



# Security Council

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## Twenty-ninth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo

### I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1856 (2008), by which the Security Council extended the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) until 31 December 2009, and requested me to report every three months on the situation in the Democratic Republic of the Congo. The report covers developments in the Democratic Republic of the Congo since my last report of 30 June 2009 (S/2009/335).

### II. Major developments

2. While the situation in the Democratic Republic of the Congo continued to present complex challenges during the reporting period, progress was also registered in some key areas as indicated in the sections below. A number of positive steps were taken toward implementation of the 23 March Agreements between the Government, the Congrès national pour la défense du peuple (CNDP) and the other Congolese armed groups in the Kivus. Military operations against the Forces démocratiques de libération du Rwanda (FDLR) advanced into South Kivu, and some of the remaining Congolese armed group elements continued their integration into the Forces armées de la République démocratique du Congo (FARDC). In Ituri, two residual armed groups, the Forces de résistance patriotique en Ituri (FRPI) and the Front populaire pour la justice au Congo (FPJC), continued to attack and loot civilians in the Irumu area. Elsewhere in Orientale province, MONUC facilitated contacts between the Allied Democratic Forces/National Army for the Liberation of Uganda (ADF-NALU) and Uganda. At the regional level, agreement was reached on the exchange of ambassadors between the Democratic Republic of the Congo and Rwanda, and on 6 August the Presidents of the two countries held a summit meeting in Goma.

3. However, FDLR and the Lord's Resistance Army (LRA) continued to attack civilians in the Kivus and Orientale province, respectively, which also resulted in new population displacements. Elements of FARDC also conducted exactions against civilians, although some progress was reported in the areas of military



justice and discipline within FARDC. In the meantime, planning for the MONUC transition in the west of the Democratic Republic of the Congo to the United Nations country team, bilateral partners and the Congolese Government continued to advance, while the implementation of the United Nations Security and Stabilization Support Strategy made progress in the eastern part of the country. MONUC also continued to work with humanitarian and other partners to facilitate humanitarian access and to enhance the protection of civilians. The implementation of the security sector reform, however, still faced many challenges.

## **North and South Kivu**

### **Kimia II operations**

4. During the reporting period, FARDC-led military operations against FDLR, entitled “Kimia II”, were extended in North Kivu into Lubero and Walikale territories, and began officially in South Kivu on 12 July.

5. In North Kivu, FARDC conducted military operations primarily in Virunga National Park in Rutshuru territory and the Nyanzale area in Masisi territory. FARDC advances caused FDLR to retreat and split into small groups, which continued to conduct small-scale attacks against civilians. By the end of August, MONUC assessed that three main pockets of several hundred FDLR combatants remained in the perimeter area between Masisi and Walikale and in southern Lubero territories.

6. In South Kivu, Kimia II operations also resulted in some important successes as FARDC gained control of much of Kalehe, Kabare and Shabunda territories after years of domination by FDLR. On 28 July, FARDC succeeded in dislodging FDLR from Kashindaba, its main headquarters in South Kivu. In August, FARDC operations challenged FDLR strongholds in Walungu, Mwenga and Sange and around Uvira. On 20 August, FARDC successfully concluded operations to clear FDLR presence from the Kahuzi-Biega National Park as well as Tchivanga and Nindja areas in Kabare territory.

7. On 31 August, a tripartite meeting of the Chiefs of Defence of the Democratic Republic of the Congo, Rwanda and Burundi and of senior MONUC military representatives was convened in Goma to evaluate progress with respect to the Kimia II operations. The Chiefs of Defence agreed that, in North Kivu and the northern part of South Kivu, the operations had succeeded in dismantling FDLR strongholds and neutralizing a considerable number of FDLR elements, although pockets of FDLR elements continued to operate in small groups in those areas. They also agreed that FDLR command and control, logistics, and administrative and political structures in both Kivus had been disrupted as a result of the operations. In terms of next steps, the Chiefs of Defence agreed that operations should continue with the aim of dismantling FDLR bases in Fizi territory, South Kivu. MONUC also agreed to seek to enhance disarmament, demobilization, repatriation, reintegration and resettlement (DDRRR) efforts in forward positions and to reinforce its presence along Lake Tanganyika to prevent a possible retreat of FDLR elements into Burundi.

8. Despite these important achievements, the military operations were accompanied by FDLR reprisal attacks as well as some exactions against civilians by FARDC elements, and led to significant population displacements. FDLR

intensified attacks on civilians from their strongholds in the areas of Mwenga, Sange-Uvira and Hombo throughout July. In South Kivu, on 12 July, it also attacked the MONUC base at Mwenga. In addition, an increasing number of attacks involving remnant Congolese armed group elements of the Coalition des patriotes résistants congolais (PARECO), Alliance des patriotes pour un Congo libre et souverain (APCLS) and Mai Mai Kifuafa factions were reported, including against a FARDC camp at Mpama near the Bisiye mine on 12 August, where an estimated 16 civilians, two FARDC elements and two Police nationale congolaise (PNC) were killed, and 45 civilians were wounded.

