



# Security Council

Distr.: General  
30 December 2014

Original: English

---

## Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo submitted pursuant to paragraph 39 of Security Council resolution 2147 (2014)

### I. Introduction

1. The present report is submitted pursuant to paragraph 39 of Security Council resolution 2147 (2014), by which the Council requested me to conduct a strategic review of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and the wider United Nations presence in the Democratic Republic of the Congo in order to provide recommendations on MONUSCO's future objectives, activities and exit strategy and effective deployment of resources to the Security Council by 30 December 2014, bearing in mind the need to continue to increase the effectiveness of the Mission. The report contains the main findings of that review and recommendations with regard to the future direction of MONUSCO.

### II. Strategic review

2. Further to Security Council resolution 2147 (2014) and based on a revised conflict analysis, MONUSCO and the United Nations country team in the Democratic Republic of the Congo took stock of the implementation of the Mission's mandated tasks and discussed conditions for the future drawdown of the Mission. In order to finalize the review and develop recommendations, I dispatched an integrated team from United Nations Headquarters to the Democratic Republic of the Congo from 5 to 14 November. The team received briefings from MONUSCO and the wider United Nations system and consulted representatives of the Government, including the Prime Minister, the Ministers of Foreign Affairs, Defence, Interior and Justice and senior representatives of the Armed Forces of the Democratic Republic of the Congo (Forces Armées de la République Démocratique du Congo (FARDC)) and the Congolese Police National. It also met the Presidents of the Senate, the National Assembly, leaders of parliamentary groups, the President of the National Independent Electoral Commission, provincial and territorial administration officials and representatives of the diplomatic community, non-governmental organizations and civil society. Members of the team visited Beni, Bukavu, Bunia, Dungen, Goma, Kalemie, Lubumbashi, Manono, Mbandaka and Shabunda in addition to Kinshasa.



3. The visit of the team was preceded by a visit of the Office of Peacekeeping Strategic Partnership undertaking a review of uniformed personnel, welfare provisions, adequacy of support services and operational issues that have affected the safety and security of uniformed personnel.

### **III. Findings**

#### **A. Political situation**

4. The upcoming elections dominated discussions with interlocutors from across the political spectrum. Speculation about a constitutional review aimed at extending presidential term limits prior to the 2016 national elections contributed to increasing political tension, with some political figures from within the ruling coalition joining the voices of the political opposition, the Catholic Church and civil society in opposing any constitutional revision. The gap between the announcement by President Joseph Kabila in October 2013 and the actual Cabinet reshuffle on 7 December 2014 compounded the uncertainty among the political elite. Interlocutors from opposition parties and civil society across the country called on the international community to prevent a change in the constitution. International partners identified a peaceful transition of power as essential for the country's future peace and stability.

5. Many interlocutors saw the upcoming elections as a likely source of tension, competition and possibly violence and human rights violations in different places across the country, especially if the elections were not perceived as free and fair. This view was not shared by the Government. Some interlocutors mentioned an increasing restriction of political space, freedom of expression and the media, with the potential to trigger violence and human rights violations. International partners and human rights defenders unanimously condemned the Government's decision to expel the Director of the United Nations Joint Human Rights Office following the publication of the human rights report on violations allegedly committed by the police during Operation Likofi. The Government's decision was viewed as a signal that the space for human rights defenders was shrinking and had to be negotiated. Allies of the President voiced concern that the political opposition lacked a constructive approach, alleging that Radio Okapi was being used to promote instability. The recent reshuffle of FARDC was interpreted by some as a move by the country's leadership to tighten control before the upcoming electoral cycle, although others mentioned that the restructuring could also contribute to its further modernization. Politically motivated manipulation of armed groups was viewed as an increasing phenomenon in the pre-elections context.

6. The Government noted progress towards completing the legislative framework for the elections. Three draft laws were submitted to Parliament for debate and adoption, including a proposal by the Government to amend the relevant provisions of the Constitution to modify the voting system from direct to indirect provincial, gubernatorial and senatorial elections. The proposed modification was criticized by opposition parties, which interpreted it as a means to delay the 2016 presidential elections. Many interlocutors anticipated delays in holding the polls, in view of the steps that remain outstanding, including the revision of the voters roll, the planned administrative census, the adoption of the electoral cycle road map and the budget.

7. There were divergent views about the sequencing of the polls and the importance of holding local elections, which are the last part of the electoral cycle envisaged by the 2002 Global and All-Inclusive Agreement. Local elections will involve approximately the same number of voters and polling stations as the national elections, but will be considerably more complex with potential candidates estimated to be in the hundreds of thousands. Most interlocutors noted that local elections had the potential to further exacerbate local and intercommunal conflicts and the competition over resources. Noting that preparations were under way to hold local elections in 2015, the President of the National Independent Electoral Commission emphasized the need to first update the voters roll based on the population census.

8. The Government indicated that it would welcome technical and logistical support for the organization of the elections. Opposition parties and civil society called on MONUSCO to use its good offices to ensure the timely holding of the elections in line with the Constitution, with some calling for MONUSCO to play a similar role as it did in supporting the 2006 elections. Following President Kabila's request for MONUSCO to discontinue its round-table initiative in the context of the elections, the Government clarified that it was not against the Mission using its good offices so long as this was done with respect to the key principles of sovereignty and in a non-formal way. International partners stressed that their engagement and financial support were contingent on the publication of a complete electoral calendar and the adoption of the electoral law. Donor support for the programme of the United Nations Development Programme (UNDP) for the elections remains outstanding.

