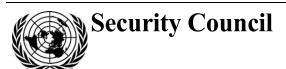
United Nations S/2022/960



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## France: draft resolution

The Security Council,

Recalling its previous resolutions and the statements of its President concerning the Democratic Republic of the Congo (DRC), especially its previous resolutions regarding the mandate of the United Nations Organisation Stabilisation Mission in the DRC (MONUSCO) and the sanctions regime established by resolutions 1493 (2003) and 1807 (2008),

Reaffirming the basic principles of peacekeeping, including consent of the parties, impartiality, and non-use of force, except in self-defence and defence of the mandate,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the DRC as well as all States in the region and *emphasising* the urgent need to respect fully the principles of non-interference, good-neighbourliness and regional cooperation,

Recalling that the Government of the DRC bears the primary responsibility to protect civilians within its territory and subject to its jurisdiction, including from international crimes, recognising the persistent security challenge threatening civilians, also underlining the importance of national efforts to restore State authority in all parts of the country to overcome the threats posed by armed groups,

Noting that the DRC continues to suffer from recurring and evolving cycles of conflict and persistent violence by foreign and domestic armed groups, which exacerbate a deeply concerning security, human rights and humanitarian crisis, as well as inter-communal and militia violence in areas of the DRC,

Expressing concern over reported links between the Allied Democratic Forces (ADF) and terrorist networks in eastern DRC, emphasising that such links may further exacerbate conflicts and contribute to undermining State authority and underscoring that there can be no purely military solutions to these problems as well as the importance of a holistic approach to counter terrorism carried out in accordance with applicable international law,

Recognising the efforts of the Government and the people of the DRC aiming at the achievement of peace and national development, as well as regional support and engagement, further recognising the efforts of the Armed Forces of the DRC (FARDC) and MONUSCO in addressing the threat posed by armed groups in the DRC,

Remaining deeply concerned by high levels of violations and abuses of human rights and violations of international humanitarian law in parts of the country,





committed by all parties and particularly by armed groups, as well by the intensification of intercommunal violence fuelled by hate speech, misinformation and disinformation, including through social media platforms,

Reaffirming the important role of women and youth in the prevention, management and resolution of conflicts, as well as in peacebuilding and electoral processes and stressing the importance of their full, equal, effective, meaningful and safe participation in all efforts for the maintenance of and promotion of peace and security in the DRC,

Expressing great concern over the humanitarian situation that has left an estimated 27 million Congolese in need of humanitarian assistance, and the growing number of internally displaced persons in the DRC, with 5.7 million estimated to have been displaced to date, and the 523,000 refugees in the DRC, as well as the more than 1 million refugees from the DRC in Africa as a result of ongoing hostilities, encouraging member States to commit to a more equitable sharing of the burden and responsibility for hosting and supporting refugees in the DRC in line with the Comprehensive Refugee Response Framework, further calling upon the DRC and all States in the region to work towards a peaceful environment conducive to the realisation of durable solutions for refugees and internally displaced persons, including their voluntary, safe and dignified return and reintegration in the DRC, with the support of the United Nations Country Team (UNCT), and stressing that any such solution should be in line with relevant obligations under international refugee law, international humanitarian law and international human rights law,

Recalling the UN guiding principles of humanitarian emergency assistance,

Recalling resolution 2532 (2020) and resolution 2565 (2021) demanding a general and immediate cessation of hostilities in all situations on the Council's agenda, as well as calling upon all parties to armed conflicts to engage immediately in a durable humanitarian pause, in order to enable the safe, timely, unhindered and sustained delivery of humanitarian assistance consistent with the humanitarian principles of humanity, neutrality, impartiality and independence,

*Noting* the importance of commercial trade of food, fuel and other essential commodities to meet civilians' basic survival needs,

Recalling all its relevant resolutions on women, peace and security, on youth, peace and security, on children and armed conflict, and on the protection of civilians in armed conflict, welcoming efforts of the Government of the DRC in this regard and to implement resolution 1325 (2000), also recalling the conclusions on children and armed conflict in the DRC adopted on 10 December 2020 by the Security Council Working Group on Children and Armed Conflict pertaining to the parties in armed conflicts of the DRC, expressing grave concern over the high number of violations against children, in particular sexual and gender-based violence being committed by security forces and calling on all actors to contribute to the rehabilitation and reintegration of children formerly associated with armed groups and forces,

Recognising the adverse effects of climate change, ecological changes, natural disasters, and lack of energy access, among other factors, on the stability of the DRC, welcoming the leadership of the DRC in the development of national strategies to address these issues and in the preservation of the Congo basin forest, expressing concern regarding the activities of armed groups in protected areas that lead to environmental damage and acknowledging the United Nations Framework Convention on Climate Change and the Paris Agreement,