9. In keeping with its mandate, MONUC continued to provide logistical and operational support to 16,000 FARDC troops in the context of the Kimia II operations. Such support was also aimed at limiting exactions committed by FARDC elements due, in part, to lack of payment of salaries. MONUC also deployed several additional temporary operating bases to key locations in North Kivu, including to Bambu, Kalembe, Kasuo and Hombo; and in South Kivu, including to Kamituga, Ekingi, Nzibira, Lemera, Ndunda and Lulimba. Joint Protection Team missions were deployed in South Kivu to Shabunda, Mwenga, Kalehe, Minova, Walungu and Kabare to contribute to early warning and to make recommendations for improved protection of civilians on the basis of which MONUC military has assigned additional protection resources.

10. At the initiative of the Provincial Governor and MONUC, a conference of South Kivu traditional leaders was held in Bukavu on 7 and 8 August to discuss the Kimia II operations with the aim of raising awareness among the local population. A similar conference was held in Goma on 14 August.

### **Integration into FARDC**

11. Despite the official end of the rapid integration of Congolese armed groups into FARDC, residual elements continued to participate in the integration process during the reporting period. In North Kivu, some armed groups were only partially integrated into FARDC. In particular, former elements of the Congr s national pour la d fense du peuple (CNDP) continued to operate tax barriers in parts of Rutshuru and Masisi territories, while a wing of PARECO, led by Colonel Lafontaine, withdrew from the integration process. New alliances also emerged, including between FDLR and certain Mai Mai groups, in particular APCLS and Colonel Lafontaine's group. In South Kivu, between 21 August and 1 September, 445 elements of the Mai Mai Yakutumba group and 35 elements of the Forces r publicaines et f d ralistes, who previously had refused to participate in the integration process, were registered. Overall, challenges with respect to the integration process related to competition for limited high-level military positions within FARDC, and tensions arising among the different groups related to ethnic and economic issues. The limited capacity of FARDC to absorb and pay salaries for the new armed group elements was also a factor.

### **Implementation of the 23 March Agreements**

12. Following repeated concerns expressed by CNDP as well as other Congolese armed groups regarding the slow pace of implementation of the 23 March Agreements, and at the request of the Special Envoy of the Secretary-General for the Great Lakes Region, Olusegun Obasanjo, the national follow-up committee held

its second session from 5 to 7 August in Goma, together with representatives of the international follow-up committee. The proceedings of the meeting were conducted through three commissions; the Congolese Government was represented in each commission, and CNDP, the other North Kivu armed groups and the South Kivu armed groups, which were signatories to the Agreements, were each represented in one of the three commissions.

13. Agreement was reached during the meeting for the Government of the Democratic Republic of the Congo to release some 400 political prisoners on the basis of the Amnesty Law. The list of prisoners was reviewed by the Congolese Government and MONUC, and it was decided that some of the prisoners whose crimes were not covered by the Amnesty Law would continue to be detained.

14. In addition, it was agreed to establish sub-committees to address the needs of the war-wounded, widows and orphans and the issue of military ranks and returnees. MONUC was also requested to assist the Government of the Democratic Republic of the Congo to train elements of the former armed groups for integration into the Police nationale congolaise.

15. However, a number of outstanding issues remained to be addressed. The former armed groups, particularly CNDP, expressed concern regarding, inter alia, the lack of appropriate rules of engagement and procedures within the national follow-up committee; the continuous presence in jail of some political prisoners; the ranks for ex-armed elements in FARDC; the lack of Government assistance to the CNDP war-wounded; and expectations regarding political and administrative tenures at the national and provincial level.

16. While reiterating the Government's commitment to fully implement the 23 March Agreements, Congolese Government counterparts, for their part, expressed concern regarding the continuation of parallel territorial administration arrangements by CNDP elements in some parts of North Kivu, and indicated that some demands related to Army posts and to the integration into national political and civil life may be unrealistic.

## **Oriente province**

17. FARDC-led operations against the LRA, entitled "Rudia II", continued during the reporting period. These operations, supported by intelligence teams from the Uganda People's Defence Forces (UPDF), prompted the splintering of LRA over three areas west and east of Garamba National Park, and towards Ango territory. As a result, in June, July and August a reported 111 LRA elements were killed and another 65 were arrested. Nonetheless, LRA attacks against civilians increased, with a reported 74 LRA attacks across Haut and Bas Uélé resulting in 65 deaths and 152 abductions of civilians between 1 July and 31 August.

18. In this context, with the support of MONUC, FARDC reorganized its operations around three headquarters in Faradje, Dungu and Doruma. In addition, MONUC expanded its presence beyond Dungu with temporary operating bases in Faradje and Isiro in Haut Uélé, and temporarily deployed Guatemalan special forces to Dingila in Bas Uélé.

**Ituri**

19. FRPI and FPJC continued to threaten peace and security in Ituri, and mounted sporadic attacks on FARDC from strongholds in southern Irumu and Marabo. However, in the context of Operation Iron Stone and with the support of MONUC, FARDC succeeded in regaining control of three militia bases in Janda, Pkoma and Matalatala.

**Activities of the Special Envoy**

20. During the reporting period, my Special Envoy for the Great Lakes Region, former President Olusegun Obasanjo, continued to interact frequently with Congolese authorities and former armed groups within the framework of the international follow-up committee. Working closely with his Co-Facilitator, the former President of the United Republic of Tanzania, Benjamin Mkapa, the Special Envoy and his Office received on 29 June a joint progress report from the Congolese Government and the CNDP on the status of implementation of the agreement between them. On that basis, further actions taken by the Co-Facilitators contributed to the convening of the second session of the national follow-up committee in which key decisions were taken to expedite implementation of the 23 March Agreements, as outlined above.

