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PEACE AND SECURITY COUNCIL

1140TH MEETING AT THE LEVEL OF HEADS OF STATE AND GOVERNMENT (IN-PERSON)

17 FEBRUARY 2023

ADDIS ABABA, ETHIOPIA

PSC/HOSG/POW.1140 (2023)

BRIEFING NOTE ON THE SITUATION IN THE EASTERN REGION OF THE DEMOCRATIC REPUBLIC OF CONGO (DRC): PEACE, SECURITY AND COOPERATION FRAMEWORK FOR THE DRC AND THE REGION AND THE DEPLOYMENT OF THE EAST AFRICAN FORCE

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A. INTRODUCTION

1. This Briefing Note is submitted to provide an update for the meeting of the Peace and Security Council (PSC) of the African Union (AU) at the level of Heads of State and Government on the situation in the eastern Democratic Republic of Congo (DRC), on 17 February 2023. The Briefing Note presents the overview of the security, political and humanitarian situation in the DRC.

B. CURRENT CONTEXT – SECURITY, POLITICAL AND HUMANITARIAN SITUATION

2. During the 35th Ordinary Session of the Assembly of the Union held from 5 to 6 February 2022, in Addis Ababa, Ethiopia, the Assembly adopted a Decision [[Assembly/AU/Dec.815 \(XXXV\)](#)], welcoming the significant progress in the Great Lakes Region evidenced by the strengthening of bilateral and multilateral cooperation amongst the signatories of the Peace, Security and Cooperation Framework (PSCF) Agreement for the Democratic Republic of Congo and the region. Furthermore, 16th Extraordinary Session of the Assembly of the African Union on Terrorism and Unconstitutional Changes of Government in Africa held on 28 May 2022, in Malabo, Equatorial Guinea, adopted the Decision [Ext/Assembly/AU/Dec.(XVI)] on the common border between the Democratic Republic of Congo and the Republic of Rwanda, and mandated the Chair of the International Conference on the Great Lakes Region (ICGLR), in the framework of the principle of complementarity and subsidiarity, to mediate between the two parties and report on the diplomatic efforts.

3. On 19 April 2022, the PSC dedicated its 1078th meeting to a follow-up on the outcome of the 10th Meeting of the Regional Oversight Mechanism held in February 2022 in Kinshasa, DRC. The PSC welcomed the positive developments achieved in the Great Lakes Region, including the various initiatives to further enhance inter-state cooperation, promote stability, peace and development and reiterated the relevance of the PSCF Agreement to address stability challenges in the Great Lakes region.

4. Furthermore, the PSC, on 31 August 2022, during its 1103rd meeting, received an updated briefing on the situation in the eastern DRC, and reiterated its call for an immediate and unconditional ceasefire for all armed groups and the handing over of arms to the Government of the DRC, urging them to commit to the implementation of the established Demobilization, Disarmament, Community Recovery and Stabilization Program (P-DDRCS). The PSC also reiterated its decision to undertake a field mission to the DRC and the region, as soon as practicable, in which the PSC field mission to DRC is planned to take place in March 2023.

5. Despite the call by the PSC, the security situation in eastern DRC has continued to deteriorate, especially in North Kivu and Ituri, perpetuated by the presence of armed and terrorist groups, and its attendant adverse impact on the population and the region. The atrocities committed by the ex-M23, as well as the Allied Democratic Forces (ADF), Forces Démocratiques de Libération du Rwanda (FDRL) and other armed and terrorist groups has exacerbated the humanitarian situation in the country. The resurgence of the M23 and the increase in attacks by other negative forces against the civilian population remains a serious threat to the smooth conduct of the upcoming general elections in the DRC. The security landscape is also marked by the deterioration of diplomatic relations between the DRC and Rwanda.

6. Protests and attacks against the UN personnel have continued. On 5 February 2023, a United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) helicopter was attacked whilst travelling from Beni to Goma, North Kivu province. The attack led to the death of one South African peacekeeper and another one was severely injured.

C. POLITICAL AND DIPLOMATIC INITIATIVES

7. Several diplomatic and military actions have been initiated in order to de-escalate the tensions between DRC and Rwanda and to fast-track the disengagement of armed groups in the region. These initiatives have been undertaken under the auspices of the EAC, currently chaired by H.E. Évariste Ndayishimiye, President of the Republic of Burundi and H.E. João Manuel Gonçalves Lourenço, President of the Republic of Angola, in his capacity as AU Champion for Peace and Reconciliation in Africa and Mediator designated to maintain the dialogue between DRC and Rwanda.

- LUANDA PROCESS

8. On 5 November 2022, H.E. President João Lourenço of Angola, convened a Tripartite Meeting of Ministers of Foreign Affairs from the DRC, Rwanda and Angola in Luanda to defuse the tensions between the DRC and Rwanda. The Luanda process agreed to: a) maintain political dialogue between the authorities of the DRC and Rwanda as a means of deescalating and resolving the political tensions between the two countries and; b) operationalize the Ad Hoc Verification Mechanism, to investigate security incidents in the eastern DRC within the scope of the ICGLR Roadmap on the Pacification Process in the Eastern Region of the DRC, adopted in Luanda on 6 July 2022, by the tripartite summit between Angola, the DRC and Rwanda.