Reiterating the necessity for MONUSCO to fully implement its mandate in accordance with relevant Security Council resolutions, using all means at its disposal

to effectively address the threat posed by armed groups and other security threats, in the context of increased armed conflict in the DRC,

Reiterating its call on all parties to cooperate fully with MONUSCO and to remain committed to the full and objective implementation of the Mission's mandate, further reiterating the importance of continued compliance with the Status of Forces Agreement, and its condemnation of any and all attacks against peacekeepers, which may constitute war crimes, and emphasising that those responsible for such attacks must be held accountable.

Reiterating the importance of adequately resourcing United Nations peace operations during mission transitions and recalling resolution 2594 (2021) on United Nations peace operations transitions in this regard,

*Underscoring* the importance of strategic communications to the implementation of MONUSCO's mandate and to the safety and security of its peacekeepers,

Determining that the situation in the DRC continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

#### **Political situation**

- 1. Welcomes the efforts of Government of the DRC to respond to the needs of the Congolese people and strongly urges all Congolese political stakeholders to spare no efforts in implementing the critical governance, security and economic reforms contained in the Government's programme of action 2021–2023, reiterates the importance of delivering on President Tshisekedi and his government's commitments to pursue national unity, strengthen the rule of law and respect for human rights, including the respect of freedom of opinion and expression, freedom of the press and the right of peaceful assembly, fight against corruption, launch domestic development programmes to significantly reduce poverty, and further political inclusiveness and peacebuilding and encourages MONUSCO to continue to support, through its good offices, peaceful, transparent, inclusive and credible political processes;
- Welcomes the efforts of President Tshisekedi and his government towards reconciliation and peace and stability in the DRC, encourages his continued efforts with States in the region to build good relations with neighbouring countries and advance peace, security and regional integration, notes that political stability and security as well as increased State presence in areas of conflict, mainly in eastern DRC, are critical for sustainable peace in the DRC, calls upon the DRC authorities to work towards the stabilisation and strengthening of the capacity of State institutions particularly in areas of conflict, with the support of MONUSCO and the UNCT, in order to fulfil the rights and needs of all Congolese people, further calls upon all political stakeholders to continue to work, with the support of MONUSCO, toward peaceful, transparent, inclusive and credible processes for the presidential and legislative elections scheduled in 2023, in accordance with the Constitution and the Electoral law, throughout the DRC and to ensure the full, equal, effective and meaningful participation of women at all stages and welcomes the presentation by the Government of the DRC of a robust budget that seeks to address needs of the Congolese people and to ensure the 2023 electoral process is funded and to facilitate free and fair elections;
- 3. Requests the Secretary-General and calls upon regional organisations to provide political support to the strengthening of State institutions in the DRC and the restoration of trust among the different parties, including through their good offices, in order to consolidate peace and security, tackle the root causes of conflict in priority areas, as well as foster a broad national consensus around key governance and security

22-29056 3/14

reforms, the fight against illegal exploitations of natural resources, and support to current reform and other electoral processes, in line with the government of DRC's national priorities;