## **B. Implementation of the Peace, Security and Cooperation Framework**

9. Government interlocutors emphasized that the implementation of its national commitments under the Political, Security and Cooperation Framework was well under way. Opposition members reiterated their demand for national dialogue to continue, while civil society called for progress with regard to key reforms. The Government noted a lack of progress by other signatories in the region in implementing their commitments under the Framework. This view was shared by interlocutors across the political spectrum in the Democratic Republic of the Congo, who called on the international community to ensure that all signatories abide by their commitments. Many interlocutors claimed that some neighbouring countries played a destabilizing role.

10. Discussions with the Government on the implementation of the national commitments focused on security sector reform. Referring to a 10-year army reform plan, the Minister of Defence highlighted progress achieved towards establishing the legal framework and building the capacities of FARDC. In addition to the provision of technical advice, the Minister requested MONUSCO's assistance in providing infrastructure and equipment and finding solutions for the approximately 100,000 FARDC members who are beyond retirement age or not fit for service. In response to MONUSCO's proposal to contribute to the training of FARDC through the provision of a comprehensive training package for a rapid response unit, the Government expressed its preference to continue training with bilateral partners. MONUSCO's proposal envisages bringing together national and bilateral trainers under the umbrella of the United Nations.

11. The Government noted progress made in building the capacities of the police, including the adoption of essential legislation underpinning the overall police legal framework and the five-year plan for police reform; the establishment of the main reform coordination bodies and steps taken towards the creation of a Police Academy. However, two thirds of the Congolese National Police personnel still lack basic training. The Government expressed appreciation for the training efforts by the United Nations police and requested its continuation. Other interlocutors underscored the need for more political engagement and financial support from the national authorities to advance national police reform.

12. Noting progress in the reform of the judiciary, including towards the establishment of the Constitutional Court, the Cour de Cassation and the Conseil d'Etat as envisaged in the Constitution, the Minister of Justice stressed the importance of establishing tribunals in each of the 145 territories to effectively restore State authority and adjudicate disputes at the local level.

13. Decentralization was assessed by most interlocutors as a complex longer-term process, fraught with tension. Although 9 out of 15 draft laws on decentralization have been voted by Parliament, the process is blocked. Provinces are to be increased from 11 to 26, but disagreement persists over the delimitation of boundaries of the new provinces in Katanga and Kasai Orientale. Local authorities emphasized the need for the central Government to implement the constitutional provision for the provinces to receive 40 per cent of the revenues generated by them, so that state administration has the means to function at the local level.

14. The Prime Minister highlighted progress in the area of macroeconomic stability. However, in spite of strong macroeconomic performance, with economic activity steadily accelerating and inflation declining sharply, poverty remains pervasive and the economy vulnerable, exposing this progress to the risk of reversal. Limited fiscal space and shocks to revenues have hampered the critical investment spending necessary for inclusive growth.

## **C. Security, the protection of civilians and human rights**

### **Security situation**

15. The military defeat of M23 in November 2013 and the subsequent extension of State authority to liberated areas were highlighted as important achievements that had improved the security situation in many areas. However, the lack of progress in implementing the Nairobi Declarations risks undermining these achievements. Of particular concern are the stalled implementation of the amnesty law and repatriation of Congolese former M23 fighters from their cantonment sites in Rwanda and Uganda to the Democratic Republic of the Congo.

16. The military defeat of M23 notwithstanding, Congolese and foreign armed groups, including the Allied Democratic Forces (ADF), Forces démocratiques pour la libération du Rwanda (FDLR) and the many Mayi-Mayi groups continue to pose a threat to the civilian population and the overall stability and development of the eastern Democratic Republic of the Congo and the Great Lakes region. These armed groups are involved in criminal activities, including the illicit exploitation of natural resources, trafficking of weapons and ammunition, smuggling and illegal taxation.

There are continued reports of corruption and collusion between these armed groups and individuals within the Congolese administration and security forces.

17. Over the past few months, the FARDC undertook military operations against ADF with MONUSCO's support in Beni territory, North Kivu, with heavy casualties on both sides. Though considerably weakened, the ADF support networks remained intact and the group retained most of its command and control structures. The group retreated to remote areas, from where it has been conducting asymmetric attacks against civilians and FARDC. Since October, attacks attributed to ADF and unidentified collaborators have resulted in the brutal killing of over 250 civilians. They also triggered displacement and anti-MONUSCO sentiments, partly fuelled by the perception that the Mission had not sufficiently engaged in military operations against ADF, and in political manipulation.

18. In Beni, the local authorities and civil society have called for the more active involvement of the MONUSCO Force in military operations against ADF, including through conducting unilateral operations. As the situation in Beni area illustrates, efforts to neutralize armed groups that are dispersed and enjoy the support of local criminal networks and elements of FARDC take some time to translate into visible results. It also underscores the need for the Mission to step up the non-military aspects of its response, such as intensified interaction with local communities, confidence-building measures, and efforts to counter misinformation and manipulation by local spoilers in order to address the possible political underpinnings of the incidents.