21. At the regional level, the Special Envoy and his Co-Facilitator continued their efforts to assist the Democratic Republic of the Congo and Rwanda to deepen their rapprochement. On 8 August, at the invitation of the President, the Special Envoy met with President Kabila in Goma to review developments in the Kivus and the Great Lakes region.

**Regional relations**

22. In a significant development at the regional level, the Presidents of the Democratic Republic of the Congo and of Rwanda held on 6 August a bilateral summit meeting in Goma. The Presidents, pledging a new era in relations between their two countries, expressed their continued support for Operation Kimia II and agreed on a range of bilateral accords including a re-launch, in Kinshasa, of the Democratic Republic of the Congo-Rwanda Joint Permanent Commission, before the end of 2009. The Commission is intended to facilitate bilateral cooperation in a variety of areas including security, energy, and the return of refugees.

23. On 10 August, a summit meeting of the International Conference on the Great Lakes Region was held in Lusaka. The summit meeting was attended by the Heads of State of Zambia, Kenya, Tanzania and Uganda, as well as by high-level officials from the Democratic Republic of the Congo, Rwanda, the Central African Republic, and Burundi. The Summit participants were briefed by Co-Facilitators Obasanjo and Mkapa on the situation in eastern DRC. It was proposed that an extraordinary summit on the Great Lakes region, which would discuss the report of the Co-Facilitators, be convened at the earliest opportunity. The summit also decided that regular ICGLR summit meetings would be held every two years on 15 December.

24. Regarding Uganda, and marking the full restoration of diplomatic ties with the Democratic Republic of the Congo, the newly appointed Ambassador of the Democratic Republic of the Congo to Uganda, Jean Charles Okoto Lulakombe, presented his credentials on 24 August to President Yoweri Museveni in Kampala. Separately, meetings were held under MONUC auspices in Kisangani on 5 and 6 August and from 18 to 20 August between representatives of the Government of Uganda and the ADF-NALU, a primarily Ugandan group that, though largely inactive, remains present in eastern Democratic Republic of the Congo. During the meetings, the parties expressed willingness to seek a peaceful settlement to their dispute, with the facilitation of MONUC. ADF/NALU also agreed to volunteer, by 20 September, 34 Ugandan combatants and 31 Congolese combatants, with their dependants, for demobilization and/or repatriation.

25. On 7 and 8 September, a summit of the Southern African Development Community (SADC) was held in Kinshasa during which President Kabila was elected Chair of SADC.

### **Institutions of Government and Parliament**

26. On 15 July, Congolese authorities announced the dismissal and retirement of more than 150 judges and prosecutors as part of an anti-corruption drive announced by President Kabila during his 30 June Independence Day address. On 31 July, the President further instructed the retirement of more than 1,000 civil servants from a range of Congolese Government Ministries, some of whom were alleged to be involved in corrupt practices.

### **Humanitarian situation**

27. The humanitarian situation remained precarious during the reporting period due to large-scale population displacements; human rights violations by armed men, including rapes, killings and lootings; impeded humanitarian access; and security incidents against humanitarian workers. The total number of internally displaced persons (IDPs) in the Democratic Republic of the Congo was estimated at 2.2 million.

28. Of these, an estimated 1.7 million people remained displaced in the Kivus, with more than 400,000 persons having fled their homes since the beginning of the military operations against FDLR in January 2009. However, some IDPs were observed to have returned in Shabunda and Kabare territories in South Kivu during the reporting period as a result of improved security. In addition, the Kibati IDP camp closed, and the population of other IDP camps in the Goma area declined, as IDPs began returning to their communities of origin.

29. In Haut and Bas Uélé, where nearly 270,000 are estimated to have been displaced due to continued LRA attacks, a worrying trend emerged whereby LRA attacks appeared to target displaced populations benefiting from humanitarian assistance. As a result, humanitarian organizations adopted a policy of providing assistance to populations in areas where a military presence could be assured during and after the distributions.

30. In this context, the mid-year review of the Humanitarian Action Plan revised total humanitarian requirements for the Democratic Republic of the Congo upward, to \$946 million. At the time of reporting, the Humanitarian Action Plan had received funding for 53 per cent of assessed requirements. Given the worsening humanitarian situation, an appeal for \$38 million to meet urgent life-saving needs was also launched on 17 June.

### **Economic and financial situation**

31. The Democratic Republic of the Congo continues to be adversely affected by the global economic and financial downturn. Prices of key export commodities such as copper and cobalt fell by up to 50 per cent since July 2008. The International Monetary Fund forecasted that the Congolese economy will experience only 2.9 per cent growth for 2009. The Congolese Franc further depreciated during the reporting period and the inflation rate in the country stood at almost 30 per cent, prompted in part by increased defence expenditure and falling public revenue.

32. Further to the visit to the Democratic Republic of the Congo from 9 to 11 August of the President of the World Bank, Robert Zoellick, the World Bank reported encouraging advances in discussions between the Democratic Republic of the Congo and China regarding their bilateral agreement on mining and infrastructure investments in the country, aspects of which were holding up progress in achieving the Heavily Indebted Poor Countries completion point. The debt relief is expected to amount to some \$400 million a year in savings for the DRC.

