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Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

I. Introduction

1. The present report is submitted pursuant to paragraph 39 of Security Council resolution 2147 (2014). It covers major developments in the Democratic Republic of the Congo since my report of 25 September 2014 ([S/2014/698](#)), including with regard to the implementation of national commitments under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the region and progress made by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) in implementing its mandate. It also provides an update on the transfer of tasks to the United Nations country team.

II. Major developments

Political developments

2. On 7 December, in follow-up to one of the recommendations of the national dialogue held from 9 September to 5 October 2013, President Joseph Kabila appointed a Government of “national cohesion” comprising 47 members from the ruling coalition and the political opposition. The long-awaited cabinet reshuffle marked the return of leaders of key political parties from within the ruling coalition. Evariste Boshab, the Secretary-General of President Kabila’s Parti du peuple pour la reconstruction et le développement, was appointed Deputy Prime Minister and Minister of Security and the Interior. In this capacity, he will oversee, in particular security arrangements for elections. The new cabinet includes seven women Ministers and Deputy Ministers, representing 14 per cent of the posts. Ten members of the opposition joined the new Government, including the Secretary-General of the Mouvement pour la libération du Congo, Thomas Luhaka, who was appointed Deputy Prime Minister and Minister of Post and Telecommunications, and Willy Makiashi of the Parti lumumbiste unifié, appointed Deputy Prime Minister and Minister of Labour. On 8 December, the Mouvement pour la libération du Congo excluded Thomas Luhaka and two other party members for having joined the new Government.



3. On 15 December, in his annual state of the nation address, President Kabila laid out some of the objectives of the new Government, including the implementation of the decentralization process and socioeconomic reforms. He indicated that the country would not bow to “foreign orders” concerning the 2016 presidential elections. President Kabila also stated that the current security situation in the Democratic Republic of the Congo did not justify the presence of a large MONUSCO Force and that the time had come to discuss its reduction.

4. The debate on a potential third term for President Kabila dominated the political scene and triggered various, and sometimes violent, reactions. On 12 October in Lodja, Kasai oriental, two Catholic priests and one nun were physically attacked by young men, reportedly because of the opposition of the Catholic Church in the Democratic Republic of the Congo to any constitutional change. On 20 October, a coalition of opposition parties, composed mainly of the Union pour la démocratie et le progrès social and the Union pour la nation congolaise, addressed a letter to my Special Representative, calling for MONUSCO’s support to ensure the full implementation by the Government of the Peace, Security and Cooperation Framework, notably with regard to commitments on national reconciliation, tolerance and democratization.

5. There were continued reports of restriction of the activities of some political opposition parties. On 24 October, the Mayor of Goma banned a march planned by opposition political parties, the fifth such opposition activity of this sort outlawed in Goma over the past several months. On 3 November, the Congolese National Police briefly arrested 50 opposition supporters staging a sit-in near MONUSCO headquarters in Kinshasa to request a national dialogue, the full implementation of the Peace, Security and Cooperation Framework and an end to the violence in eastern Democratic Republic of the Congo, which had been prohibited by the Governor of Kinshasa.

6. On 21 November, the Minister of Security and the Interior, Richard Muyej, inaugurated the Office national d’identification de la population. That Office will be in charge of issuing biometric identity cards and conducting the population census. Some Government representatives want the census to form the basis for the voter register in the 2016 presidential and legislative polls. Some members of the opposition and civil society denounced this as a move by the Government to delay the holding of presidential elections in 2016.

7. The Commission électorale nationale indépendante continued the update of the voter register and mapping of voting sites. Partners and donor countries continued to condition their support on the publication of a global calendar and budget for the elections.

8. On the economic front, the Democratic Republic of the Congo continued to enjoy relative macroeconomic stability. In October, the International Monetary Fund (IMF) in the *World Economic Outlook* estimated the 2014 real gross national product growth at 8.6 per cent. On 10 December, the fiscal law was adopted for a 2015 budget of \$8.9 billion, an increase of 8.9 per cent over the 2014 budget.

