Security Council

Agenda Item 2

Situation in the Democratic Republic of Congo

Report of the Secretary-General

Summary

The situation in the Democratic Republic of the Congo (DRC) is one of the biggest humanitarian threats currently faced by the international community. The political turmoil that began after the country's independence has yet to be resolved, and the conflict has taken millions of lives over the years.

The Security Council has been working towards the stabilization of the region for many decades, and efforts are being made in order to stop the ongoing violence in the Congolese territory. After many renewals, most recently by Resolution 2463 (2019), MONUSCO is still operating in the DRC, working towards stabilizing the region. Although the progress has been slow, the Council and the international community have been working hard with the government of the DRC in order to end the conflict.

The situation with the country’s many militias should be addressed with the utmost importance. Attempts of ending the conflict have been made in the past, through diplomatic means, such as the Lusaka Ceasefire Agreement, and military means, however they were unsuccessful. The Security Council must consider the impact the armed conflict has not only in the country, but in the lives of innocent people, as to better tackle this issue. The Security Council must work to elaborate new solutions to support peace-building in the Democratic Republic of the Congo through political changes that can help stop the humanitarian crisis the region is suffering from, and achieve lasting peace and development in the region.
I. Introduction

1. The Democratic Republic of the Congo (DRC) is home to one of the world’s most complicated and long-standing humanitarian crises. It is hard to pinpoint exactly where conflict began, since tensions have been high ever since the country became independent in 1960, but the current situation has been majorly influenced by the 1994 genocide in Rwanda. The conflict has thus far displaced over 1.2 million people.1

2. After the 1994 genocide in Rwanda, some 1.2 million Rwandese Hutus — including people who had taken part in the genocide — fled to the neighbouring Kivu regions of eastern DRC, formerly Zaïre, an area inhabited by ethnic Tutsis and others. The population of Zaïre was already revolting against the authoritarian regime, and was against the refugee camps for the Rwandan Hutus, so when the Rwandan armed forces invaded the country and aided the revolting people, a rebellion began. In 1996, when the rebellion started, the forces of the Alliance of Democratic Forces for the Liberation of Congo (AFDL) led by Laurent Désiré Kabila began fighting against the army of President Mobutu Sese Seko. AFDL’s forces, who promised to overthrow the government and destroy the refugee camps, aided by Rwanda and Uganda, took the capital city, Kinshasa, in 1997 and renamed the country the Democratic Republic of the Congo (DRC), establishing a new government.2

3. A second rebellion, now against the Kabila government started in 1998 in the regions of Kivu. Within weeks, the rebels had seized large areas of the country. Countries such as Angola, Chad, Namibia and Zimbabwe promised military support for the government of President Kabila, but even so the rebels maintained their domain on the eastern regions. Neighboring countries of Rwanda and Uganda supported the rebel movement, the Congolese Rally for Democracy (RCD). The Security Council called for a ceasefire and the withdrawal of foreign forces, and urged states not to interfere in the country’s internal affairs.4

4. In July 1999, the Lusaka Ceasefire Agreement was signed between the DRC and five regional States involved in the conflict, Angola, Namibia, Rwanda, Uganda and Zimbabwe. The agreement sought to bring an end to the hostilities within the territory of the DRC. It addressed several issues including the cessation of hostilities, establishment of a joint military commission (JMC) comprising representatives of the belligerents, withdrawal of foreign groups, disarming, demobilizing and reintegrating of combatants, among other things. The agreement also called for the deployment of a

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1 Reliefweb “UNICEF DRC Humanitarian Situation Report July 2019”
2 UN Peacekeeping “MONUC Background”
UN peacekeeping force to monitor the ceasefire, disarm, demobilize and reintegrate armed groups. In the same month, the United Nations’ Security Council established the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), initially to plan for the observation of the ceasefire and disengagement of forces and maintain liaison with all parties to the Ceasefire Agreement. Later in a series of resolutions, the Council expanded the mandate of MONUC to the supervision of the implementation of the Ceasefire Agreement and assigned multiple related additional tasks.

5. Through its resolution 1493 (2003), the Security Council imposed an arms embargo on all foreign and Congolese armed groups and militias operating in the territory of North and South Kivu and Ituri, and on groups not parties to the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, this agreement provided the transitional arrangements until elections could be held in the DRC. By its resolution 1533 (2004), the Council established a sanctions Committee and a Group of Experts to monitor the implementation of the arms embargo. The Council further extended the embargo to any recipient on the territory of the Democratic Republic of the Congo, with exemptions including the Congolese army and police, by resolution 1596 (2005). In the same resolution, the Council set up travel restrictions and imposed a freeze on the assets of individuals and entities violating the arms embargo.

