such armed groups as the M-23.

Special Representative of the Secretary-General Keita told the Council in her briefing yesterday that the M-23 is far better equipped and armed than the FARDC and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (see S/PV.9081). It is a worrisome situation, and this issue needs a solution.

During the consultations on resolution 2641 (2022), China and the African members of the Council expressly supported the removal of the notification requirement for the Government of the Democratic Republic of the Congo. France, as penholder, did try, but we were unable to reach consensus owing to the opposition of some Council members. China finds that regrettable.

The resolution will continue to subject the great majority of the weapons and equipment needed by the FARDC to mandatory notification. It will artificially complicate the process, create difficulties and affect international partners' security cooperation with the Democratic Republic of the Congo. It will be detrimental to the improvement of the Congolese security capacity and to efforts to find a fundamental solution to the situation in eastern Democratic Republic of the Congo. For the aforementioned reasons, China had to abstain in the voting.

We also hope that the Government of the Democratic Republic of the Congo can enhance its management of weapons and ammunition in order to gain greater confidence from the Council members to waive the notification requirement in relation to the Government of the Democratic Republic of the Congo.

Mr. Costa Filho (Brazil): Let me start by addressing one misunderstanding about this set of sanctions of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo and its Group of Experts that I am afraid is not uncommon.

Neither the multilateral sanctions nor the activities of the Committee and its experts are measures against the Democratic Republic of the Congo or the Congolese people. What the Council has just renewed are, in reality, measures that either target individuals and entities that destabilize the already dire security situation in the eastern Democratic Republic of the Congo or address the concerning and illicit flow of weapons and equipment to armed groups that have escalated the violence in Ituri, North Kivu and South Kivu.

Evidently, the devil is in the details, so I would like to make two brief comments about resolution 2641 (2022), which we have just adopted.

First, we supported a broader clause on the humanitarian consequences of sanctions. The reasoning is simple. The International Committee of the Red Cross and other humanitarian agencies have

reported and argued that instances of overcompliance with Council measures on the part of banks and financial institutions in general have made donations to humanitarian agencies and humanitarian assistance itself more difficult in the Democratic Republic of the Congo. The excerpt that we proposed was intended to address that unintended and damaging consequence. We are hopeful that Council members will address that concern in future negotiations and find constructive ways to reach a productive consensus.

Secondly, we understand the concern that was voiced numerous times during the negotiations about the notification requirements concerning military equipment. Compromises had to be made by all sides because that is not an easy or straightforward issue.

Once again, we expect that the Council will address that set of requirements in future and reach common ground that enjoys an even higher degree of support from all its members.

Mr. Almutawa (United Arab Emirates) (*spoke in Arabic*): I would like at the outset to thank the

penholder, France, for facilitating the negotiations on resolution 2641 (2022).

The United Arab Emirates is committed, along with the other members of the Council, to supporting all efforts to achieve peace and stability in the Democratic Republic of the Congo. On that basis, my country participated constructively in the negotiations on the resolution. We had hoped to be able to achieve consensus on the text and to give greater consideration to the concerns expressed by a number of Council members, including African members, regarding notifications and the arms embargo.

As we have said previously, the views of the region are essential in the context of the Council's reaction to crises and their root causes, particularly crises that could have cross-border effects.

The United Arab Emirates voted in favour of the resolution as a whole. My country, along with the other members of the Council, is in agreement with the general objectives contained therein.

The meeting rose at 10.25 a.m.