19. FDLR has been at the heart of the recurrent instability in eastern Democratic Republic of the Congo and the Great Lakes region over the past 20 years. Protecting communities against FDLR has become the stated *raison d'être* for several active Congolese armed groups. Earlier this year, FDLR announced plans to disarm, demobilize and enter into a peace process. In early June, 186 low-ranking fighters disarmed themselves in North and South Kivu and entered two temporary demobilization camps, along with 428 dependants. Most of them have been transported to a transit site in Kisangani. No significant FDLR surrenders have been reported since 9 June as part of the voluntary disarmament announced by FDLR, although some 150 elements surrendered on 28 December.

20. On 2 July, a joint Ministerial meeting of the Southern African Development Community (SADC) and the International Conference for the Great Lakes Region gave FDLR a final six months, until 2 January 2015, to fully and unconditionally surrender, or face military action. This decision has since been endorsed at several regional summits.

21. The Congolese Government has indicated that it will stand firm on the 2 January 2015 deadline. Planning and preparations for military operations against FDLR are under way by MONUSCO, taking into account the dispersed nature of the group and its immersion within the local population. Based on lessons from the past, military operations have the potential to weaken, but not eliminate, FDLR. Military action must be part of a comprehensive strategy that includes a series of non-military steps aimed at cutting off the group's finances, splitting the leadership from the rank and file by creating incentives to increase defections, administering justice for serious crimes, and cutting it off from its recruitment pool. MONUSCO and the Office of the Special Envoy for the Great Lakes Region are supporting such non-military initiatives.

22. While joint operations against the Alliance of Patriots for a Free and Sovereign Congo and the Nduma Defence of Congo/Cheka (NDC/Cheka) continue in North Kivu, MONUSCO continues to play a role in the Lord's Resistance Army (LRA)-affected areas in Orientale Province. Its current deployment may be reviewed, in view of the overall improvement in the security situation as a result of joint operations carried out with the FARDC and African Union Regional Task Force against LRA. In Ituri district, Mayi-Mayi Simba elements continue to attack civilians in Mambasa territory. FARDC operations against the Forces de résistance patriotiques en Ituri have been suspended as a result of negotiations for the group's surrender between the Congolese authorities and the Forces de résistance patriotiques en Ituri leader Cobra Matata, which are ongoing.

23. Katanga, the country's richest and most politically sensitive province, faces a challenging security situation and a complex humanitarian crisis, with some 583,000 internally displaced persons. The Bakata Katanga movement has destabilized large parts of the province since 2012, when, following his escape from prison, Kyunugu Mutanga Gédéon began forcing local populations, including children, to join his ranks or flee. Atrocities committed include killings, the looting and burning of houses, extortion, torture, forced labour and recruitment into armed groups, as well as sexual violence, causing the displacement of approximately half a million people, while hundreds of homes, schools, clinics and other public buildings have been destroyed. FARDC operations have prevented the Bakata Katanga from occupying the main population centres. Intercommunal conflict between the Balubakat and the Pygmies in Kalemie, Kabalo and Nyunzu territories have resulted in displacement and gross human rights violations, mainly perpetrated by the Balubakat militia against the Pygmies. In addition, armed groups from North and South Kivu provinces, including FDLR, the Forces nationales de libération, Raia Mutomboki, and Mayi-Mayi Yakutumba groups are now present in Katanga, attracted by artisanal gold and coltan mines in its north. The absence of State authority has also led to the creation of community self-defence groups to protect communities from armed groups, which often have become a source of conflict themselves. The presence of MONUSCO was welcomed by the local authorities and civil society, but was viewed as insufficient in view of the size of the province and its challenges. The Government chose not to elaborate on the role it wanted MONUSCO to play in Katanga.

24. The security situation has remained relatively calm in western Democratic Republic of the Congo. There is a potential for local flare ups, particularly in provinces that have been traditional strongholds of the political opposition, including Bas Congo, Equateur and the two Kasais.

#### **MONUSCO's role**

25. Interlocutors were unanimous that the Force Intervention Brigade remained an important tool in a broader strategy to end the recurrent cycles of violence in eastern Democratic Republic of the Congo and the Great Lakes region. Government interlocutors reaffirmed that the neutralization of armed groups remained a key priority, reiterating that operations against ADF were its top priority. Recognizing the support provided by MONUSCO in operations against armed groups, the Government stressed the need for more joint combat operations. It also underscored the need to enhance the Mission's efforts in monitoring the borders, including through the use of the unmanned aerial systems.

26. MONUSCO underlined that joint operations with FARDC were more effective, as FARDC often had better intelligence and the capacity to hold areas freed from armed groups. Joint operations also increased national ownership and determination and contributed to preventing human rights violations by FARDC. These advantages notwithstanding, unilateral operations by MONUSCO were found indispensable in cases where the Government fails to protect civilians under threat. Logistical support provided to FARDC, in accordance with the human rights due diligence policy, for joint operations was assessed as essential to conduct effective military operations and maintain FARDC's will to fight and cooperate with MONUSCO. The human rights due diligence policy remains vital to the discharging of MONUSCO's mandate, although the Government voiced concern about the policy affecting the effectiveness of its operations.

### **Disarmament, demobilization and reintegration**

27. Offering sustainable alternatives to former fighters is an essential part of neutralizing armed groups. The Government has put in place the third national disarmament, demobilization and reintegration plan and commenced assembling former fighters in three sites in Kitona, Kamina and Kotakoli. Recent reports of former fighters who died from disease and starvation in the Kotakoli camp underscore the need for the Government to provide the necessary resources to address the poor conditions in the pre-disarmament, demobilization and reintegration sites, including by making available its pledged \$10 million contribution to the new plan. The Mission's activities in support of the plan are expected to increase once it enters the reinsertion and reintegration phase in 2015, including with regard to weapons and ammunition management activities.

