



Security Council

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Letter dated 19 February 2024 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, I have the honour to present to you below the Government's response to the letter dated 12 February 2024, addressed to you from the Minister for Foreign Affairs and International Cooperation of the Republic of Rwanda, Vincent Biruta, which was transmitted to Security Council Member States of the Security Council by your Note dated 13 February 2024.

My Government has taken note of the aforementioned letter and would like to point out, at the outset, that its content is a well-thought-out distraction designed to divert the Security Council's attention from the realities of the situation currently prevailing in the eastern Democratic Republic of the Congo. This is an explosive situation created by Rwanda which, like a good pyromaniac, is pretending to play firefighter. My Government remains confident that your Council will pay no attention to this distraction.

It therefore requests the Security Council, in its capacity as the main organ of the United Nations responsible for the maintenance of international peace and security, not to give in to the posturing of Rwanda, which is seeking only to gain time to reinforce the advanced positions of its Rwanda Defence Force (RDF)/Mouvement du 23 mars (M23) army on Congolese soil, as witnessed by the latest RDF attacks, most notably the firing of surface-to-air missiles against United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) drones on 12 February 2024 and the bombing of Goma International Airport on Saturday, 17 February 2024, at the very time when an important meeting on the situation in the Democratic Republic of the Congo was being held in Addis Ababa (Ethiopia), at the initiative of the facilitator appointed by the African Union, the President of Angola, João Lourenço Gonçalves, on the margins of the Summit of Heads of State and Government of the African Union.

Indeed, it goes without saying that this latest act of Rwandan aggression constitutes a State crime under international law and a grave violation of the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo. That situation is the reason behind a major security crisis that has forced almost 7 million women and children to be displaced from their homes in the territories of Rutshuru, Masisi and Nyiragongo. The international community in general, and the Security Council in particular, should take note of the reality of that aggression and act to preserve peace and security in the subregion.



This general observation invites us to review certain paragraphs of the aforementioned letter in order to grasp its real scope.

In paragraph 6, the Rwandan Government seems to want to criticize the force of the Southern African Development Community (SADC) Mission in the Democratic Republic of the Congo (SAMIDRC) for its support of the Armed Forces of the Democratic Republic of the Congo (FARDC) against the M23 terrorists.

Moreover, in its resolutions [2666 \(2022\)](#) of 20 December 2022 and [2717 \(2023\)](#) of 19 December 2023, the Council consistently reiterated its support for regional efforts involving the regional economic communities, including the East African Community in the past and SADC today. The request to deploy a regional force to support FARDC is in line with the efforts of those two Security Council resolutions, in accordance with the principle of subsidiarity.

In this respect, it is worth recalling that collaboration between MONUSCO and regional forces, particularly SADC, is not a new experience. It was thanks to that collaboration that, at the request of my country's Government, MONUSCO set up the Intervention Brigade that succeeded in defeating M23, formerly supported by Rwanda, in 2013.

Thus, sensing the same determination from elements of the SADC regional force and again fearing a defeat of the RDF/M23 coalition as in 2013, the recidivist Government of Rwanda is desperately trying to distract the Security Council and divert it from its statutory responsibilities by asking it not to provide logistical and financial assistance to FARDC or SAMIDRC. Such a move would be counter-productive, and would leave the aggressor country free to maintain its stranglehold on the eastern part of the Democratic Republic of the Congo. Clearly, this would make it easier for Rwanda to continue its shameless plundering of the strategic minerals of the Democratic Republic of the Congo, thus consolidating its occupation and entrenchment on Congolese territory, in order to serve the expansionist (hegemonic) ambitions of the President of Rwanda. It is no secret that during a recent visit to Benin, the President of Rwanda clearly and arrogantly laid claim to land in the Democratic Republic of the Congo, publicly calling into question the sacrosanct principle of the intangibility of borders inherited from colonization, a principle dear to the African Union and the United Nations.

In the same paragraph 6, Rwanda wonders why the support of the SADC force to FARDC is only directed against M23 when there are more than 260 armed groups in the eastern Democratic Republic of the Congo

By virtue of the sovereignty of the Democratic Republic of the Congo, its Government is free to make use of a bilateral or multilateral partner according to its security needs, and it is not up to any individual to prevent it from doing so or to criticize its sovereign choice. Consequently, Rwanda has no right to oppose the choices freely made by the Democratic Republic of the Congo without violating the latter's sovereignty, as Rwanda has done for 30 years now.

Rwanda cannot invoke its own turpitude, since M23 and most of the armed groups alluded to in its letter are its own creatures and those of the multinationals in its pay, which are illegally exploiting the strategic minerals of the Democratic Republic of the Congo. Rwanda is passing itself off as a major world exporter of these minerals, even though its subsoil has none.