6. The DRC’s first free and fair elections in 46 years were held on 30 July 2006, with voters electing a 500-seat National Assembly. Afterwards, an election for the presidency occurred on October 29th, and resolution of a subsequent legal challenge, President Joseph Kabila (son of late Laurent Désiré Kabila, assassinated in 2001) was declared the winner. The entire process represented one of the most complicated votes the United Nations had ever helped organize.

7. On the 1st of July 2010, the Security Council renamed MONUC the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) in order to reflect the new phase reached in the country, as stated in resolution 1925. The new mission was authorized to use all necessary means to carry out its mandate relating to the protection of civilians, humanitarian personnel and human rights defenders under imminent threat of physical violence and to support the Government of the DRC in its stabilization and efforts towards consolidation of peace, among other things.

8. Later in 2010, there was a case of mass rape in eastern Democratic Republic of the Congo allegedly perpetrated by elements of the Front Démocratique de Libération du Rwanda (FDLR) and Mai Mai militias. That, combined with alleged raping and looting from the Armed Forces of the Democratic Republic of the Congo (FARDC),

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5 S/1999/815
6 Resolution 1279
7 Resolution 1291
9 MONUSCO “The country’s first free and fair elections in 46 years”
10 Resolution 1925
the deteriorating situation in the Kivu provinces and attacks by other militias, such as the Lord’s Resistance Army, only aggravated the serious humanitarian crisis in the DRC.\textsuperscript{12}

9. The Security Council received a report by its experts on sanctions discussing the illegal exploitation of natural resources by armed groups and elements within the Congolese National Army. The report recommended new due-diligence standards for importers, processors and consumers of minerals from the eastern part of the DRC.\textsuperscript{13}

10. By the end of 2010, the Council adopted resolution 1960, requesting the Secretary-General to establish a monitoring, analysis and reporting arrangement on conflict-related sexual violence. The resolution reiterated the Council’s intention, when adopting or renewing targeted sanctions, to consider including, where relevant, criteria for sanctioning individuals for acts of sexual violence.\textsuperscript{14}

11. In 2011, due to the still ongoing violence, the Council renewed the DRC sanctions regime and the mandate of the Group of Experts. The resolution welcomed measures taken by the government to implement the due diligence guidelines. After some experts’ briefings, the Council issued a press statement expressing deep concern about the persistent high levels of violence, especially sexual violence, and human rights violations and abuses against civilians.\textsuperscript{15, 16}

12. In 2013, in order to address the causes of the conflict and ensure that sustainable peace takes hold in the country and the wider region, the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the region was signed by representatives of 11 close countries, the Chairs of the African Union, the International Conference on the Great Lakes Region, the Southern African Development Community and the United Nations Secretary-General on 24 February 2013 in Addis Ababa, Ethiopia. On 28 March 2013, acting in support of the objectives of the Framework agreement for Peace, Security and Cooperation for the Democratic Republic of the Congo and the region, and answering the call of Governments in Africa’s Great Lakes region, the Security Council unanimously adopted resolution 2098 (2013), by which it extended the mandate of MONUSCO and created a specialized “intervention brigade” to strengthen the peacekeeping mission. The resolution strongly condemned March 23 Movement (M23), the FDLR, the Lord’s Resistance Army, “and all other armed groups and their continuing violence and abuses of human rights”. It tasked the new brigade with carrying out offensive operations, either unilaterally or jointly with the Congolese armed forces, “in a robust, highly mobile and versatile manner” to disrupt the activities of those groups.\textsuperscript{17, 18}

13. A statement of the president of the Security Council on November 9th 2015 condemned further all violence and violations and abuses of human rights and

\textsuperscript{12} Security Council Report Monthly Apr 2010 Forecast
\textsuperscript{13} Group of Experts Report S/2010/596
\textsuperscript{14} Resolution 1960
\textsuperscript{15} Resolution 2021
\textsuperscript{16} Security Council Press Statement on Democratic Republic of Congo SC/1044-AFR/2283
\textsuperscript{17} MONUSCO “Background”
\textsuperscript{18} Resolution 2098
international law, especially in eastern DRC. The crisis still rages on, with targeted attacks against civilians, widespread sexual and gender-based violence, systematic recruitment and use of children by armed groups, forced displacement of significant numbers of civilians, extrajudicial executions and arbitrary arrests, and the Council calls for cooperation with MONUSCO in order to resolve the situation.  

14. After many renewals, most recently by Resolution 2463 (2019), the MONUSCO is still operating in the Democratic Republic of the Congo, working towards stabilizing the region. Although the progress has been slow, the Council and the international community have been working hard with the government of the DRC in order to end the conflict.

15. Recent reports on the human rights’ situation in Congolese territory show that more than 13 million people are in need of humanitarian assistance, and there are more than 140 armed groups still active in the territory.