28. The reintegration of former fighters, including children associated with armed forces and groups, was identified as the major concern. The creation of sustainable reintegration opportunities for former fighters in their communities of return is vital for the establishment of lasting peace and stability in the country. Securing the required funding remains a key challenge. The country team stands ready to support the Government on reintegration, if funds are made available.

### **Protection of civilians and human rights**

29. The protection of civilians remains MONUSCO's priority task. Prevailing insecurity and the fear of being attacked were the main concerns raised by representatives of local populations in areas affected by conflict. They called on MONUSCO to do more to protect them. Interactions with civil society illustrated that MONUSCO's mandate and capacity were not clearly understood by the population. There was a perception among local populations that only the intervention brigade could take robust action to protect civilians, which is not accurate. Most non-State actors advocated for MONUSCO to increase its efforts to protect civilians, while the Government made a strong push for a significant reduction of MONUSCO's troops, as outlined in paragraph 41 below, although it wanted to retain the Force Intervention Brigade.

30. The performance and effect of some MONUSCO contingents has drawn much criticism, especially from national interlocutors. MONUSCO's deployment is mainly static and passive. Neither the Force Intervention Brigade nor the framework brigades were found to operate at the optimum level. Many framework brigades

were described as not having conducted patrols to the most vulnerable areas on several occasions, while limiting their patrolling activities to daylight hours only. There were reports of certain contingents being reluctant to engage militarily against armed groups despite orders from the MONUSCO leadership to do so.

31. MONUSCO's leadership and members of the diplomatic corps noted the need to remove the distinction between the Force Intervention Brigade and the framework brigades. While it may be impractical for all contingents to be authorized to conduct targeted offensive operations to neutralize armed groups, urgent measures are required to ensure a more active contribution by the framework brigades to activities in the context of the neutralization of armed groups and the protection of civilians. Equally with the Intervention Brigade, they have full responsibility to protect civilians and full authority to take all necessary measures for that purpose.

32. In spite of a significant decrease in violations of human rights and international humanitarian law by all parties over the last decade, armed groups and national defence and security forces continue to commit serious violations with continued impunity. In spite of some progress, too many perpetrators, in particular senior-ranking FARDC and Congolese National Police officers, are not prosecuted and convicted. This includes FARDC elements involved in the mass rape in Minova, South Kivu in 2012. Removing human rights abusers from the army, police and other security forces, while strengthening civilian and military accountability mechanisms, was found essential to ensure longer-term stability in the country.

33. Government interlocutors and members of Parliament reaffirmed their commitment to promote and protect human rights and establish the National Human Rights Commission in close cooperation with MONUSCO. The recent appointment of an Adviser to the President on sexual violence and child recruitment was seen as a demonstration of the President's commitment to the fight against conflict-related sexual violence and recruitment and use of children.

#### **D. Humanitarian situation**

34. The Democratic Republic of the Congo remains a complex operating environment, with four competing emergencies, namely violence and armed conflict, malnutrition, epidemics and natural disasters. Seven million people are estimated to be in need of assistance throughout the country, including 5.2 million targeted in the 2015 Humanitarian Response Plan. Some 2.7 million people are internally displaced, mainly in North and South Kivu, Katanga and Orientale Province. While some internally displaced persons have returned to their areas of origin, new displacements continue to occur owing to continued insecurity.

#### **E. Stabilization**

35. Following the launch of the national Programme of Stabilization and Reconstruction of Armed Conflict Zones (STAREC) in eastern Democratic Republic of the Congo, the United Nations approved the International Security and Stabilization Support Strategy in 2008. It provides the framework for stabilization projects in the eastern Democratic Republic of the Congo. Its current portfolio of projects has a combined budget of \$60 million, including \$8 million from the



Peacebuilding Fund. The United Nations system is implementing joint programming initiatives under the support strategy with good results, although there is a need to strengthen the link between the different programmes and the Government's efforts on stabilization.

36. The islands of stability is a recent and high-profile approach by MONUSCO as a first step towards stabilization in remote areas where the presence and capacity of the country team to support the extension of State authority is limited. The triggers for initiating an island of stability and indicators for measuring progress, including the Government's own contributions, are not understood by and communicated clearly to all stakeholders. There are concerns that MONUSCO may not have the programme management capacity or the human resources to sustain the implementation of the concept in the medium term, while links between the various stabilization instruments and plans in place will need to be articulated, in close coordination with the Government.

37. There is limited focus by MONUSCO and the wider United Nations system on the illegal exploitation of natural resources, land issues and intercommunity conflicts, although there was agreement that natural resource governance and transparency will be essential to achieve sustainable peace, stability and development.

#### **Regional dimension**

38. Ending the recurrent violence in eastern Democratic Republic of the Congo requires a number of collective actions at the regional level. As outlined in paragraph 15 above, the implementation of the Nairobi Declarations remains an urgent priority, and progress will go hand in hand with initiatives aimed at building mutual trust and confidence in the region. Additionally, strengthening regional cooperation, particularly in the judicial sector and assistance to refugees in accordance with relevant agreements, deepening regional economic integration, and supporting regional initiatives against the illegal exploitation of natural resources will contribute to regional stabilization and development.