Human rights situation

9. MONUSCO continued to document human rights violations against political actors, journalists and human rights defenders. On 20 October, the national Vice-

President of the Parti libéral pour le développement was arrested by agents of the Agence nationale de renseignements outside a television station in Goma after having criticized the response of the Armed Forces of the Democratic Republic of the Congo (Forces armées de la République démocratique du Congo (FARDC)) to the massacres of civilians in Beni territory.

10. During the reporting period, the United Nations Joint Human Rights Office released two public reports. On 9 October, it released a report noting that during the occupation by the Mouvement du 23 mars (M23) of certain parts of Nyiragongo and Rutshuru territories in North Kivu from mid-April to 4 November 2013, more than 116 individuals were victims of the violation of the right to life, 351 of the violation of the right to physical integrity, including 161 victims of rape and 296 victims of the violation of the right to the liberty and security of the person, including many cases of abduction and forced recruitment. On 15 October, the United Nations Joint Human Rights Office also released a report documenting human rights violations, namely, the summary execution of 9 civilians and the enforced disappearance of 32 others, allegedly committed by the Congolese National Police in the context of “Operation Likofi” in Kinshasa between 15 November 2013 and 15 February 2014. On 16 October, Minister Muyej contested the findings in the report, which he declared partisan in nature and intended to discredit the Congolese National Police. On 17 October, the Government declared the Director of the United Nations Joint Human Rights Office persona non grata. Despite objections and concerted efforts by the United Nations and a number of Member States and organizations to have the Government reconsider its decision, the Director was requested to leave the country within 48 hours. Furthermore, some staff members of the Joint Human Rights Office were threatened in connection with their work. On 17 November, Human Rights Watch released a report documenting the alleged summary execution of 51 civilians and the enforced disappearance of 33 others during “Operation Likofi”. On 26 November, the Department for International Development of the Government of the United Kingdom suspended its assistance programme for the reform of the Congolese National Police over the allegations of human rights violations committed by the Congolese National Police. The United States of America also suspended its support to the Congolese National Police community policing programme in Kinshasa, pending the outcome of investigations into the allegations. France, while maintaining its cooperation with the Congolese National Police, called for investigations into the reports. The Minister of Information and Spokesperson of the Government, Lambert Mende, expressed surprise at the decision of the United Kingdom and the United States, noting that the Government had already opened investigations into the reports of human rights violations committed by the Congolese National Police.

11. On 7 November, the High Military Court convicted General Jerome Kakwavu for his individual and command responsibility for rape and war crimes committed by soldiers under his command as leader of the Forces armées du peuple congolais, a militia active in Ituri district between 2003 and 2005, sentencing him to 10 years in prison. MONUSCO noted with concern the light sentence handed down by the Court as well as the lack of the right to appeal. Additionally, on 15 December, Colonel “106”, charged with 14 counts of war crimes and crimes against humanity, was sentenced by the South Kivu Military Court to life imprisonment. Both former commanders were on the list of five senior FARDC officers accused of rape that had been handed to President Kabila in May 2009 by a delegation of the Security

Council. Of the others, one had fled abroad after issuance of an arrest warrant in 2006, one died and the third was acquitted.

12. MONUSCO recorded 61 cases of sexual violence in conflict during the reporting period. At least 30 women and 31 children were victims of sexual violence, allegedly committed by armed groups and national security forces in eastern Democratic Republic of the Congo.

13. Together with the office of my Special Representative on Sexual Violence in Conflict, MONUSCO supported the Minister of Defence in developing the FARDC action plan on sexual violence, complementing the action plan with regard to ending and preventing recruitment and use of children and sexual violence against children. The Mission also supports efforts under way to establish a national commission to monitor and evaluate the implementation of the action plan.

14. Regarding child protection and armed conflict, two children formerly associated with armed groups who had been detained by FARDC were released. The joint FARDC and MONUSCO “Opération sauvetage” continued in Beni territory, North Kivu, with a view to ensuring the release of children formerly associated with ADF. As of 8 December, 60 children (36 boys and 24 girls) between the ages of 6 months and 17 years were released. Of these, 29 children were evacuated to Goma for security considerations, following threats from the local population given their former association with ADF. They were placed in a transit centre pending family reunification and reintegration.

