



Security Council

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Letter dated 2 July 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 inform you of its indignation at the repeated attacks by the Rwanda Defence Forces (RDF), which support the Mouvement du 23 mars (M23), leading to the steady deterioration of the security and humanitarian situation in the east of the Democratic Republic of the Congo.

The recent violent clashes around the town of Kanyabayonga, in Lubero territory, North Kivu Province, are yet another flagrant violation of the integrity of Congolese territory and, moreover, of the Luanda road map.

In its letter dated 8 May 2024, my Government drew the attention of the Security Council to the worsening security and humanitarian situation, characterized in particular by the shelling of camps for persons displaced by war in the east of the Democratic Republic of the Congo. It also requested the Council to demand that the Rwandan authorities unconditionally withdraw their troops from our territory and cease all support for M23, under penalty of individual and collective sanctions.

Although regularly informed of the situation, and of my Government's request to convene a public meeting in this regard, the Security Council has remained silent on this issue for reasons of its own. Nevertheless, my Government remains confident that the Council will take appropriate measures to address the perpetual forced displacement of our fellow citizens. This silence encourages Rwanda to continue its destabilization of the Democratic Republic of the Congo and the Great Lakes region.

As demonstrated by the recent conclusions of the report of the Group of Experts on the Democratic Republic of the Congo (S/AC.43/2024/GE/OC.29), 3,000 to 4,000 RDF soldiers are currently operating in the territories of Nyiragongo, Rutshuru and Masisi. These troops belong to various RDF Divisions, including the 2nd and 3rd Divisions, commanded by Major General Eugène Nkubito, and the RDF special forces, commanded by Lieutenant-Colonel Augustin Ryarasa Migabo (paras. 42 and 43). The Group of Experts documented the deployment of advanced military technology and equipment by RDF, including 122mm rocket launchers, mortar ammunition and anti-tank missile containers (para. 46).

This continued aggressive territorial and military expansion by the RDF coalition and its M23 supporters is a flagrant violation of the sovereignty and territorial integrity of the Democratic Republic of the Congo, and a serious threat to peace and security, as well as to the stability of the entire Great Lakes region. It also undermines the mediation process resulting from the Luanda road map, as well as the



crisis resolution initiatives proposed by the facilitator appointed by the African Union, Angolan President João Lourenço Gonçalves.

The Democratic Republic of the Congo, which is committed to peace and peaceful cohabitation with its neighbours, remains open to all initiatives, through political and diplomatic channels, aimed at resolving its conflict with Rwanda, while respecting the territorial integrity and sovereignty of its State. Nevertheless, it remains concerned, in the light of recent developments, about the viability of the existing mediation process and the sincerity of Rwanda's commitment to a peaceful solution, given that visible support from RDF to M23 has increased to the point where it is indistinguishable from M23 elements that are content to conduct media campaigns.

Under international law, this latest Rwandan aggression constitutes a State crime and a serious violation of the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo. This situation is at the root of a major security and humanitarian crisis that has forced almost 7 million internally displaced people to flee their homes. 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.

My Government 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, to note:

- (1) That the recidivist attitude of this neighbouring country constitutes:
 - A serious and persistent breach of the principles set out in the Charter of the United Nations (Articles 1, 2, 6 and 39 of the Charter)
 - A serious threat to international peace and security in the subregion
 - A series of proven acts of aggression within the meaning of Article 39 of the Charter
- (2) That Rwanda has yet again disregarded the sacrosanct principle of Article 2, paragraph 4, of the Charter, which states: "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations";
- (3) That the Government of Rwanda continues to intentionally violate the arms embargo by directly providing military assistance to M23, by facilitating the recruitment of combatants, including minors, and by providing arms, ammunition and intelligence, including political advice;
- (4) That Rwanda is a Member of the United Nations and to recall that, under Article 6 of the Charter: "A Member of the United Nations which has persistently violated the Principles contained in the present Charter, may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council."

Drawing the necessary conclusions from Rwanda's bellicose behaviour, the Security Council should take the steps required to restore peace and security in the eastern part of the Democratic Republic of the Congo. In particular, the Council should:

1. Condemn Rwanda's repeated attacks on camps for displaced persons and, given that these acts constitute war crimes and crimes against humanity, order independent investigations to identify the perpetrators, ensure accountability and bring them to justice;

2. Demand that Rwanda cease its bellicose behaviour, withdraw its troops from the territory of the Democratic Republic of the Congo and offer assurances and guarantees of non-recurrence;
3. Severely punish Rwanda, which is relentlessly reinforcing the advanced positions of its RDF/M23 army on Congolese soil;
4. Set up a sanctions regime applicable to Rwanda and its leaders;
5. Suspend all participation by Rwandan troops in United Nations peacekeeping operations.

In doing so, my Government invites the Security Council to uphold the conclusions contained in the present letter and requests that it be circulated as a document of the Council.

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