### **F. Transition/transfer of tasks**

39. There are lessons to be learned from the transfer of tasks between MONUSCO and the United Nations country team. The transfer of tasks lacks a strategic framework and assumes a one-to-one transfer of responsibilities without sufficient consideration for the comparative advantage and capacity of the country team, the role of the Government, the changing needs on the ground, logistical challenges and the overall reconfiguration of the United Nations presence. The timeframe for such a transition is taking longer than the envisaged 18 months and cannot yet be presented as "successful or completed". Nor does the transfer reflect the transitional nature of the process and the possibility of transferring certain tasks to the Government. In a zero or even negative-growth budget environment, the engagement of partners and donors should have been secured from the outset to ensure that they understand the objectives of the process and the risks involved, and provide their support to its successful implementation.

## **IV. Exit strategy**

40. Much has been achieved in the 15 years since the establishment of the peacekeeping operation in the Democratic Republic of the Congo on 30 November 1999. Congolese interlocutors themselves acknowledge: the withdrawal of foreign armed forces, the reunification of the country, the establishment of the Transitional Government and two national elections. It is time now to re-evaluate and reformulate the strategic partnership between the Democratic Republic of the Congo and MONUSCO, the United Nations system and the broader international community. After 15 years, MONUSCO finds itself embedded in the fabric of the Democratic Republic of the Congo, especially in the east. The peacekeeping operation in the Democratic Republic of the Congo has adapted itself over the years to help to support Congolese efforts to meet emerging challenges. It is time for the Government to begin discussions with MONUSCO on the gradual takeover of tasks that the Mission has been performing.

41. With regard to MONUSCO's future role and exit strategy, the Government did not provide sufficient clarity on its vision for the coming years. Meaningful discussions are needed to develop a common vision for how MONUSCO will eventually be able to leave the Democratic Republic of the Congo without reversing the gains achieved. While international partners, civil society and opposition members cautioned against an early exit, the Government expressed the view that the MONUSCO Force should significantly reduce its strength, suggesting a reduction of 5,000 troops by the end of 2014, and 7,000 by mid-2015, without providing a rationale for these figures, in spite of repeated requests. The request for a reduction of MONUSCO's troops was echoed in President Kabila's address to the nation of 15 December.

## **V. Support considerations**

42. The country's poor and often non-existent infrastructure and the Government's lack of resources affect the operational capacity of national and international partners, including the United Nations system. The vast majority of the country is reachable in reasonable time only by air transportation, while ground supply lines are often impassable during the rainy season or even totally absent. This has generated a great reliance, if not dependence, on the Mission's resources, including air and ground transportation assets. In certain areas, the Mission has de facto replaced the Government and the local authorities in the provision of transportation and logistical services.

43. While MONUSCO has strengthened its presence in the east, its logistics infrastructure in the west has been largely dismantled. This affects the Mission's capacity to rapidly redeploy uniformed personnel to protect civilians under threat in the west, should the situation so require, as well as to support the broader activities of the country team. The capacity of the MONUSCO antenna offices in provincial capitals in the west to implement the mandate is limited.

44. There is a need to further streamline and maximize the Mission's use of existing capabilities. The same is true for its human, logistical, financial, communications and information technology resources, particularly as the Mission adjusts its footprint through the ongoing review of locations and deployments.

## **VI. Safety and security of United Nations personnel**

45. Security threats facing United Nations personnel in the Democratic Republic of the Congo remain fluid. Kinshasa and other areas in the West experienced relatively low threat levels, although crime rates remain a source of concern. In eastern Democratic Republic of the Congo, security threats from armed clashes and violent civil unrest, often exacerbated by political tension, continue to be a source of concern. Increasing tension and violence in the run-up to elections may affect the safety and security of United Nations personnel across the country. Overall, MONUSCO's support to FARDC-led operations against armed groups has not resulted in any discernible increase in threats to United Nations personnel, although in the Beni area, the complex and volatile security situation has had implications for staff, partly as a result of an apparent campaign to discredit and undermine public confidence in MONUSCO.

## **VII. Recommendations**

### **A. Implementation of the Peace, Security and Cooperation Framework and elections**

46. It is recommended that MONUSCO put added focus on the implementation of its political mandate by streamlining its activities, while intensifying dialogue with the Government on key policy issues. This may require some adjustments to its configuration, including the reinforcement of the senior management team at MONUSCO headquarters in Kinshasa to ensure strategic-level engagement with the Government and other key partners at the appropriate level. It will be essential for the Special Representative of the Secretary-General to continue using his good offices to contribute to the creation of a conducive environment for the elections and facilitate the implementation of the national commitments under the Peace, Security and Cooperation Framework. At the same time, the Special Envoy of the Secretary-General for the Great Lakes Region should continue focusing on the regional commitments and play a role in building confidence among regional actors.

47. It is recommended that MONUSCO and the United Nations country team support the holding of presidential, legislative, provincial and local elections in compliance with the Constitution. MONUSCO should provide political support and promote a level playing field for all candidates. The level of logistical support will be determined once the electoral cycle road map and budget are in place. The provision of logistical support should be continually assessed and reviewed according to the progress made by the Congolese authorities in the steering of the electoral process, in accordance with the criteria set out in paragraph 16 of Security Council resolution 2053 (2012). The possible provision of logistical support to the electoral process will have considerable support implications, including in areas not affected by conflict where MONUSCO has reduced its presence. This will require the preparation of contingency plans, to ensure timely, temporary deployment to areas where the Mission's footprint has been significantly reduced, taking into account existing resources and intermission cooperation arrangements.