## **Human Rights**

- 4. Welcomes the commitments and actions of President Tshisekedi towards ensuring that the Government of the DRC protects and respects human rights and fundamental freedoms, as well as to combat impunity in all areas, further welcomes the steps taken by the Government of the DRC towards the establishment of a national transitional justice process, including the launch of consultations in several provinces, calls upon the Government of the DRC to uphold these commitments and to ensure that the state of siege in Ituri and North Kivu, as part of its further efforts to eliminate the threat of armed groups and to restore State authority, is assessed on a regular basis, responsive to progress in achieving its clearly defined objectives and implemented with full respect for international human rights law and international humanitarian law;
- 5. Urges the Government of the DRC to hold accountable those responsible for violations of international humanitarian law or violations and abuses of human rights, as applicable, in particular those that may amount to genocide, war crimes and crimes against humanity, and stresses both regional cooperation and the DRC's cooperation with the International Criminal Court following the DRC's referral of the situation in the DRC in 2004, as well as cooperation with the African Court of Human and Peoples' Rights;
- 6. Encourages further steps by the Government of the DRC to hold security forces accountable for violations of human rights and fight impunity within their ranks, and calls on the Congolese authorities to ensure that those responsible for these acts are brought to justice, further calls upon the Government of the DRC to facilitate, in line with previous agreements, full and unhindered access for the Joint Human Rights Office in the DRC (UNJHRO) to all detention centres, hospitals and morgues and all other premises required for documenting human rights violations, as applicable, stresses the need for the Government of the DRC to continue to ensure the increased professionalism of its security forces, including vetting, training and capacity building of security personnel to fully respect domestic and international human rights law, as well as international humanitarian law, and underlines the importance of observing the rule of law;
- Strongly condemns all sexual violence in conflict and post-conflict situations in the DRC and particularly by armed groups, welcomes efforts made by the Government of the DRC to combat and prevent sexual violence in conflict and post-conflict situations, including progress made in the fight against impunity through the arrest, prosecution and conviction of perpetrators from the FARDC and the PNC and towards the adoption of a law on reparations and the establishment of a national reparation fund for victims and survivors of sexual violence and other crimes, urges the Government of the DRC to continue to strengthen its efforts to combat impunity for sexual violence in conflict and post-conflict situations, including sexual violence committed by the FARDC and PNC, and to provide all necessary services and protection to survivors, victims and witnesses such as the provision of medical, sexual and reproductive health, psychosocial, mental health, legal and socioeconomic services, encourages the Government of the DRC to enhance its implementation of the Joint Communiqué on the Fight Against Sexual Violence in Conflict adopted in 2013 and its addendum signed in 2019, and to ensure adequate funding is allocated to the implementation of these commitments, welcomes further progress by the FARDC and the PNC in implementing their respective action plans against sexual violence and recalls the importance of cooperation with the Office of the SRSG for Sexual Violence in Conflict;

8. Welcomes the progress made by the Government of the DRC to consolidate the gains of the Action Plan to End and Prevent the Recruitment and Use of Children and expedite its implementation to end and prevent all violations and abuses against children, and to ensure that children are not detained for their alleged association with armed groups and are handed over to child protection actors, calls upon the Government of the DRC to continue its efforts, by ensuring that perpetrators of all violations and abuses, including within security forces, are held accountable, and recalls the importance of cooperating with the Office of the SRSG for Children and Armed Conflict;

## **Armed Groups**

- 9. Strongly condemns all armed groups operating in the DRC, including the M23, the Coopérative pour le développement du Congo (CODECO), the Allied Democratic Forces (ADF), the Forces démocratiques de libération du Rwanda (FDLR), the Résistance pour un Etat de droit (RED-Tabara), Mai-Mai groups and several other domestic and foreign armed groups, and their violations of international humanitarian law as well as other applicable international law, and abuses of human rights, reiterates its condemnation of attacks on the civilian population, United Nations and associated personnel and humanitarian actors, as well as medical personnel and facilities, summary executions and maiming, sexual and gender-based violence and recruitment and use of children, abductions of children and humanitarian personnel, attacks on schools and civilians connected with schools, including children and teachers, and hospitals in violation of applicable international law by armed groups and militias, the use of civilians as human shields, the forced displacement of significant numbers of civilians, extrajudicial executions and arbitrary arrests, the indiscriminate use of improvised explosive devices (IEDs) and further reiterates that those responsible must be held accountable;
- 10. Demands that all armed groups cease immediately all forms of violence, other destabilising activities and the illegal exploitation and trafficking of natural resources, further demands the immediate withdrawal of the M23 from all occupied areas as agreed through the African Union endorsed Luanda process and that all members of armed groups immediately and permanently disband, lay down their arms, reject violence, end and prevent violations perpetrated against children and release children from their ranks, urges all Congolese armed groups to participate unconditionally in the East African Community led Nairobi process to seek political conditions in preparation for the disarmament, demobilisation, community recovery and stabilisation programme (P-DDRCS), and foreign armed groups to return to their countries of origin and calls on the Government of the DRC to take further action to address the threat posed by armed groups, combining military and non-military approaches consistent with international law, including international humanitarian law and international human rights law;
- 11. Urges the Government of the DRC and its partners, including international financial institutions, to urgently provide adequate and timely support for swift and effective implementation of the DDR of eligible former combatants, under coordination of the PDDRC-S, through tailored, community-based and context specific DDR initiatives with sustainable economic alternatives and opportunities, and ensuring that accountability for human rights violations and abuses and international crimes, transitional justice initiatives and the protection of children's rights are an integral part of those processes;
- 12. Condemns the continued illegal exploitation and trafficking of natural resources, particularly so-called "conflict minerals" like tin, tantalum, tungsten, gold, diamonds, cobalt, and coltan, as well as cocoa, charcoal, timber, and wildlife, by armed groups and criminal networks supporting them, the negative impact of armed