15. As of 17 December, MONUSCO documented 285 cases of children (15 girls and 270 boys) who escaped or were separated from armed groups and 1 case of a child who was separated from national security forces. Of those separated from armed groups, one was Rwandan and the other Ugandan.

Humanitarian situation

16. In the Democratic Republic of the Congo, 7 million people require humanitarian assistance to meet basic needs, including 2.7 million internally displaced persons. About 85 per cent of internally displaced persons live with host families; the rest live in camps and sites. Further to a decision of the Government to close all internally displaced person camps in and around Goma by the end of the year, the internally displaced person camp in Kiwanja, in Rutshuru territory, was closed on 2 December owing to security concerns, including the alleged presence of weapons in the camp. Some 2,300 internally displaced persons had to look for shelter elsewhere.

17. Some 420,000 Congolese continue to live as refugees and asylum seekers in neighbouring countries, while the Democratic Republic of the Congo hosts some 122,000 refugees, including about 68,000 from the Central African Republic, 38,800 from Rwanda, 9,000 from Burundi and 1,200 from Uganda. As of 17 December, about 10,000 of the 37,336 Angolan refugees voluntarily returned home. From January through 17 December, more than 3,500 Rwandan refugees also voluntarily returned home.

18. The humanitarian appeal for the Democratic Republic of the Congo for 2014 set at \$832 million was funded at only 49 per cent. To address the needs of 5.2 million people, a total amount of \$692 million is requested in the 2015 Democratic Republic of the Congo Humanitarian Response Plan.

Situation in eastern Democratic Republic of the Congo

19. In North Kivu, the security situation was dominated by the sharp increase in violence in Beni territory. Since 2 October, a spate of targeted attacks by suspected Allied Democratic Forces (ADF) and affiliated elements resulted in the brutal killing of over 250 civilians. Attacks on 11 and 15 December in two remote villages near Oicha resulted in the killing of some 30 civilians, including children, hacked to death with machetes. MONUSCO reinforced its military, police and civilian presence in the area and increased support to FARDC and the Congolese National Police. This entailed the relocation of the headquarters of the Force Intervention Brigade from Goma to Beni, the establishment of a Joint Intelligence and Operations Centre in Beni and the relocation of the ground station of the unarmed unmanned aerial vehicles from Goma to Bunia to enhance situational awareness over Beni territory.

20. From 30 October to 1 November, President Kabila visited the area to reassure the population and called for an increase in MONUSCO support to help to address the threat posed by ADF. Previously, on 23 October, my Special Representative for the Democratic Republic of the Congo and my Special Envoy for the Great Lakes Region together with the Special Envoy of the African Union visited Beni to express solidarity with the population. From 3 to 4 December, my Special Representative returned to Beni together with the Ambassadors of France, the United Kingdom and the United States.

21. On 17 November, in a related development, in Beni territory the military tribunal considering the case of the murder of FARDC General Mamadou Ndala, who commanded operations against ADF and M23, sentenced an FARDC Lieutenant-Colonel to death while three other FARDC officers received prison terms ranging from 12 to 20 years for “treason” and “collusion with a terrorist movement”. Jamil Mukulu, the leader of ADF, who was tried in absentia, was also sentenced to death, while two other ADF members in detention were sentenced to 5 and 15 years, respectively.

22. In Walikale territory, from 10 to 12 October, clashes between Nduma Defence of Congo/Cheka (NDC/Cheka) and the Forces démocratiques pour la libération du Rwanda (FDLR) elements displaced up to 600 civilians. In addition, four civilians, including two children, were reportedly killed during clashes between FDLR and Nduma Defence of Congo/Guidon (NDC/Guidon) on 2 November in Kisimba. Clashes between rival Mayi-Mayi Raia Mutomboki factions and other Mayi-Mayi groups continued to cause insecurity in the south of the territory, resulting in the displacement of over 800 civilians as of 17 December.

23. In late October, in Rutshuru territory, FARDC commenced operations against Mayi-Mayi Nyatura elements. Two hundred households were displaced as a result of the clashes between FARDC and the Mayi-Mayi elements, with the latter burning civilian homes as they retreated. By 13 November, FARDC had re-established control over the area.