## **III. Implementation of the MONUC mandate**

### **Development of an overarching strategy for the United Nations in the Democratic Republic of the Congo**

33. Further to my last report, MONUC and the United Nations country team began to develop an overarching strategy for the United Nations system in the Democratic Republic of the Congo. The strategy, which is expected to be completed by the end of the year, will, inter alia, detail the progressive handover of MONUC tasks in the western part of the country. In this connection, MONUC completed joint assessments with the United Nations country of the western provinces of Kasai Occidental, Kasai Oriental, Equateur, Bandundu, and Bas-Congo, aimed at mapping existing capacities and establishing a baseline for the progressive handover.

### **Human rights and the rule of law**

34. The human rights situation throughout the country continued to be a cause of serious concern. During the reporting period, MONUC observed an increase in reported human rights violations perpetrated by foreign armed groups but also, at times, by Government security forces, some of which were perceived to be ethnically motivated. Threats to Congolese human rights defenders continued, and the Congolese Government reacted negatively to criticism expressed by international human rights groups and media, including by temporarily shutting down Radio France Internationale (RFI) broadcasts in the country on 26 July.

35. Some steps were taken in the area of military justice during the reporting period. While there are some concerns regarding due process, 35 FARDC officers and soldiers, including two commanding officers, were tried for crimes related to human rights violations in 2009 by the military operational court in North Kivu. In South Kivu, the military operational court tried 10 FARDC elements since it became operational on 12 July.

36. On 5 July, President Kabila announced the enforcement of a zero-tolerance policy within FARDC with respect to discipline and human rights violations, including sexual and gender-based violence. The announcement was immediately followed by an extended visit to the Kivus by the Democratic Republic of the Congo Chief of Defence, General Didier Etumba Longomba, in support of the implementation of the policy. Preliminary reporting by MONUC indicated some improvement in FARDC conduct following the President's announcement.

37. For its part, MONUC continued efforts to identify and bring to the attention of Congolese Government counterparts, FARDC commanders under whose command human rights violations were alleged to have been committed. In addition, building on existing efforts by the Joint Democratic Republic of the Congo-MONUC investigation teams, MONUC began to establish prosecution support cells to strengthen the capacity of military prosecutors to pursue and try alleged offenders. Each prosecution support cell will be comprised of experienced military and police investigators.

38. The catastrophic state of prisons continued to pose a threat to security throughout the country. On 22 June, a riot in Goma prison led to the rape of 20 female prisoners and the death of two people. Prison breaks continue to be facilitated by the extremely poor state of prisons and insufficient guard facilities. As a result, a reported 1,519 people escaped between January and July 2009. A further 184 inmates died in detention, mainly due to preventable causes such as starvation and diseases caused by deplorable hygiene.

39. From 23 June to 3 July, MONUC facilitated a conference bringing together 60 high-ranking justice and penitentiary officials to identify the priorities in the implementation of the penitentiary system reform action plan recently approved by the Ministry of Justice. Although certain elements of the plan were being implemented through a range of projects to humanize detention conditions, provide food and increase security, the legislative package required for full implementation was yet to be submitted to Parliament.

40. In a separate development, on 11 August, FARDC apprehended Grégoire Ndayimana in the eastern part of the country. Ndayimana was the subject of an arrest warrant by the International Criminal Tribunal for Rwanda, which indicted him in August 2001 for genocide and for crimes against humanity allegedly committed in 1994 during the genocide in Rwanda.

### **Sexual and gender-based violence**

41. Sexual violence in the Democratic Republic of the Congo remained severe during the reporting period, with rapes and other forms of sexual violence perpetrated by armed groups, security forces and, increasingly, civilians. In North and South Kivu, in some areas where operation Kimia II was being conducted,



humanitarian organizations were either unable to access sites to provide services, or survivors were unable to access medical services due to ongoing fighting. High incidences of sexual violence were reported in Shabunda in South Kivu, and Lubero and Walikale in North Kivu, but access to those areas remained especially difficult.

42. In addition, although limited, some progress was observed in the fight against impunity for sexual violence. On 27 July, the military court in North Kivu sentenced Lieutenant Colonel Kipanga, who escaped from custody in May 2009 and was judged in absentia, to life imprisonment for crimes against humanity relating to rape and illegal detention. Colonel Kipanga was convicted in connection with the illegal arrest of five minors, three of whom he raped, in Rutshuru in April 2009. His co-accused, Major Lusungu, was sentenced to 10 years in prison.

43. In addition, on 11 July, a FARDC sergeant who had raped a pregnant woman a few days before in South Kivu was sentenced to 15 years in prison, expelled from FARDC, and ordered to pay reparations to the victim. The public trial was attended by General Etumba, the military region commander, and several commanders of Operation Kimia II, and was widely publicized within FARDC in the context of President Kabila's zero-tolerance policy.

44. The visit of the United States Secretary of State, Hillary Clinton, to the Democratic Republic of the Congo on 10 and 11 August also lent additional visibility to the issue of sexual violence at the international level, and emphasized the need for Congolese authorities to take the necessary actions to stem the scourge of sexual violence in the country.