Furthermore, M23 is no ordinary armed group. It is the armed wing of Rwanda in the Democratic Republic of the Congo. Rwanda has been using it for almost three decades to destabilize the Democratic Republic of the Congo from the east. That is why, after the Rassemblement congolais pour la démocratie, a movement it created and supported in 1998, Rwanda created the Congrès national pour la défense du

people in 2006 and, finally, the first version of M23 in 2009. Defeated in 2013, this movement resurfaced in November 2021 when fighters well equipped by Rwanda launched a series of deadly attacks on the positions of FARDC and the Institut congolais pour la conservation de la nature, occupying the corner of the border shared by the Democratic Republic of the Congo, Uganda and Rwanda, thereby aggravating tensions in the region at a time when the President of the Democratic Republic of the Congo, Félix-Antoine Tshisekedi Tshilombo, had just opened political consultations with local armed groups on return to the motherland, in accordance with the communiqué issued by the summit of Heads of State of the East African Community in April 2022. Since then, this movement, supported by RDF, has multiplied its attacks and conquered several positions, which it has occupied for almost two years in defiance of the entire international community.

In this respect, the aggression against the Democratic Republic of the Congo by Rwanda, whose army illegally occupies part of the Congolese Province of North Kivu and supports the M23 terrorist group to destabilize the country, is undoubtedly one of the main causes of the security crisis both in the eastern part of the Democratic Republic of the Congo and in the Great Lakes region. Several peace initiatives have been undertaken by the international community, and there is a plan for resolving the crisis based on the Nairobi and Luanda processes.

To date, these initiatives and this plan are at a standstill, since Rwanda's leaders are deliberately blocking them, invoking pretexts of all kinds in order to gain time to achieve their inordinate ambition of creating a zone of influence in the Democratic Republic of the Congo, which they would transform into a colony for exploitation and settlement, and from which they would control Congolese institutions.

With their impunity guaranteed, Rwanda and M23 stubbornly refuse to uphold any of the commitments they have made to implement the peace plan resulting from the Nairobi and Luanda processes, abide by the recommendations of the international community or respond to the repeated appeals of the Security Council, the African Union, African regional organizations and bilateral partners to withdraw from the positions conquered in the Congolese territories of Rutshuru, Masisi and Nyiragongo.

In principle, a country like Rwanda, which constantly tramples underfoot the basic rules of international law and the values and principles of our Organization's Charter, should be deprived of the right to speak in United Nations forums until such time as its reprehensible behaviour ceases, in this case until the total withdrawal by Rwanda of its troops from the territory of the Democratic Republic of the Congo.

Furthermore, in paragraph 6, Rwanda denounces the rallying of FARDC to the Wazalendo, which it deliberately conflates with the so-called negative forces, including the Forces démocratiques de libération du Rwanda (FDLR), the Burundi National Defence Force and others.

The Wazalendo are young Congolese patriots determined to defend the territorial integrity of the Democratic Republic of the Congo and to rid the land of their ancestors from RDF/M23 invaders who are perpetrating large-scale massacres of Congolese civilians and serious violations of human rights and international humanitarian law, and who are thirsty for the mineral resources of the Democratic Republic of the Congo. Their alleged collaboration with the so-called negative forces, maliciously listed by Rwanda, is a gratuitous and totally unfounded allegation.

With regard to FDLR, my Government notes that the Group of Experts on the Democratic Republic of the Congo succeeded this time in unravelling the mystery surrounding this issue, when it revealed in black and white in its midterm report that: "According to former M23 combatants and intelligence sources, since early October 2023, RDF soldiers from five different battalions were deployed in Nyiragongo,

Rutushuru and Masisi territories. RDF and M23 were supported by several combat support and reconnaissance teams totalling 250 former FDLR combatants and operating under the command of the Rwanda Defence Intelligence Department (DID).” (S/2023/990, 30 December 2023, para. 30).

Moreover, witness accounts collected from fighters shortly after the publication of the report of the Group of Experts show that Mr. Bimenyimana, alias Cobra, a former FDLR combatant who was repatriated to Rwanda several years ago, is currently leading an RDF battalion deployed around the city of Sake in Masisi territory.

One therefore has every right to wonder who among RDF or FARDC is really benefiting from the presence of this residual FDLR force on Congolese soil.

Under a different label, the same FDLR serves as a pretext for Rwanda to justify its aggression against the Democratic Republic of the Congo and its support for M23, even though this armed group was decapitated and reduced to nothing following the military operations conducted by FARDC alone or jointly with RDF. The proof of my Government’s good faith and readiness to resolve the thorny issue of FDLR lies in the joint operations carried out in the past, thanks to which FDLR no longer constitutes a threat to Rwanda’s security. It has now been proven that no FDLR attack against Rwanda has been recorded from Congolese territory for over two decades.