24. In Nyiragongo territory, on 9 December, FARDC accidentally fired a rocket projectile, which landed on the territory of Rwanda. The FARDC element responsible for the firing was arrested for negligence and indiscipline. Rwanda requested the Expanded Joint Verification Mechanism to conduct an investigation into the incident.

25. In South Kivu, the security situation remained volatile. From 6 to 11 October, the Forces de défense nationales du Burundi withdrew from Kiliba, in Uvira territory, where they had been present since 2011, in accordance with an agreement between Burundi and the Democratic Republic of the Congo, to prevent incursions into Burundi by the Forces nationales de libération du Burundi. Despite redeployment of FARDC to the area, the withdrawal of Forces de défense nationales du Burundi led to an increase in armed group activity.

26. In Shabunda territory, on 9 October, a reconnaissance patrol of the Expanded Joint Verification Mechanism was ambushed by Mayi-Mayi Fudjo on the Mulungu bridge. Two civilians and two FARDC officers were killed.

27. Mayi-Mayi Yakutumba elements remained active in southern Uvira and Fizi territories. Although the number of clashes with FARDC decreased, the group increased recruitment and reinforced its positions in Ngandja forest and Ubwari peninsula.

28. Ongoing FARDC operations against Mayi-Mayi Kata-Katanga, contributed to a relative improvement in the security situation in northern and eastern Katanga, although most of the Mayi-Mayi elements fled to Pweto territory to remobilize. The Twa-Luba conflict also decreased in intensity owing to mediation efforts by the Government, provincial authorities and MONUSCO. In central and southern Katanga, however, the situation deteriorated as attacks by Mayi-Mayi groups against civilians and FARDC positions increased. Between 5 October and 5 November, 2,000 persons were displaced amid a series of deadly attacks by militias. As of 17 December, there were more than 580,000 internally displaced persons in Katanga.

29. In Ituri district, in Orientale Province, in October, Mayi-Mayi Simba carried out attacks on four gold mining sites in southern Mambasa territory. From 19 to 24 October, the group forcibly recruited about 100 young men from Bakaiko, 180 kilometres southwest of Mambasa.

30. In Ituri district, especially in South Irumu, the Forces de résistance patriotiques en Ituri carried out a number of attacks against the civilian population. Between 26 and 31 October, 10 villages in the areas of Aveba and Komanda were targeted by Forces de résistance patriotiques en Ituri elements who killed three people, and raped three women and one girl. On 1 November, about 1,000 Forces de résistance patriotiques en Ituri elements and 300 dependants led by their leaders Cobra Matata and Mbadu Adirudu regrouped near Aveba to surrender. However, negotiations between the Congolese authorities and the Forces de résistance patriotiques en Ituri were at an impasse as the Forces de résistance patriotiques en Ituri demanded general amnesty for any crimes committed and the integration of its elements into FARDC with recognition of ranks. As of 9 December, only 64 Forces de résistance patriotiques en Ituri had surrendered with 10 weapons.

31. In Haut- and Bas-Uélé, the presence of remnant elements of the Lord's Resistance Army (LRA) and other unidentified armed elements continued to be reported in the Niangara-Ngilima-Bangadi triangle, on the Dungu-Duru axis and in the Doruma area. Elements of the armed group are reported to have continued operating mining sites in the Central African Republic, while returning to the Democratic Republic of the Congo to replenish food supplies. From 17 to 24 October, MONUSCO forces conducted joint military operations with FARDC

and the African Union Regional Task Force, supported by the United States Africa Command in the areas of Duru, Faradje, Kpaika and the Garamba National Park. In mid-October, MONUSCO established two Mobile Operational Bases in Kiliwa. No further reports of attacks attributed to suspected LRA elements were subsequently reported in the area.

Protection of civilians and neutralization of armed groups

32. MONUSCO supported FARDC through joint planning, situational awareness, logistics and fire support in operations against ADF, the Alliance des patriotes pour un Congo libre et souverain, NDC/Cheka and LRA. Joint plans with FARDC were prepared in anticipation of military operations against FDLR, should the armed group fail to disarm by the 2 January 2015 deadline.