48. The upcoming electoral process requires MONUSCO to enhance its monitoring and analysis capacity in Kinshasa in order to maintain situational

awareness across the country, including in areas in the west where the Mission has reduced its presence. Monitoring and reporting on violations of human rights and international humanitarian law across the country should remain an essential part of MONUSCO's mandate prior to, during and after the elections.

49. MONUSCO should continue to support the Government in implementing its national commitments under the Peace, Security and Cooperation Framework on security sector reform, including through the provision of technical advice and support in the area of physical security and stockpile management. While the training of FARDC and Congolese National Police units remains essential, any training programme for FARDC should be linked to the establishment of a functioning supply chain within the army to ensure the sustainability of the efforts and investments made. It should also take into account the Government's requests for equipment, infrastructure and social services. It is recommended that MONUSCO continue to contribute, with donors, to the development of a realistic, balanced formula for security sector reform assistance that includes elements of governance, accountability and parliamentary oversight.

50. Efforts to ensure close cooperation between MONUSCO and the Office of the Special Envoy for the Great Lakes Region should continue. These efforts should focus on supporting the implementation of the regional commitments under the Framework, such as strengthening regional cooperation and deepening economic integration, while at the same time coordinating initiatives aimed at addressing the root causes of the conflict, including ethnic division, land and refugee issues, and the illegal exploitation of natural resources.

## **B. Neutralization of armed groups, protection of civilians and human rights**

51. Neutralizing and disarming the armed groups remains a key requirement for the Mission. It is therefore recommended that the deployment of the Force Intervention Brigade be extended for another year. The Brigade should, however, be re-energized to take a lead planning and combat role in joint offensive operations with FARDC and, where necessary and appropriate, take unilateral action to discharge its responsibility to neutralize armed groups. At the same time, the framework brigades must become more engaged in joint operations.

52. MONUSCO's framework brigades must also play a more active role in protecting civilians by deterring and, if necessary, preventing and stopping armed groups from inflicting violence on the population. Measures will be taken to prepare troop-contributing countries to conduct operations aimed at mitigating the threat from armed groups and protecting civilians, including through the use of lethal force. Troops and police should be better prepared to engage in protection tasks, including the prevention of conflict-related sexual violence. Troop- and police-contributing countries should therefore ensure, including through self-certification, that personnel being deployed have received pre-deployment training on protection of civilians. Mission-level efforts to "unify" the Force under a single concept of operations and enabling rules of engagement should be pursued as a matter of priority, to ensure that the differing yet complementary roles of the framework brigades and the Intervention Brigade are clearly articulated.

53. Although the physical protection of civilians from violence remains important, added focus should be placed on protection through political and civilian processes, reconciliation efforts at the community level, and the establishment of a protective environment in close coordination with the United Nations country team and other protection actors. MONUSCO should seek to enhance its capacity to generate more human intelligence and analysis of better quality, while stepping up its efforts to address the underlying causes of conflict. At the same time, it will be important to continue to prioritize the promotion and protection of human rights and efforts to fight impunity, including through support to the military and civilian justice systems and the implementation of the Action Plan to prevent and respond to child recruitment and use and the Action Plan to prevent and respond to sexual violence by the armed forces.

54. It is recommended that the MONUSCO Force be transformed to become more efficient and effective in implementing the mandate. This will require revising the concept of operations to reflect a more mobile and agile force, able to pre-empt or respond to crises quickly, while eliminating redundancies. This transformation will require different types of manoeuvre forces, enhanced intelligence and aviation assets, lighter equipment, fewer static operating bases, flexible logistic support, and above all a willingness by all troop-contributing countries to engage in protection tasks. The deployment of rapidly deployable units over the coming months will enable the Force to operate more effectively over a greater geographical area, thereby negating the need for some static capabilities. The Force has also identified certain military assets that are currently underutilized and can be repatriated without an adverse effect on the Mission's ability to conduct operations. Based on these measures to increase effectiveness and in the light of the improving security situation in certain parts of the country, it is recommended that MONUSCO's authorized strength be reduced by 2,000 troops. A reduction beyond the recommended figure would have negative implications for the ability of the Force to implement its mandate.

55. The transformation of the MONUSCO Force will require the development of an integrated military-support concept of operations that ensures a connected, mobile and flexible response as well as a review of the current aviation arrangements. Its implementation will take time, advanced planning and resources, as the transformation will have significant logistical and financial implications.

56. MONUSCO should maintain its operational focus on the east. It is recommended that the Mission review its deployment in northern Katanga in close consultation with the Government with a view to enhancing its support to the crisis response. This should include exploring ways to extend stabilization efforts through STAREC and the International Security and Stabilization Support Strategy to Katanga, as well as the use of good offices, given the political roots of some of the conflicts. There is a need to review the deployment of formed police units and individual police officers in view of the likely increase of law and order challenges during the upcoming electoral process, taking into account the Mission's mandate to protect civilians across the country. The number of MONUSCO police, both formed police units and individual police officers, may be insufficient to implement the Mission's mandate during this sensitive period. There is, however, an urgent need to replace the two units that were deployed to the United Nations Mission in South Sudan (UNMISS) earlier this year. Efforts should continue to build the capacity of Congolese National Police officers to contribute to the protection of civilians.