22-29056 5/14

conflict on protected natural areas, which undermines lasting peace and development for the DRC, and *encourages* the Government of the DRC to strengthen efforts to safeguard those areas, *calls* on member States of the International Conference on the Great Lakes Region (ICGLR) and regional economic communities to jointly fight illegal exploitation and trade of natural resources by improving and reinforcing the security around mining regions, seeking rapprochement between mining communities, local authorities and security actors to resolve conflicts and promote the rights of person belonging to communities around mining regions, and *encourages* them to promote the transparent and lawful management of natural resources, including the adoption of government revenue targets to finance development, sustainable regulatory and customs frameworks, and responsible mineral sourcing supply chain due diligence, and *recalls* in this regard its resolutions 2457 (2019) and 2389 (2017) as well at its presidential statement S/PRST/2021/19;

- 13. Welcomes the commitments and actions taken by President Tshisekedi and his government to advance security sector reform (SSR) and promote the consolidation of State authority, reconciliation, tolerance and democracy, underlines the expanded opportunities for MONUSCO collaboration and coordination with Congolese security forces facilitated by these preliminary actions, encourages the Congolese authorities to uphold these commitments and to accelerate the troop rotations announced by President Tshisekedi, and calls on the Government of the DRC to remain committed to protecting the civilian population through the swift establishment of professional, accountable and sustainable security forces that respect international humanitarian law and domestic and international human rights law, the deployment of an accountable Congolese civil administration, in particular the police, judiciary, prison and territorial administration, and the consolidation of rule of law and promotion and protection of human rights, including by allocating the necessary financial resources, and taking into account women's full, equal, effective and meaningful participation and safety, and encourages international partners to increase their support in this regard;
- 14. Calls for continued national efforts to address the threat posed by the illicit transfer, destabilising accumulation and misuse of small arms and light weapons and by diversions of arms to armed groups in the DRC, including inter alia through ensuring the safe and effective management, storage, monitoring and security of their stockpiles of weapons and ammunition, and the fight against arms trafficking and diversion, including through capacity building and combating impunity, with the continued support of MONUSCO, as appropriate and within existing resources, calls on the Government of the DRC to expand its support to the National Commission for Small Arms and Light Weapons Control and Reduction of Armed Violence (CNC-ALPC) and encourages the United Nations and international partners to increase their support to the Government of the DRC to enhance Weapons and Ammunition Management (WAM);

# Regional support

15. Recalls that the elimination of the threat posed by armed groups requires an integrated regional approach and strong political engagement by the Government of the DRC, the African Union (AU), the East African Community (EAC), the ICGLR, the Southern African Development Community (SADC), reaffirms its support to national and regional efforts to promote peace and stability in the DRC and the Region, building on the commitments made by the countries of the region under the Peace, Security and Cooperation (PSC) Framework for the DRC and the region, which remains an essential mechanism to achieve durable peace and stability, stresses the commitments undertaken by the region under the PSC Framework not to tolerate nor provide assistance or support of any kind to armed groups, strongly condemns all

external support to non-state armed actors, including the M23, and *calls* for an immediate end to such support;

- 16. Commends the EAC-led Nairobi process, acknowledges its two-track approach, commends the ongoing AU-mandated mediation under the aegis of Angola and complementary efforts to ensure that these initiatives are mutually reinforcing, including support from MONUSCO and the office of the Special Envoy of the Secretary-General for the Great Lakes, encourages further efforts to implement the ICGLR Road Map on the pacification process in the eastern region of the DRC and the Final Communiqué of the Mini-Summit on Peace and Security in the Eastern Region of the DRC and to resolve differences through dialogue and notes the efforts of the ICGLR's Expanded Joint Verification Mechanism and Angola-led Ad Hoc Joint Verification Mechanism, and calls for the full, equal, effective and meaningful participation of women in these processes;
- 17. Encourages support to the EAC Regional Force, as appropriate, and stresses the importance of the protection of civilians, of close coordination and information sharing between the EAC force, the FARDC, Burundi National Defence Forces, Uganda Peoples' Defence Forces and MONUSCO, including to deconflict operations and to ensure MONUSCO mandate implementation, and of the need to carry out all operations, joint or unilateral, in strict compliance with international law, including international humanitarian law and international human rights law, as applicable, and with the African Union Compliance Framework;
- 18. Encourages ownership and political will by the signatory states of the PSC Framework for the effective implementation of the UN Strategy for Peace Consolidation, Conflict Prevention and Conflict Resolution in the Great Lakes region as well as its Action Plan, fully supports the Special Envoy of the Secretary-General for the Great Lakes in fulfilling his mandate to address the remaining challenges in implementation of the PSC Framework and to promote peace and stability in the region, calls on the Special Envoy to continue his regional and international engagement to support the full implementation of the PSC Framework, including through good offices, coordinated strategies and shared information with MONUSCO, UNOCA and other UN entities, and urges MONUSCO to work with the Office of the Special Envoy for the Great Lakes to seek political solutions to stop the cross-border flows of armed combatants, arms and natural resources that threaten peace and stability in the DRC, by aligning strategies and conducting information-sharing and coordinating their respective reporting;