9. On 11 and 12 November 2022, President Lourenço visited Kigali, Rwanda and Kinshasa, DRC, respectively, to discuss the adaptation and acceleration of the implementation of the Roadmap on the Pacification Process in the Eastern Region of the DRC, adopted during the Tripartite Summit on 6 July 2022 in Luanda, Angola.

- EAC-NAIROBI PROCESS

10. On 6 November 2022, H.E. President Évariste Ndayishimiye, of the Republic of Burundi, in his capacity as the EAC Chair, held consultations in Bujumbura, Burundi, with the EAC Facilitator and former President of Kenya, H.E. Uhuru Kenyatta, on the peace process for the eastern DRC. Subsequently, on 8 November 2022, Burundi hosted the EAC Chiefs of Defense Forces (CDFs) meeting. The CDFs made a proposal to the EAC Heads of State and Government on the withdrawal of the M23 to its pre-April 2022 positions and to facilitate a ceasefire and the deployment of the EAC-RF in the vacated areas in North Kivu Province in collaboration with the FADRC forces, in order to stabilize the region.

11. On 13 November 2022, former President Uhuru Kenyatta visited Kinshasa, DRC, where he held consultations with President Felix Tshisekedi, the Presidents of the Assembly and the Senate, as well as other Congolese actors at the national and provincial level, about the next round of talks (Nairobi4) between the Government of the DRC and the armed groups.

12. The “Nairobi Process 2 and 3” were held in April 2022 and from 28 November to 3 December 2022, respectively. Nairobi 3 allowed discussions between the DRC and local armed groups - encouraged them to lay down arms and embrace the national disarmament program known as Program for Disarmament, Demobilization and Reintegration (P-DDRCS). Following discussions, 53 of the over 100 armed groups operating in the DRC agreed to a ceasefire.

13. On 4 February 2023, the EAC Heads of State convened their 20th Extra-Ordinary Summit in Bujumbura, Burundi, to evaluate the current situation in the eastern DRC. Amongst the decisions adopted, the EAC Heads of State observed that the security situation in eastern DRC is a regional matter that ought to be resolved sustainably through a political process, and they emphasized the need for enhanced dialogue amongst all the parties. They further directed immediate ceasefire by all parties and withdrawal of all foreign armed groups and directed the Chiefs of Defence Forces to meet within one week and set new timelines for the withdrawal.

D. DEPLOYMENT OF THE EAST AFRICAN COMMUNITY REGIONAL FORCE (EAC-RF)

14. The decisions of the 2nd Conclave of the EAC Heads of State on the Democratic Republic of Congo, held on 21 April 2022, in Nairobi, Kenya, decided on the deployment of EAC-RF in the North Kivu, South Kivu and Ituri Provinces in cooperation with the military and administrative forces of the DRC. Under Kenyan command, the EAC-RF comprises troops from Kenya, Burundi, Uganda, and South Sudan and will operate under a six-month renewable mandate. Kenya's military has deployed over 900 soldiers since September 2022. A contingent of Rwandan troops will be deployed along the border with DRC as part of the EAC force. At present, troops from Uganda, Burundi, and Kenya have been deployed.

15. A meeting between the DRC authorities and the Commander of the EAC-RF took place on 6 January 2023, focused on strengthening of synergies and a strategic partnership between the DRC, MONUSCO and the EAC-RF. The meeting also discussed the implementation of the Luanda mini-Summit Roadmap. Notable progress has been made by the EAC-RF such as the took over control of Rumangabo on 6 January 2023, and progressive withdrawal of the M23 from the occupied territories.

16. In the recently concluded 20th Extra-Ordinary Summit of the Heads of State of the EAC held in Burundi on 4 February 2023, the Heads of State directed all troop-contributing countries (TCCs) to deploy immediately. They urged the DRC to immediately facilitate the deployment of troops from South Sudan and Uganda to the EAC-RF.

E. CONCLUSION

17. The deteriorating situation in eastern DRC requires the urgent attention of the AU and the PSC in particular based on its mandate. In this regard, the PSC meeting is expected to take note of the positive developments achieved in the Great Lakes Region, the various initiatives to further enhance inter-state cooperation, promote stability, peace and development and building mutual trust and confidence between and among the countries of the Region. Also, is it important to ensure alignment of the Nairobi and Luanda processes, and the implementation of the PSCF Agreement for greater AU support for peace and stability in eastern DRC.

18. Emphasis should be placed on the imperative for broader engagement among the AU, EAC, ECCAS, ICGLR, SADC and UN on effective implementation and monitoring of the harmonized and coordinated efforts in the DRC, towards permanently silencing the guns.

2023-02-17

Communiqué of the 1140th Meeting of the Peace and Security Council of the African Union at the Level of Heads of State and Government Held on 17 February 2023, on the Consideration of the Situation in Eastern Democratic Republic of Congo (DRC).

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