57. MONUSCO should continue to prioritize its monitoring and reporting on violations of international humanitarian and human rights law, particularly killings, sexual violence and grave violations against children, while supporting the Government in its efforts to address the legacy of massive violations through transitional justice mechanisms and enhanced efforts to fight impunity. The Prosecution Support Cells should increase their focus on supporting investigation and prosecution of serious crimes involving FARDC commanders. Support should be provided to the justice sector reform process, in close partnership with the United Nations country team. The establishment and strengthening of accountability mechanisms within the security and defence forces should also be supported.

58. It is recommended that MONUSCO continue providing logistical support to the FARDC in strict compliance with the human rights due diligence policy as part of an overarching plan to shift security responsibilities to them. Support should be conditioned on progress made by the Congolese authorities towards the establishment of a functioning supply chain within FARDC. This should be accompanied by efforts to enhance the accountability of FARDC and its respect for human rights. Over the past year, as a result of intensified military operations against the armed groups, MONUSCO has increased its logistics support to FARDC troops by 226 per cent. MONUSCO is supporting an average of 27,000 FARDC troops per day with rations and 247 FARDC vehicles with fuel for joint operations.

#### **Disarmament, demobilization and reintegration**

59. While advocating for more Government engagement and ownership, MONUSCO's support to disarmament, demobilization and reintegration activities will be vital. It should be based on a clearly defined division of responsibility between the Government and its partners, including MONUSCO. As only Congolese members of national and foreign armed groups will be covered by the national programme, other channels, including disarmament, demobilization, repatriation, resettlement and reintegration, will be needed for the voluntary repatriation of foreign combatants. Disarmament, demobilization, repatriation, resettlement and reintegration activities will therefore need to continue but could be drawn down once foreign armed groups have been largely disbanded.

### **C. Stabilization**

60. Supporting the restoration and extension of a minimum level of sustainable State authority to areas freed from armed groups requires enhanced commitment from the Government to deploy State administration, including police and judicial and corrections personnel with the necessary resources. It is therefore recommended that MONUSCO enhance its advocacy work and political engagement at the national level to ensure the necessary Government ownership. These efforts should go hand in hand with targeted technical assistance to the national judicial and corrections systems in order to promote justice and corrections sector reform and develop independent and functioning criminal justice institutions and processes, in close collaboration with the country team.

61. There are a number of stabilization instruments and plans (STAREC, International Security and Stabilization Support Strategy, islands of stability) but there seems to be a lack of a common approach within the United Nations system

itself. Islands of stability are conceived as a short-term stop-gap measure. The use of quick-impact projects for stabilization is not sustainable. Islands of stability initiatives must be linked to the International Security and Stabilization Support Strategy and other medium- and longer-term stabilization programmes and the multidimensional nature of stabilization should be better articulated. It is recommended that the United Nations contributions to the stabilization agenda be aligned and harmonized as part of the upcoming revision of the United Nations Development Assistance Framework (UNDAF).

62. Stronger United Nations engagement is recommended to address the root causes of the conflict, including by supporting natural resource management initiatives and conflict prevention and resolution mechanisms. MONUSCO will use its good offices to encourage the consolidation of an effective national civilian structure to control key mining activities and manage, in an equitable manner, the extraction and trade of natural resources in the east, while combining its efforts with the expertise of the United Nations agencies and international financial institutions.

#### **D. Transition/transfer of tasks**

63. It is recommended that the discussion be reframed from “transfer of tasks” to the transition and reconfiguration of the United Nations presence in country. The UNDAF is the overall framework within which the discussion on transition should take place and the realignment of roles and responsibilities should be adjusted in the context of its upcoming review next year. Capacity-building and longer-term stabilization activities should be transitioned, to the extent possible, to the country team, in areas where it has a comparative advantage. In order to facilitate a seamless transition, innovative measures should be explored, including the development of an integrated financial framework, which could allow for greater cooperation on transition arrangements between MONUSCO and the United Nations country team.

#### **E. Exit strategy**

64. Given the numerous political and security challenges that remain, MONUSCO’s exit should be gradual and progressive, tied to specific targets to be jointly developed by the Government, the Mission and the United Nations country team, in consultation with other stakeholders. It is recommended that MONUSCO and the Government enter into a strategic dialogue to jointly develop targets to which both parties agree to contribute. Their achievement would trigger a progressive reduction of MONUSCO’s tasks and capabilities. It is recommended that the Government and MONUSCO jointly develop a road map and exit strategy over the coming months. This should be based on a common assessment of the partnership to date and build on the work of the regular joint assessment process initiated in 2010 by MONUSCO and the Government. It should contain mutually agreed upon targets with timelines and guide MONUSCO’s gradual drawdown. Once the road map is developed, there should be a periodic joint assessment so that course correction can be made, if necessary.

65. The road map for MONUSCO’s exit should be accompanied by intensified efforts by the international community to enhance regional cooperation in order to

minimize any external threats and risks to the peace consolidation process in the Democratic Republic of the Congo.

## **VIII. Observations**

66. The situation in the Democratic Republic of the Congo and the Great Lakes region remains complex and requires the continued attention of the Security Council. The Framework for Peace, Security and Cooperation remains a relevant and valid instrument to break the pattern of recurring cycles of violence in the eastern Democratic Republic of the Congo and the Great Lakes region. Important results were achieved with the military defeat of M23. However limited headway has been made in translating the political commitments under the Framework into concrete action, including with regard to the implementation of the Nairobi Declarations and the voluntary surrender of FDLR. For the Framework to fulfil its potential, more even progress is needed. Pursuing robust military action against foreign and Congolese armed groups remains essential. However, there is a need to step up, in parallel, efforts to advance critical political processes and reforms, which remain the main avenue to address the underlying causes of conflict, end the violence and establish the conditions for lasting peace and stability in the Democratic Republic of the Congo and the Great Lakes region.