#### MONUSCO's mandate

- 19. Decides to extend until 20 December 2023 the mandate of MONUSCO in the DRC, including, on an exceptional basis and without creating a precedent or any prejudice to the basic principles of peacekeeping, its Force Intervention Brigade;
- 20. Decides that MONUSCO's authorised troop ceiling will comprise 13,500 military personnel, 660 military observers and staff officers, 591 police personnel, and 1,410 personnel of formed police units, and *invites* the Secretariat to consider further reduction of MONUSCO's level of military deployment, in line with the joint strategy on the progressive and phased drawdown of MONUSCO (S/2020/1041);
- 21. Decides that the strategic priorities of MONUSCO are (i) to contribute to the protection of civilians and (ii) to support to the stabilisation and strengthening of State institutions in the DRC and key governance and security reforms;
- 22. Authorises MONUSCO, in pursuit of its mandated tasks and in line with the basic principles of peacekeeping, to take all necessary measures to carry out its mandate;

22-29056 7/14

23. Stresses the need to carry out all operations, joint or unilateral, in strict compliance with international law, including international humanitarian law and international human rights law, as applicable, requests MONUSCO to ensure that any support provided to operations conducted by national security forces, including in the form of rations and fuel, should be only for joint operations, jointly planned and executed, and subject to appropriate oversight and scrutiny, and in strict compliance with the United Nations HRDDP, including by the UNCT, failing which that support should be suspended;

## Tasks by order of priority

24. Decides that the mandate of MONUSCO shall include the following tasks in priority order in paragraphs 24 through 34, further stresses that all MONUSCO's tasks should be implemented in a manner consistent with respect for human rights and fundamental freedoms, and stresses that the protection of civilians shall be given priority in decisions about the use of available capacity and resources:

# (i) Protection of civilians under threat of physical violence by taking all necessary measures to ensure effective, timely, dynamic and integrated protection

- (a) Prevent, deter and stop all armed groups and local militias from inflicting violence on the populations, including by preventing all armed groups and local militias from invading, attacking, or surrounding major population centres, including in support of the Congolese authorities, by disarming them, by using good offices and by supporting and undertaking local mediation efforts and national level advocacy to prevent escalation of violence and to counter hate speech, disinformation and misinformation, paying particular attention to civilians gathered in displaced persons and refugee camps, peaceful demonstrators, humanitarian personnel and human rights defenders, in line with the basic principles of peacekeeping, while ensuring the risk to civilians are mitigated before, during and after any military or police operation;
- (b) Carry out targeted offensive operations in the DRC to neutralise armed groups, through an effective Force Intervention Brigade (FIB), under the full authority of the Force Commander, to contribute to the objective of reducing the threat posed by armed groups to state authority and civilian security and to make space for stabilisation activities, either unilaterally or jointly with the Congolese security forces;
- (c) Conduct increased and effective joint operations with the Congolese security forces, that include joint planning and tactical cooperation, in accordance with MONUSCO's mandate and in strict compliance with the United Nations HRDDP, to ensure all efforts possible are being made to prevent, deter and stop armed groups;
- (d) Maintain a proactive deployment and a mobile, flexible, robust and effective posture, including by conducting active patrolling by foot and by vehicle, in particular in high risk areas;
- (e) Work with the Government of the DRC and humanitarian workers to identify threats to civilians and implement joint prevention and response plans and strengthen civil-military cooperation, to ensure the protection of civilians from abuses and violations of human rights and violations of international humanitarian law, including all forms of sexual and gender-based violence and violations and abuses committed against children and persons with disabilities;
- (f) Enhance its community engagement with civilians and its use of strategic communications, including through joint communications with the Government of the DRC, to raise awareness and understanding about its mandate and activities to

protect civilians, to strengthen its early warning mechanism, including to prevent disinformation campaigns and misinformation aimed at undermining the mission's credibility and hindering the implementation of its mandate;