Moreover, as the members of this negative force are not Congolese citizens, my Government is proposing to the Security Council, the African Union and the regional communities that they create an ad hoc mechanism or special force to go into the field in North Kivu to identify them and drive them out of Congolese territory. The Democratic Republic of the Congo is ready to join such an initiative and put a definitive end to the controversy surrounding this issue.

In paragraphs 7, 8 and 9 regarding the risk of genocide and protection of the Tutsi living in the Democratic Republic of the Congo, what Rwanda is saying here is “I am in the Democratic Republic of the Congo because there is discrimination and hate speech, because there is a risk of genocide and because there is FDLR.” The question is, who gave Rwanda the mandate to act in this way?

The pretext of the risk of genocide and the protection of the Tutsi is a diversion, or rather, an all-purpose key that Rwanda has used in the past to win the sympathy of the Security Council and the international community. But this recipe no longer works, given that Rwanda has openly demonstrated to the world that it is waging an economic war in the Democratic Republic of the Congo to secure control of the country’s mineral resources.

It is worth underscoring here the lack of consistency in the so-called hate speech allegedly propagated by some Congolese people regarding Rwandan speakers and pointing out that the isolated cases of violations of Rwandan speakers’ rights have been severely punished by the competent services, including via judicial decisions. Furthermore, the Government has not been slow to take measures to protect Rwandan speakers whenever necessary, in line with the laws of the Republic, because it is not Rwanda – the eternal beneficiary of Congolese hospitality – that will change the peaceful nature of the Congolese people.

Furthermore, in paragraph 8, like a thief crying “stop thief!”, Rwanda complains about the escalation of violence and worries about the militarization of the eastern Democratic Republic of the Congo, even though it is Rwanda that has transposed the war from Rwanda to the Democratic Republic of the Congo, invading the eastern part of the country with troops and sophisticated weaponry either to ensure its own security, to protect the Tutsi population of the Democratic Republic of the Congo or to pursue FDLR.

In paragraph 9, as with all the other issues raised in its letter, Rwanda claims to blame the Democratic Republic of the Congo for the refusal to repatriate Congolese refugees from Rwanda.

In this respect, it should be recognized that, at the request of the President of the Democratic Republic of the Congo, Félix Antoine Tshisekedi Tshilombo, the Democratic Republic of the Congo and Rwanda met on 15 May last year with the United Nations High Commissioner for Refugees in Geneva to relaunch discussions on the issue of refugees from the two countries. The meeting concluded with a communiqué and the adoption of a road map for further discussions. In accordance with that road map, experts from the two countries met again twice with the High Commissioner for Refugees in Nairobi, on 23 and 24 June 2023 and on 26 and 27 June 2023, to continue discussions on the repatriation of refugees from the two countries. At the end of the November meeting in Nairobi, the three parties agreed to resume discussions on the remaining stages towards March 2024 once the new Government, resulting from the 20 December 2023 elections in the Democratic Republic of the Congo, is in place.

In conclusion, Rwanda's claims to oppose any financial support from the United Nations for the SAMIDRC regional force of SADC and any logistical support from MONUSCO to FARDC, on the grounds that such support would allow the Democratic Republic of the Congo to pursue the military option instead of a negotiated and peaceful solution to the crisis, is nothing more than a diversionary campaign to which the Security Council should pay no attention.

The aggression against the Democratic Republic of the Congo by Rwanda, whose army illegally occupies part of the Congolese Province of North Kivu and supports the M23 terrorist group to destabilize the country, is undoubtedly one of the main causes of the security crisis both in the eastern part of the Democratic Republic of the Congo and in the Great Lakes region. Several peace initiatives have been undertaken by the international community, and there is a plan for resolving the crisis based on the Nairobi and Luanda processes.

To date, these initiatives and this plan are at a standstill, since Rwanda's leaders are deliberately blocking them, invoking pretexts of all kinds in order to gain time to achieve their inordinate ambition of creating a zone of influence in the Democratic Republic of the Congo, which they would transform into a colony for exploitation and settlement, and from which they would control Congolese institutions.

My Government urges the Security Council to demand that Rwanda unconditionally withdraw its troops from the territory of the Democratic Republic of the Congo and cease all support for the M23 terrorists, in order to enable the appointed facilitator to relaunch the Luanda peace process.

My Government invites the Security Council to uphold the conclusions contained in this letter and requests that it be circulated as a document of the Security Council.

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