

# Situation in Eastern Democratic Republic of Congo (DRC)

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Tomorrow (31 August), the African Union (AU) Peace and Security Council (PSC) is expected to convene its 1103<sup>rd</sup> session to address the situation in eastern Democratic Republic of Congo (DRC).

Following opening remarks of the Permanent Representative of The Gambia to the AU and Chairperson of the PSC for the month, Jainaba Jagne, AU Commissioner for Political Affairs, Peace and Security (PAPS), Bankole Adeoye is expected to deliver a statement. Statements will also be presented by the respective representatives of DRC, Republic of Rwanda, Republic of Angola (on Luanda Peace Process and as the Chair of the International Conference on the Great Lakes Region (ICGLR)), the Republic of Kenya (on Nairobi Process), Republic of Burundi as Chair of the East African Community (EAC), Economic Community of Central African States (ECCAS) Secretariat, Southern African Development Community (SADC) Secretariat and United Nations (UN) Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO).

The last time Council discussed the situation in eastern DRC was at its 1078<sup>th</sup> session on the Great Lakes Region (GLR) which took place on 19 April 2022. An issue of central concern which featured at that session was the resurgence of the March 23 Movement (M23), a development which further aggravates the challenges to security facing eastern DRC. In addition to deliberating on the security threats imposed by M23 and other armed groups' insurgency in eastern DRC, tomorrow's session is

expected to address the growing concern over the possibilities of regional conflict among countries neighbouring the DRC. The session is also expected to serve as an opportunity for the PSC to discuss how it can contribute to ongoing efforts and initiatives spearheaded by EAC and ICGLR to deescalate tensions among countries in the region and to effectively respond to the armed insurgency in eastern DRC.

The recent resurfacing of M23, a movement which was assumed to have been effectively defeated through the collaborative efforts of the DRC military, MONUSCO and the Force Intervention Brigade (FIB), represents the most serious security challenge to eastern DRC in recent years. Since the resumption of its military activities in March 2022, M23 has been able to advance and capture key strategic towns in Kivu and Ituri provinces. In North Kivu in particular, the M23 was able to overran the Rumangabo military base which is the largest military base of the Armed Forces of DRC (FARDC). By June 2022, a wing of M23 was able to take over the city of Bunagana along the border with Uganda. Although M23's activities became widely apparent in March 2022, reports indicate that the movement has been infiltrating key military positions and strategic areas in North Kivu since at least November 2021.

The deteriorating insecurity in eastern DRC due to revival of M23 is also having grave humanitarian consequences. In just a few weeks of fighting and attacks by M23, over 170,000 people were reportedly displaced. According to the latest report of UN Office for the Coordination of Humanitarian Affairs (OCHA), "North Kivu has recorded twice as many cases of gender-based violence between January and June [2022] compared to the same period in 2021". In Ituri province, the same report records the killing of over 60 civilians just between 30 July and 11 August 2022, due to intensified attacks. As a result of heightened insecurity, some non-governmental organisations (NGOs) delivering humanitarian assistance have also been

forced to cease their activities in some parts of the region. The death toll among displaced populations has also been causing increasing concern among humanitarian actors in the region. In Ituri, over 800 deaths were recorded in the period from January to June 2022 and out of these, 715 are reported to have been sheltered in internally displaced persons (IDP) camps. Having been redeployed to fight M23, a significant portion of the Congolese army has been unable to provide protection to vulnerable communities including IDPs.

In addition to worsening the insecurity in eastern DRC and its humanitarian toll, M23's revival has also resulted in political tensions between DRC and Rwanda in particular. The tension has led to suspension of Air Rwanda flights to DRC and freezing of diplomatic relations. In June 2022, the DRC decided to close its border with Rwanda after a Congolese soldier was found shot dead in Rwandan territory. Since then, the tension between the two countries escalated with the two countries trading accusations and blames. On the one hand, DRC has been alleging Rwandan involvement in reviving the M23 while on the other hand, Rwanda blames DRC forces of firing rockets into its territory. Further to that, Rwanda also accuses DRC of supporting the Democratic Forces for the Liberation of Rwanda (FDLR), an armed rebel group operating in eastern DRC and with links to the 1994 genocide against the Tutsi.