# (ii) Disarmament, demobilisation, reintegration (DDR) and stabilisation

- (g) Provide good offices, advice and assistance to the Government of the DRC, in close cooperation with international and local partners, for the EAC-led Nairobi process and for the implementation of the PDDRC-S in accordance with order No. 21/038 of 5 July 2021 and for the DDR of Congolese and foreign combatants not suspected of genocide, war crimes, crimes against humanity or abuses of human rights, into a peaceful civilian life, while paying specific attention to the needs of women and children formerly associated with armed forces and groups;
- (h) Provide support to the disarmament, demobilisation, repatriation, resettlement and reintegration (DDRRR) process to return and reintegrate foreign combatants not suspected of international crimes or abuses of human rights and their dependants to a peaceful civilian life in their country of origin, or a receptive third country while paying specific attention to the needs of women and children formerly associated with armed forces and groups;
- (i) Advise and support the DRC authorities in the disposal of weapons and ammunitions of disarmed Congolese and foreign combatants in compliance with relevant Security Council resolutions as well as applicable international arms control treaties:
- (j) Provide technical advice to the Government of the DRC in the consolidation of an effective national civilian structure that controls key mining activities and manages in an equitable and productive manner the extraction, value addition, transport, and trade of natural resources in eastern DRC, in coordination with the Special Envoy for the Great Lakes Region's technical assistance efforts;
- (k) Continue to collaborate with the Government of the DRC to consolidate the gains of the Action Plan to Prevent and End the Recruitment and Use of Children and expedite its implementation and continue dialogue with all listed parties to obtain further commitments and to prevent and end violations and abuses against children;

#### (iii) Security Sector Reform (SSR)

- (l) Provide good offices and strategic and technical advice, as appropriate, to the Government of the DRC and play a role in coordinating the support provided by international and bilateral partners and the United Nations system, in consultation with the Government of DRC, to:
  - accelerate national ownership of SSR which delivers security and justice to all through independent, accountable and functioning justice and security institutions which take into account women's full, equal, effective and meaningful participation and safety;
  - promote and facilitate military, police, justice and prison sector reforms to enhance the justice and security sector's accountability, fighting against impunity and operational effectiveness, including through human rights training;
  - support, via the United Nations Mine Action Service, the enhancement of the capacities of the Congolese security forces, including on weapons and ammunitions management, Counter-IED, Explosive Ordnance Disposal as well as on basic investigation and forensics exploitation related to IEDs;
- 25. Authorises MONUSCO to monitor, report immediately to the Security Council, and follow-up on human rights violations and abuses and violations of

22-29056 **9/14** 

international humanitarian law, on restrictions on political space and violence, including in the context of the elections;

26. Further authorises MONUSCO, without impeding on its capacity to implement its priority tasks, to use its existing capacities to implement the following tasks exclusively in cooperation with the UNCT and in a streamlined and sequenced manner, bearing in mind that all tasks are mutually reinforcing:

## Support for the 2023 electoral process

(a) Provide, if officially requested by the Congolese authorities, support for the 2023 electoral process in the three provinces where MONUSCO is still deployed, including limited logistical support without prejudice to MONUSCO's ability to deliver on its priority tasks, as appropriate and in coordination with Congolese authorities, the UNCT, regional and international actors, in order to facilitate a peaceful electoral cycle, in particular by engaging in dialogue with the CENI;

## Support to the DRC judicial system and fight against impunity

- (b) Work with the authorities of the DRC, leveraging the capacities and expertise of the UN System, to strengthen and support the DRC judicial system in order to investigate and prosecute all those allegedly responsible for genocide, war crimes and crimes against humanity and violations of international humanitarian law and violations or abuses of human rights in the country, including through cooperation with States of the region and the ICC;
- (c) Provide good offices, advice and support to the Government of the DRC to promote human rights, in particular civil and political rights, and to fight impunity, including through the implementation of the Government's "zero tolerance policy" with respect to discipline and human rights and international humanitarian law violations, committed by elements of the security sector, and to engage and facilitate mediation efforts at local level to advance sustainable peace;

#### Protection of the United Nations

27. *Ensure* the protection of United Nations personnel, facilities, installations and equipment and the security and freedom of movement of United Nations and associated personnel;

#### Child protection

28. Requests MONUSCO to take fully into account child protection as a crosscutting issue throughout its mandate, inter alia, in DDR processes and in SSR as well as during interventions leading to the separation of children from armed groups in order to end and prevent violations and abuses against children, and to continue to ensure the effectiveness of the monitoring and reporting mechanisms on children and armed conflict and acknowledges the crucial role of United Nations Child Protection Advisers in MONUSCO;