45. In the meantime, MONUC continued to develop an implementation plan for the Comprehensive Strategy on Combating Sexual Violence in the Democratic Republic of the Congo, and recruited a Senior Adviser on Sexual Violence within MONUC to support the Congolese Government, the United Nations country team, MONUC and partners to operationalize the Strategy. MONUC and the United Nations country team also continued preparations for the establishment of a common fund on sexual violence aimed at prevention and assistance to victims.

## **Protection of civilians**

46. Deliberate targeting of civilians by armed groups as well as exactions on the part of FARDC elements continued to pose major challenges in the eastern part of the Democratic Republic of the Congo. In this context, MONUC conducted approximately 40 Joint Protection Team missions to more than 25 areas of concern in North and South Kivu and Orientale Province since February 2009. The rapid response and early warning cell, which was established in MONUC to map specific areas of risk, address issues that require urgent action and bring to the attention of the Mission's senior management the most serious cases of violations, particularly by national security forces, also contributed to MONUC efforts to protect civilians.

## **Child protection**

47. Some 130 additional children were released from armed forces or groups and handed over to reintegration programmes since 30 June, bringing the total since January to 1,931. However, reports indicate that many children seeking their release

from among the remaining non-integrated armed groups and FDLR were detained for periods up to two months and interrogated by FARDC. In addition, reports that only 162 children were separated in the context of the rapid integration process in South Kivu suggested that a number of children may also remain among the ranks of the non-integrated Congolese armed groups there.

48. On behalf of the monitoring and reporting country task force established in the framework of Security Council resolution 1612 (2005), and in coordination with UNICEF, MONUC sent a letter to the Minister of Defence of the Democratic Republic of the Congo regarding the development of an action plan with FARDC to prevent and end the recruitment and use of children, to release all children within their ranks, and to open access to military facilities. The Government of the Democratic Republic of the Congo was also asked to nominate a high-level focal point for this initiative.

### **United Nations Security and Stabilization Support Strategy**

49. Efforts to support the implementation of the Government's stabilization and reconstruction plan for areas emerging from armed conflict in the eastern part of Democratic Republic of the Congo through the United Nations Security and Stabilization Support Strategy continued during the reporting period. Eleven donors, namely the Governments of the Netherlands, the United States of America, the United Kingdom, Japan, Sweden, Germany, Spain and Belgium, as well as the United Nations Development Programme, the United Nations High Commissioner for Refugees and the Congolese Government, have contributed more than \$135 million to the Strategy.

50. Under the security component of the Security and Stabilization Support Strategy, financial support was provided for the integration or demobilization of approximately 3,500 combatants in South Kivu. Work also began on the rehabilitation of family accommodation connected to three FARDC barracks in South Kivu at Nyamunyunyi, Nyangeri and Camp Saio.

51. Visible advances were made under the State authority component in connection with progress on rehabilitation of roads in North and South Kivu. As a result, mobility increased and travel time was reduced by half in almost all the concerned regions. In addition, the road rehabilitation works created more than 3,000 jobs for the local population, including ex-combatants.

52. Regarding the police, temporary sites to accommodate newly deployed PNC neared completion in South Kivu along four of six priority axes. Training of additional PNC officers drawn from local areas of North and South Kivu was completed at the end of July 2009. MONUC police also reconfigured its deployment to improve its operational support to the United Nations Security and Stabilization Support Strategy.

53. Under the State authority component, MONUC will also assist, in coordination with donors, with the establishment of six trading centres in important mining areas in the Kivus in an effort to curb the illicit exploitation of natural resources. The centres and the roads leading to the nearest airstrip or evacuation point will be monitored by the MONUC military until police and other Congolese administrative

services are deployed. They are expected to store minerals and metals for evaluation and to enable taxes to be levied at a single location.

54. Concerning the return, reintegration and reconciliation component of the Strategy, implementation began of two joint programmes aimed at providing an integrated package of assistance to some 200,000 returning internally displaced persons, refugees and/or ex-combatants in the Kivus.

55. Separately, following my approval of the eligibility of the Democratic Republic of the Congo to receive support from the Peacebuilding Fund, \$20 million was allocated to the country. The funds are expected to provide catalytic support to implement priority peacebuilding interventions identified in the stabilization and reconstruction plan for areas emerging from armed conflict and the United Nations Security and Stabilization Support Strategy on the basis of a priority Plan, which is being developed by MONUC in consultation with the Congolese Government and other partners.

### **Disarmament, demobilization, repatriation, reintegration and resettlement**

56. During the reporting period, MONUC facilitated the repatriation to Rwanda of 1,397 Rwandan adult ex-combatants, including FDLR and ex-CNDP elements, 104 children associated with armed groups, as well as 1,432 dependants. The total number of Rwandans repatriated under the auspices of the United Nations this year was 12,793, including 9,923 by UNHCR.

57. Cooperation between FARDC and MONUC on disarmament, demobilization, repatriation, reintegration and resettlement improved as part of operation Kimia II, especially with respect to collaboration in launching disarmament, demobilization, repatriation, reintegration and resettlement mobile teams in areas of FDLR concentration. While several FDLR elements still remained inaccessible, MONUC opened three temporary assembly sites in remote locations in August to facilitate the surrender of FDLR members who were increasingly being pushed into remote areas.

58. Regarding other foreign armed groups in eastern Congo, MONUC, in collaboration with the Governments of Uganda and Southern Sudan, and local community leaders, began a regional information campaign to encourage LRA elements to surrender to MONUC bases in Haut Uélé.