67. I am concerned about the continued attacks on civilians in eastern Democratic Republic of the Congo and political tensions related to the upcoming electoral process. They illustrate the fragility of the situation country-wide and the continued need for MONUSCO's presence. The good offices role of my Special Representative will remain essential to help create the conditions for a free, fair and credible electoral process accepted by all stakeholders, and facilitate the implementation of the national commitments under the Peace, Security and Cooperation Framework.

68. I am appalled by the targeted killings of hundreds of innocent civilians and the resulting population displacement in Beni. I deplore the continued serious violations of human rights and international humanitarian law in other parts of the country, which are equally unacceptable. The Congolese people have suffered grave human rights violations and there will be no long-term peace and stability without justice and respect for human rights. There can be no impunity for those responsible for violations of international humanitarian law and violations and abuses of human rights. In particular, those responsible for war crimes and crimes against humanity must be arrested and held accountable. Promoting and protecting human rights, including through public reporting remains an important aspect of MONUSCO's mandate. I reiterate that United Nations staff must never be threatened or sanctioned for doing their work, which is based on the Charter of the United Nations and, in this instance, mandated by the Security Council. The expulsion of the Director of the United Nations Joint Human Rights Office from the Democratic Republic of the Congo is therefore unacceptable.

69. Initial results notwithstanding, more needs to be done to neutralize foreign and Congolese armed groups in order to reduce the threat they pose to a level that can be managed by national justice and security institutions. This requires not only MONUSCO to be more robust and proactive, but also more commitment from the Government to work in partnership with MONUSCO to combat these groups,



restore State authority and find durable solutions for former fighters. The swift neutralization of FDLR and ADF are essential for longer-term peace and stability. I call on all stakeholders to ensure that the deadline of 2 January 2015 for the FDLR to complete their voluntary disarmament remains binding and non-negotiable. MONUSCO is determined to take action in accordance with its mandate in the event that this deadline is not met.

70. The establishment of the Force Intervention Brigade within MONUSCO has proven to be a valuable tool in support of the broader objectives of the Framework. Its deployment should be extended. However, urgent measures are needed to re-energize the Brigade and, at the same time, ensure a more active contribution from the framework brigades both with regard to operations to neutralize armed groups and to protect civilians. Transformation of the MONUSCO Force alone will not result in the changes necessary to more effectively implement the Mission's mandate. It must involve a change in the behaviour of certain troop-contributing countries. All contingents must be ready and willing to use armed force against those who pose a threat to the civilian population, and to do so proactively. As outlined in paragraphs 41 and 54 above, based on the measures to increase effectiveness and the improving security situation in certain parts of the country, it is recommended that MONUSCO's authorized strength be reduced by 2,000 troops. A further reduction beyond the recommended figure under the current circumstances would affect the ability of MONUSCO to implement its mandate.

71. Given the numerous political and security challenges that still remain, MONUSCO's strategic priorities, outlined in resolution 2147 (2014) remain relevant. MONUSCO should focus on these priorities and continue to calibrate its activities, while intensifying dialogue with both the United Nations country team and the Government to prepare with them the transfer of specific tasks from the Mission.

72. Addressing the regional dimension of the conflict in the eastern Democratic Republic of the Congo remains essential. Efforts must be stepped up to address bilateral sources of tension, cross-border economic relations and the return of refugees so that we can move away from crisis management and truly resolve the two-decade-old conflict in the Democratic Republic of the Congo.

73. MONUSCO will not stay in the Democratic Republic of the Congo forever. Its exit should be gradual and progressive to preserve the gains and investments made so far and avoid a major relapse into instability or conflict. A reduction of the threat posed by Congolese and foreign armed groups to civilians, the establishment of stronger and accountable State institutions and the strengthening of democratic practices to reduce the risk of instability should remain the key criteria guiding MONUSCO's gradual drawdown. Progress in security sector reform and the building of professional and accountable institutions, a credible electoral process and the subsequent peaceful transition of power will be key elements accelerating MONUSCO's eventual departure. As outlined in section VII of the present report, I call on the Government to enter into a strategic-level dialogue with MONUSCO to jointly develop a road map and exit strategy based on mutual targets to which both parties agree to contribute. This dialogue should be viewed as an opportunity to redefine the partnership between the United Nations and the Government and improve cooperation, which would greatly facilitate the transfer of responsibilities from MONUSCO to the Government and the Mission's exit.

74. There will be no sustainable peace in the Democratic Republic of the Congo and the Great Lakes region without development. Growth in the property, banking and natural resources sectors has not been adequately reflected in increased government revenues or translated into improved living conditions for the population as a whole. There is a need to tackle the causes of this non-redistributive growth, while taking concrete measures to improve the management of natural resources and advance key governance reforms.

75. Finally, I would like to express my sincere appreciation to my Special Representative for the Democratic Republic of the Congo and Head of MONUSCO, Martin Kobler, and my Special Envoy for the Great Lakes Region, Said Djinnit, the men and women of MONUSCO, the United Nations country team and all humanitarian aid workers for their tireless efforts in the Democratic Republic of the Congo and the Great Lakes region.

---