#### Gender, Sexual Violence

29. Requests MONUSCO to take fully into account gender considerations as a crosscutting issue throughout its mandate and to assist the Government of the DRC and other relevant stakeholders in creating a legal, political and socio-economic environment conducive to ensuring the full, equal, effective and meaningful participation and full involvement and representation of women at all levels, and survivors of sexual and gender-based violence, for the maintenance and promotion of peace and security, protection of civilians, including by engaging women's networks

as partners in protection, support to DDR and SSR efforts, and support to stabilisation efforts, requests MONUSCO support the government in advancing women's full, equal, effective and meaningful political participation, in particular achieving the 30% constitutional quota and acknowledges the crucial role of United Nations Women Protection Advisers in MONUSCO;

30. Reiterates the urgent and imperative need to hold accountable all perpetrators of violations of international humanitarian law, requests MONUSCO to accelerate the coordinated implementation of monitoring, analysis and reporting arrangements on sexual violence in conflict and post-conflict situations;

## **Humanitarian Access and Humanitarian Appeal**

- 31. Recalls all its relevant resolutions on the protection of humanitarian and medical personnel, including resolutions 2439 (2018) and 2286 (2016), and demands that all parties allow and facilitate, in accordance with relevant provisions of international law and consistent with humanitarian principles, the full, safe, immediate and unhindered access of humanitarian personnel, equipment and supplies and the timely delivery of humanitarian assistance to populations in need, in particular to refugees and internally displaced persons, throughout the territory of the DRC;
- 32. Calls on Member States and international and regional organisations to respond swiftly to the humanitarian needs identified in the Humanitarian Response Plan through increased contributions and to ensure that all pledges are honoured in full and in a timely manner;
- 33. *Emphasises* the importance of maintaining international support and engagement financially, technically and in-kind to respond rapidly to infectious disease outbreaks and *requests* all relevant parts of the United Nations System to effectively coordinate their activities, in accordance with their mandates and responsibilities, in response to Ebola, COVID-19 and other potential outbreaks;

## Sanctions regime

34. Requests MONUSCO to monitor the implementation of the arms embargo as described in paragraph 1 of resolution 2293 (2016) in cooperation with the Group of Experts established by resolution 1533 (2004), and in particular observe and report on flows of military personnel, arms or related materiel across the eastern border of the DRC, including by using, as specified in the letter of the Council dated 22 January 2013 (S/2013/44), surveillance capabilities provided by unmanned aerial systems, seize, collect, record and dispose of arms or related materiel brought into the DRC in violation of the measures imposed by paragraph 1 of resolution 2293 (2016), and to assist and exchange relevant information with the Group of Experts;

## Mission effectiveness and Safety and Security of peacekeepers

35. Requests the Secretary-General to provide MONUSCO with the necessary capacities to fulfil its mandate in a complex security environment that includes asymmetric threats to its personnel and to ensure that all peacekeepers in the field are willing, capable and equipped to effectively and safely implement their mandate, further requests the Secretary-General, Member States, and the Government of DRC to take all appropriate measures to ensure the best level possible of safety and security of MONUSCO's personnel, in line with resolution 2518 (2020), with principles to guide the COVID-19 vaccination of uniformed personnel in-theatre and prior to deployment in line with UN guidelines and best practices to improve safety of peacekeepers, notes with concern the grave risks violations of the Status of Forces Agreement can present to the safety and security of United Nations personnel serving in peacekeeping operations, underscores that the primary responsibility for the safety

22-29056 11/14

and security of United Nations personnel and assets rests with host State, *highlights* the importance of effective communications between United Nations peacekeeping operations and host governments to build trust and mutual understanding and *requests* the Secretary-General to implement the provisions of resolution 2589 (2021) for establishing accountability for crimes against peacekeepers;

- 36. Requests the Secretary-General to implement the activities listed in paragraph 42 of resolution 2612 (2021) in the planning and conduct of MONUSCO's operations within the limits of the mandate and area of operation and in line with existing United Nations guidelines and regulations as well as paragraph 44 of resolution 2612 (2021), further requests MONUSCO to implement paragraph 45 of resolution 2612 (2021) and troop- and police-contributing countries to implement paragraphs 46 and 47 of resolution 2612 (2021) and notes the United Nations Department of Operational Support's Environment Strategy (phase II), which emphasises good stewardship of resources and a positive legacy of the mission, and identifies the goal of expanded renewable energy use in missions to enhance safety and security, save costs, offer efficiencies and benefit the mission;
- 37. Urges troop- and police-contributing countries to continue taking appropriate action to prevent sexual exploitation and abuse, including vetting of all personnel, predeployment and in-mission awareness training, to ensure full accountability in cases of such conduct involving their personnel, including through timely investigations of all allegations of sexual exploitation and abuse by troop- and police-contributing countries to hold perpetrators accountable, to repatriate units when there is credible evidence of widespread or systemic sexual exploitation and abuse by those units, and to report to the United Nations fully and promptly on actions undertaken;