### **Disarmament, demobilization and reintegration (DDR)**

59. Since the launch of the second phase of the National Programme for Disarmament, Demobilization and Reintegration, 8,811 FARDC went through the registration process in Kinshasa, and the provinces of Kasai Occidental, Katanga, North Kivu, South Kivu, Maniema, and Orientale. Of these combatants, 3,445 were demobilized, including 347 women, while 5,362 chose to remain in the army.

60. In North Kivu, the Amani process officially ended on 29 June and the remaining assembly areas for Congolese ex-combatants were closed. In South Kivu, where the Amani process officially ended on 8 July, the Baraka and Kalehe regroupment centres were closed and ex-combatants were transferred to Luberizi.

Of the 3,824 Congolese registered ex-combatants, 1,058 were sent to Luberizi for military training, while the remainder was processed through the National Programme for Disarmament, Demobilization and Reintegration or community integration projects. In addition, MONUC disarmament, demobilization, repatriation, reintegration and resettlement continued to assist the processing of some 2,500 Congolese ex-combatants who assembled in Kindu, Maniema Province, as well as 445 ex-combatants in Minembwe, South Kivu.

### **Security sector reform**

61. Limited progress was made in the critical area of security sector reform during the reporting period. However, the Council of Ministers agreed and submitted to Parliament for approval three draft laws relating to Army reform on the organization and functioning of the armed forces; the organization, composition, attribution and functioning of the High Defence Council; and the status of FARDC military personnel. The European Union Security Mission also began to update the payroll for FARDC units in the Kivus to reflect the rapid integration of the Congolese armed groups into FARDC.

62. With the arrival of its senior adviser on security sector reform, MONUC began expanding the participation of bilateral partners in the MONUC-convened security sector reform working group and planned to initiate Ambassador-level security sector reform policy-focused meetings. In addition, FARDC agreed to commit units in the coming months for training by MONUC, which MONUC will seek to link to urgently needed improvements in the operating and garrisoning conditions of FARDC units. Overall, 15 FARDC battalions are expected to benefit from MONUC's expanded training programme by the end of 2010.

63. Concerning the police, the organic law, which will be the main legal framework guiding the police reform process, was adopted by the Council of Ministers at the end of June, and was sent to Parliament for discussion and adoption during its next session. For its part, MONUC police reconfigured to enhance its representation in PNC reform bodies and convened a meeting among the main police reform stakeholders to strengthen coordination of bilateral efforts in this regard. MONUC police also continued to cooperate closely with partners on several projects aimed at reinforcing the operational capacity of PNC, including with European Union Police Mission on the police census; with the Japan International Cooperation Agency on training for 6,200 Police nationale congolaise elements in North Kivu, Orientale province, Bas-Congo and Kinshasa from October 2009 to March 2010; and with the US Agency for International Development (USAID) and German Technical Cooperation for the training of Police nationale congolaise personnel on Sexual Violence in Ituri District, Orientale province, and North Kivu respectively.

### **Illegal exploitation of natural resources**

64. MONUC continued to conduct random airport checks in North and South Kivu with DRC authorities in support of efforts to stem the illegal exploitation of natural resources. In July, MONUC's military component and members of the Group of Experts on the Democratic Republic of the Congo assisted PNC to conduct a cordon

and search operation in villages surrounding Uvira. The operation uncovered several arms caches suspected to have been hidden by FDLR in collaboration with local Mai Mai, including one holding over 150 small arms. In addition, a joint inspection team composed of MONUC civilian staff and military observers, and the Congolese provincial inspector of police, assisted in the investigation regarding an illicit cassiterite shipment which was intercepted by Congolese customs authorities in mid-August at a border crossing near Bukavu. MONUC military also conducted joint patrols with Congolese park guards in the national parks of North and South Kivu to clamp down on the illegal trade in charcoal.

## **Elections**

65. On 31 July, the Independent Electoral Commission (IEC) announced the postponement of the voter registration update in the provinces beyond Kinshasa, which was scheduled to start on 2 August. The principal reason cited for the delay related to the revision of the list of territorial entities, which by mid-August had been approved by provincial assemblies in only four of the ten provinces. On 4 August, the voter registration process in Kinshasa was extended until 20 August, owing to limited turnout.

66. Delays in the disbursement of Congolese Government funds also hampered the work of IEC. While some of the Government's total anticipated contribution towards the local elections of \$32 million was disbursed earlier in the year, an amount of \$8.6 million was still pending for the voter registration update at the time of reporting. Together these factors were likely to delay local elections beyond the first quarter of 2010.

## **Deployment of additional capacities**

67. During the reporting period, the first elements of the additional capabilities pledged further to requirements outlined in Security Council resolution 1843 (2008) arrived in the Democratic Republic of the Congo. On 14 July, the Belgian C-130 aircraft and its crew deployed to Kisangani, where they will be based. In addition, on 26 August 2009 a Bangladeshi advance party of some nearly 200 troops arrived in the mission area in connection with the planned deployment of the full Bangladeshi infantry battalion.

68. Between 22 July and 1 August, a Tanzanian delegation visited the eastern part of the country in anticipation of their deployment of 200 military trainers. Deployment of contingent-owned equipment of Bangladeshi and Egyptian battalions, the Egyptian formed police unit, and the Egyptian and Jordanian special forces companies also began.