Other developments during end of 2021 and into 2022 that also apparently contributed to the heightened regional suspicion include the deployment of Ugandan forces into eastern DRC to pursue the Allied Democratic Forces (ADF), a Ugandan rebel armed group which also operates actively in North Kivu province of eastern DRC. In December 2021, DRC allowed the Uganda People's Defence Force (UPDF) to enter its territory to chase ADF fighters. Further to that and as part of the military agreement between DRC and Uganda, an MoU was also signed between the military chiefs of the two countries for

the construction of roads linking DRC and Uganda. According to some reports, the MoU which has not been made public, allows the UPDF to provide security services for the construction of the roads that extend to DRC territories, which gives huge advantages to Uganda.

Following complaints expressed by DRC against alleged Rwandan support for M23 during the Executive Council meeting in Malabo, the AU Assembly at the Extraordinary Summit of 28 May 2022 entrusted Angola, as the chair of the ICGLR, to mediate talks between DRC and Rwanda. As a follow up to that, the Angolan President, João Lourenço facilitated talks between President Félix Tshisekedi and his counterpart Paul Kagame on 06 July 2022. The talks resulted in the adoption of the Luanda Roadmap which among other key points provides for the adoption of de-escalation measures including discussions around addressing the issue of FDLR. As a follow up to the adoption of the Luanda Roadmap, another meeting was held between the foreign ministers of the two countries on 21 July which led to the establishment of a Joint Permanent Commission for monitoring implementation of the roadmap.

Prior to the Luanda process, the EAC on its part has initiated the Nairobi Process for stabilising eastern DRC, under the outgoing Chairship of Kenya. The Nairobi Process envisages two parallel tracks for stabilising the region. The first one is a political track focusing on facilitating dialogue between DRC government and armed non-State actors including M23 operating in the region. The second track is a military track proposing the deployment of a regional force to contribute to the fight against negative forces.

On the proposed military track of the Nairobi Process, the EAC plans to deploy between 6,500 and 12,000 soldiers with a mandate to 'contain, defeat and eradicate negative forces' in the eastern DRC. While the first deployment took place during this month with Burundian troops, the deployment of other forces amid the breakdown of trust and the financing of the

troops remain unclear. Two issues that the PSC is expected to address include the mandating of the force, including bringing the deployment under the ASF framework and how the AU may lend support for sourcing funds for the mission.

In terms of the role of the AU, another issue of major interest for members of the PSC is determining how the AU can support the two processes and facilitate coordination and complementarity between the Luanda and Nairobi processes. On the military track, while supporting the initiative, it is also of interest for PSC members to draw on the lessons from past experiences including from the deployment of the FIB of MONUSCO. One such lesson is the challenges of armed militias and insurgencies in eastern DRC could not be addressed through military means. This underscores the need for the primacy of political processes and also the necessity for both undertaking the military measures in strict respect to the sovereignty of the DRC and in compliance with applicable AU and UN norms, including those relating to international humanitarian law (IHL), human rights and protection of civilians.

The outcome of tomorrow's session is expected to be a Communiqué. Council is expected to express grave concern over the developments in eastern DRC, particularly the resurgence of M23 and the resultant deterioration of the security and humanitarian situation in the region. It is also expected to express concern over the political tensions between countries in the region, particularly between DRC and Rwanda and call on both to take all necessary de-escalation measures including through good-faith engagement in mediation efforts facilitated by the AU mandated Luanda process and the relevant RECs/RMs. Council may further express its support for the Luanda and Nairobi Processes and call on all member States of the GLR to lend their support to efforts aimed at de-escalating tensions and degrading negative forces operating in the region. To enhance its role in supporting the two processes and enhancing

coordination between them, the PSC may also call on the AU to establish a support mechanism that leverages existing AU processes including its liaison offices in DRC and Burundi. Council may further emphasise the importance of prioritising political solutions and implementation of military tracks in support of such political solutions. It may also stress the need to ensure respect to DRC's sovereignty as well as standards of IHL and human rights law in the implementation of military efforts. It may further emphasise the importance of sustained and full implementation of the Peace, Security and Cooperation Framework Agreement for the DRC and the region (PSCF), particularly its provisions on disarmament, demobilisation and reintegration (DDR), for sustainable resolution of conflict and insurgency in the region. Having regard to the dire humanitarian situation in eastern DRC, Council may also appeal to AU member States, partners and the international community to redouble their humanitarian assistance to affected communities in the region.