#### Exit strategy

- 38. Takes note of the call by the Government of the DRC to review the Transition Plan for MONUSCO and *encourages* the United Nations and the Government of the DRC, in liaison with civil society, to thereby identify the concrete and realistic steps to be undertaken, as a matter of priority, to create the minimum security conditions to enable the responsible and sustainable exit of MONUSCO;
- 39. Calls upon MONUSCO, the UNCT and other United Nations entities operating in the DRC to accelerate integration and cooperation to undertake the priority collaborative actions identified in the Transition plan and to enable scaled up programming by the UNCT in preparation for MONUSCO's withdrawal, including by developing a coherent resource mobilisation strategy and encourages the international community and donors to support the scaling up of the activities and programming of the UNCT and other United Nations entities operating in the DRC, including peacebuilding activities;
- 40. Calls upon MONUSCO to work closely with the UNCT to identify ways to address gaps in capabilities to prepare for the exit of MONUSCO and to clarify roles and responsibilities for all relevant United Nations stakeholders in line with resolution 2594 (2021) underscores the need to progressively transfer MONUSCO's tasks to the Government of the DRC, the UNCT and other relevant stakeholders, where appropriate and consistent with mandates and resources, in order to enable the responsible and sustainable exit of MONUSCO and encourages the Secretary-General where appropriate to discontinue tasks which can be responsibly and sustainably assumed by other stakeholders and to streamline MONUSCO accordingly;
- 41. *Highlights* that, in transition settings, a proactive approach to strategic communications, including joint communications between MONUSCO and the Government of the DRC, may contribute to creating conditions conducive to the

smooth reconfiguration of United Nations presence and *requests* MONUSCO and relevant partners to continue to explore the available options to sustain Radio Okapi programming in the context of MONUSCO's transition;

42. Stresses that MONUSCO's activities should be conducted in such a manner as to reduce the threat posed by domestic and foreign armed groups to a level that can be managed by the DRC's security forces to facilitate its gradual, responsible and sustainable exit, based upon progress towards satisfying the benchmarks and indicators set out in the Transition plan and taking into consideration the situation on the ground;

## Reports by the Secretary-General

- 43. *Requests* the Secretary-General to report to the Council every three months including:
  - information on the situation in the DRC, including progress towards the strengthening of State institutions, key governance and security reforms;
  - information, including qualitative performance metrics, on the implementation of MONUSCO's mandate, including its protection of civilian tasks, cooperation among regional security forces, MONUSCO's performance including on FIB operations, and information on police and force generation, and whether and how the mission's activities have contributed toward achieving the mission's priority tasks referenced in paragraph 24, and what challenges and obstacles the mission faced in advancing the priority tasks, using the data collected and analysed through the Comprehensive Planning and Performance Assessment System (CPAS), the mission's implementation of the Integrated Peacekeeping Performance and Accountability Framework (IPPAF) and other strategic planning and performance measurement tools to describe the mission's impact and overall mission performance, including information on undeclared caveats, declining to participate in or undertake patrols and their impact on the mission, and how the reported cases of under-performance are addressed;
  - information on the actions and impact of strategic communications for mandated activities;
  - updates on efforts to adequately resource and on progress on implementation of the priority collaborative actions with specialised agencies, funds and programmes of the United Nations identified in the Transition plan;
  - updates on the progressive transfer of MONUSCO's tasks to the Government of the DRC, the UNCT and other relevant stakeholders, including where appropriate on the discontinuation of tasks as requested in paragraph 40;
  - every six months, updates on progress towards the realisation of the benchmarks and indicators set by the Government and the United Nations in the Transition plan;

and *further requests* the Secretary-General to include gender analysis in all reports to the Security Council;

44. Requests the Secretary-General to provide the Security Council, once the joint review of the Transition Plan for MONUSCO is concluded and no later than July 2023, options for adapting MONUSCO's configuration of its civilian, police and military components and on the United Nations' future configuration in the DRC beyond the current mandate of MONUSCO, taking into consideration MONUSCO's role with respect to the EAC Regional Force and other existing international, regional and bilateral initiatives in support of the DRC;

22-29056 **13/14** 

- 45. Requests the Secretary-General to report to the Security Council every six months, in coordination with the Secretary-General's Special Envoy for the Great Lakes Region and the SRSG for the DRC on the implementation of the commitments under the PSC Framework and its linkages with the broader security situation in the Great Lakes Region;
  - 46. Decides to remain actively seized of the matter.