69. Concerning the timeline for the deployment of the remaining pledged additional capabilities, Bangladesh was expected to complete the deployment of the infantry battalion and deploy one formed police unit by October. The Bangladeshi engineering company was expected to arrive in the country by the end of the year. Jordan was preparing to deploy the pledged special forces company by October, while Egypt was preparing to deploy one infantry battalion and one special forces company before November. The Egyptian formed police unit was expected to be deployed by the end of the year.

70. In terms of pledges, the Department of Peacekeeping Operations accepted an offer for two helicopters from Uruguay which were expected to be deployed by the end of the year. However, the Department has yet to receive pledges for the remaining 16 utility helicopters, one C-130 aircraft and intelligence equipment.

#### **IV. Observations**

71. In the months since my last report to the Security Council, progress in areas critical to the stabilization of eastern Democratic Republic of the Congo has been uneven. The integration of the Congolese armed groups into FARDC continued, but challenges emerged as some armed groups maintained elements outside of the integration process, while others disengaged from it, and at times aligned with FDLR against FARDC. These challenges were fuelled by perceived delays with respect to implementation of the 23 March Agreements, as well as suspicions of preferential treatment of former Congrès national pour la défense du peuple elements by the Congolese authorities in the allocation of military ranks and positions. In the meantime, operation Kimia II against FDLR made progress in North Kivu and advanced into South Kivu, prompting additional FDLR combatants to seek voluntary repatriation. However, FDLR stepped up its heinous attacks on civilians, which also caused additional population displacements.

72. The challenges that remain in the Kivus are formidable and have the potential to impede the consolidation of peace and stability in eastern Democratic Republic of the Congo if not handled in a timely and comprehensive manner. I urge the Congolese Government to take the necessary steps, with the assistance of MONUC and other partners, to keep the integration process on track and to bring it to a successful conclusion, including by ensuring the regular payment of FARDC salaries and by building barracks for the soldiers based in eastern Democratic Republic of the Congo. In this context, I am encouraged by the Congolese Government's commitment to make FARDC units available for training by MONUC before the end of the year. In this connection, I urge Member States to provide necessary support for the 200 Tanzanian trainers that will be deployed to MONUC. The enabling support is required specifically in the areas of self-sustainment, accommodation, and transportation. It also remains critical for MONUC's mobility and effectiveness to receive pledges for the remaining additional capabilities authorized by Security Council resolution 1843 (2008), including 16 helicopters and intelligence equipment.

73. With regard to the 23 March Agreements, while I am encouraged by the recent steps taken by the Government of the Democratic Republic of the Congo to convene the second session of the national follow-up committee and implement elements of the Agreements, I urge all parties, particularly the Congolese authorities, to ensure the full operation of the local conciliation committees and the appointment of territorial administrators and their assistants, and to expedite the appointment of some members of the former armed groups to administrative positions as foreseen in the Agreements. Full implementation of the Agreements will require the support and commitment of Congolese authorities, from the national level down to the provincial and local levels, as well the good faith participation by the groups themselves.

74. These efforts will need to continue to be complemented by actions to address the presence of FDLR in eastern Democratic Republic of the Congo, including by Member States against FDLR leaders based in their countries in order to prevent support which is known to be provided to FDLR commanders in eastern Democratic Republic of the Congo. In this connection, it will be important that the restoration of State authority to areas from which FDLR has been dislodged is complemented by the demilitarization of the mining areas and a transfer of those areas to legitimate State authorities, while re-establishing or reinforcing administrative, police and judicial institutions throughout the eastern provinces. As such, I encourage the international community to lend its full support to the Government's stabilization and reconstruction plan for areas emerging from armed conflict, including by continuing to finance the United Nations Security and Stabilization Support Strategy. I also encourage donors to respond to the urgent humanitarian appeal of 17 June to support immediate needs.

75. At the same time, I remain very concerned by the impact on civilians of the military operations against FDLR and LRA, including as a result of reprisal attacks by those groups. The reported acts of sexual violence and other human rights violations by FARDC elements are also unacceptable, and cannot continue if the people of the Democratic Republic of the Congo are to begin to experience the dividends of peace. I am, however, encouraged by the steps taken by the Government of the Democratic Republic of the Congo to address impunity by reinforcing the zero-tolerance policy within FARDC and establishing military justice mechanisms in the Kivus, which appeared to be yielding results. I urge the Congolese authorities to ensure that the military courts respect fair trial standards, including the right to appeal, and to ensure that the commanders under whom violations are committed are also held to account. I also urge the Government of the Democratic Republic of the Congo to reinforce the measures it is taking in the context of military operations to ensure the protection of civilians, in addition to the innovative measures adopted by MONUC to maximize its protection capabilities.

76. I am encouraged by the initiative of Presidents Kabila and Kagame to hold a summit meeting in Goma on 6 August. Their commitment to promote peace, stability and economic development in the Great Lakes region, and their efforts to jointly address the destabilizing presence in the country of FDLR, has reinforced confidence in the peace process in eastern Democratic Republic of the Congo. My Special Representative for the Democratic Republic of the Congo and my Special Envoy to the Great Lakes Region will continue to lend their full support to the efforts in this regard.