II. Major Developments

Political Situation

16. The electoral process that was scheduled to happen after president Kabila’s second and final term, in November 2016, with supervision by the Independent National Electoral Commission (INEC), was postponed by the DRC’s government due to the lack of stability in the country. The Security Council arranged the 31 December 2016 agreement, between the government and opposition forces, which ensured that free and fair elections would be held in the country by the end of 2017. However, the promise of a new electoral process was delayed again, this time to December 2018. In a press statement, the members of the Security Council stressed the importance of a peaceful and credible electoral cycle, in accordance with the DRC’s Constitution and SC resolution 2348 (2017). By 2018, the electoral process had begun, and in December of that year, new general elections, with the help of the INEC and MONUSCO, were held. Félix Tshisekedi was appointed the new president.

17. According to a Security Council briefing by Leila Zerrougui, Special Representative of the Secretary-General and head of MONUSCO, after the successful election in 2018 the DRC was showing a promising path to greater stabilization. However, the violence still rages on, especially in the eastern parts of the country, with armed groups still terrorizing thousands of civilians.

Humanitarian Situation

19 S/PRST/2015/20
20 Resolution 2463
21 HRW “Democratic Republic of Congo Events of 2018”
22 S/PRST/2015/20
23 Resolution 2348
24 SC/13095
25 S/PV.8584
18. The United Nations High Commissioner for Refugees (UNHCR) estimated 536,000 refugees in the Democratic Republic of the Congo.\textsuperscript{26} The country also has 1,260,000 internally displaced persons, according to the most recent report by UNICEF, which also stated that 7,500,000 children were in need of humanitarian assistance.\textsuperscript{27}

19. Aside from the dire situation involving armed groups, the DRC is also dealing with the world’s second largest Ebola epidemic. More than 2000 lives were lost and 3000 confirmed infections since the outbreak was declared on 1 August 2018. The outbreak is occurring in North Kivu, South Kivu and Ituri provinces. The World Health Organization (WHO) is working in the country to contain the spread of the outbreak and treat those infected.\textsuperscript{28} The raging conflict in the country leaves people vulnerable to the Ebola outbreak, since the conditions of those whom the conflict has displaced aren’t usually favorable, and it makes the WHO’s job to contain the outbreak a lot harder. Despite the country’s efforts in dealing with the crisis, its divided attention led to the spread of the outbreak.

20. The Human Rights Council Report on the situation in the Democratic Republic of the Congo, issued in 13 August 2018, stated that the situation was deteriorating, and reported several cases of violation or abuse of human rights, especially by State agents. Due to the recent elections there were several protests that were struck down violently and some civilians were allegedly coerced, making the electoral process questionable in the international community.\textsuperscript{29}

Mission Capacities

21. The peacekeeping mission in the DRC, MONUSCO, as of May 2017, possessed a total staff of over 22 thousand, with 18 thousand being military or police personnel. Several countries contribute to maintaining this mission active.\textsuperscript{30}

22. The mission’s current mandate is set to end 20 December 2019, as of resolution 2463, which also stated the importance of MONUSCO in the stabilization of the country. The Security Council has repeatedly renewed the mission’s mandate and considers it a great step towards bringing peace to the DRC.\textsuperscript{31}

III. Future Priorities

23. It is clear that, in order to stabilize the region, the situation with the country’s many militias should be addressed with the utmost importance. Attempts of ending the conflict have been made in the past, through diplomatic means, such as the Lusaka Ceasefire Agreement, and military means, however they were unsuccessful. The

\textsuperscript{26} https://www.unhcr.org/democratic-republic-of-the-congo.html
\textsuperscript{27} DRC Humanitarian Situation Report UNICEF
\textsuperscript{28} World Health Organization https://www.who.int/emergencies/diseases/ebola/drc-2019
\textsuperscript{29} A/HRC/39/42
\textsuperscript{30} MONUSCO https://monusco.unmissions.org/en/facts-and-figures
\textsuperscript{31} Resolution 2463
Council must consider the impact the armed conflict has not only in the country, but in the lives of innocent people, as to better tackle this issue.

24. Regarding the sanctions committee and the assembled group of experts in the DRC, the Security Council must consider their effects in conflict resolution. How individual sanctions and the arms embargo affect the militia groups and other opposing forces and how the group of experts can help in this conflicted scenario are important points of discussion for the Council.

IV. Further Reading

Security Council Press Statement on Situation in Democratic Republic of Congo

AFRICA: Democratic Republic of the Congo

Democratic Republic of the Congo
https://www.securitycouncilreport.org/democratic-republic-of-the-congo/

The Democratic Republic of Congo Humanitarian Emergency
https://www.unfpa.org/data/emergencies/democratic-republic-congo-humanitarian-emergency