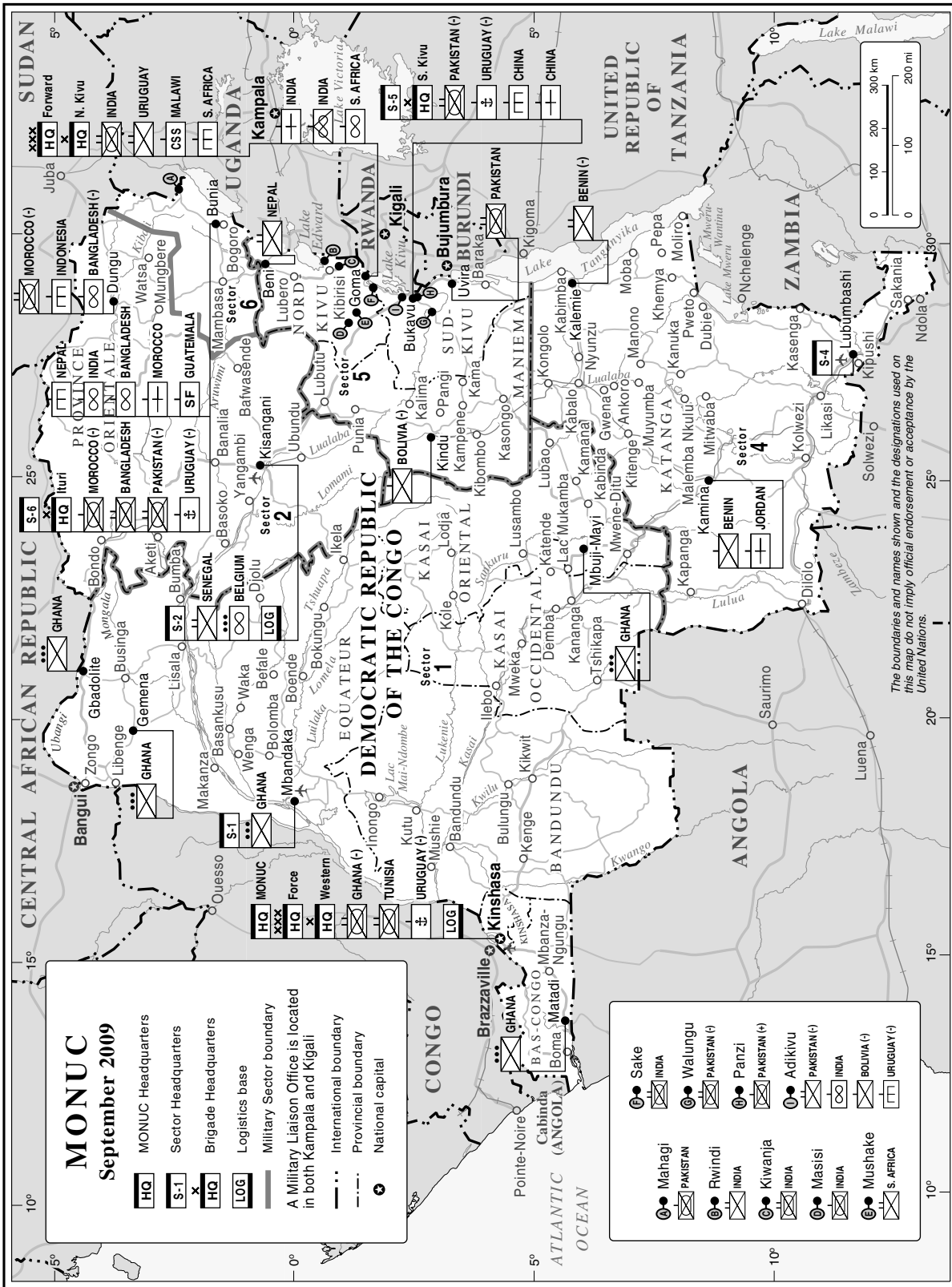
77. The momentum gained with the launch of the voter registration process in Kinshasa will need to be sustained if the planned local elections are to be held in a timely manner. It will be important to complete the voter registration process by extending it to the rest of the country. In this connection, I urge the Congolese authorities to agree on the list of territorial entities, without which the voter registration process cannot proceed. I also encourage the Government to disburse its remaining share of financial resources for the local elections.

78. In my next report, I will present the main elements of the United Nations Integrated Strategic Framework, which will, inter alia, outline MONUC's plan for transitioning tasks in the western part of the country as required by Security Council resolution 1856 (2008), a system-wide concept on the protection of civilians and a

multidimensional approach to FDLR, as well as the Mission's planning for future directions.

79. Finally, I would like once again to express my sincere gratitude to all MONUC personnel, who, under the leadership of my Special Representative for the Democratic Republic of Congo, Alan Doss, have continued to show determination and selfless dedication under very difficult conditions to support the Congolese people during a critical period in their history. I would also like to express my gratitude to my Special Envoy, Olusegun Obasanjo, and his Co-Facilitator former President Mkapa, as well as to the United Nations country team and the humanitarian agencies toiling to save and improve the lives of people living in difficult times. I would also like to thank all those countries contributing troops and police to MONUC and to donor countries, multilateral and non-governmental organizations providing much needed support to the Democratic Republic of the Congo.





Department of Field Support  
Cartographic Section

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