33. During the reporting period, 472 early warning alerts were received by over 50 local protection committees in five provinces. The MONUSCO Force responded in 13 per cent of the cases; 42 per cent of the alerts were conveyed to Congolese security forces and 37 per cent to local civilian authorities. In the remaining 8 per cent of cases, there was no action taken as the alerts were either false or received after the incidents. In approximately 20 per cent of all the alerts received, violations against civilians were halted, while the perpetrators were either arrested or deterred.

Safety and security of United Nations personnel within the context of operations of MONUSCO

34. While country-wide MONUSCO operations against armed groups did not result in any discernible increase in threats to United Nations personnel. In the Beni area, the increasingly complex and volatile security situation had implications for the safety and security of United Nations personnel. Attacks by ADF against the civilian population stirred a strong anti-MONUSCO sentiment. Compounded by political manipulation, the anti-MONUSCO sentiment led to a number of violent demonstrations and attacks against the Mission on 22 and 29 October and on 11 November in the Beni area. Investigations are ongoing to ascertain the circumstances surrounding the death of civilians during these violent demonstrations. On 19 November, a MONUSCO convoy was ambushed on the Beni-Mavivi road by unidentified assailants. Also, on 8 December, a mob was throwing stones in Oicha so that a MONUSCO helicopter on its way to evacuate two Congolese children who had been critically injured in an attack by suspected ADF elements was prevented from landing.

Disarmament, demobilization and reintegration/disarmament, demobilization, repatriation, resettlement and reintegration

35. As of 17 December, 144 members of Congolese armed groups and 60 members of foreign armed groups participated in the MONUSCO disarmament, demobilization, repatriation, resettlement and reintegration programme. Of these, 124 were combatants, including 52 from FDLR, while 54 were children associated with armed groups and 26 were dependants. A further 29 FDLR members, including 1 child associated with the armed group and 19 dependants, were repatriated.

36. MONUSCO continued to provide logistic and political support to the FDLR voluntary disarmament process, including through provision of special flights, as well as food, water, medicines and additional goods and services.

37. On 1 October, Human Rights Watch released a report denouncing the death of over 100 demobilized combatants and their dependants from starvation and disease in a pre-disarmament demobilization and reintegration camp established by the Government in Kotakoli, Equateur Province. Minister Mende acknowledged deaths at the camp but denied any negligence by the Government. MONUSCO offered to provide food rations on an emergency basis. The Peacebuilding Fund also provided \$517,000 to fund emergency support under the third national disarmament, demobilization and reintegration plan, especially with regard to the provision of food and shelter. Discussions are ongoing with the Government regarding the closure of the Kotakoli pre-disarmament, demobilization and reintegration camp and improvement of living conditions in other pre-disarmament, demobilization and reintegration camps identified for the third national disarmament, demobilization and reintegration plan.

38. Of the \$85 million budgeted for the third national disarmament, demobilization and reintegration plan, the Government pledged \$10 million, while MONUSCO indicated its readiness to contribute \$8 million for the reinsertion phase. The World Bank and other donors pledged \$35 million for the reintegration phase. The Government indicated that it could commit only the first tranche of \$2.4 million of the initially pledged amount. However, to date there has been no disbursement of funds from the Government, which is jeopardizing the disbursement of other donors' contributions.

Support for the disposal of explosive ordnance

39. During the reporting period, the United Nations Mine Action Service conducted clearance activities in support of the protection of civilians in Masisi, Nyiragongo and Rutshuru territories in North Kivu, by destroying 152 items of explosive remnants of war and 140 rounds of small arms ammunition. In support of the disarmament, demobilization and reintegration programme, the United Nations Mine Action Service also destroyed 7 explosive remnants of war, 602 weapons and 10,725 rounds of small arms ammunition. Furthermore, the United Nations Mine Action Service continued to support the disarmament, demobilization, repatriation, resettlement and reintegration programme by strengthening national capacities in weapons and ammunition management and physical security and stockpile management. As requested by MONUSCO, the United Nations Mine Action Service responded to three explosive ordnance disposal tasks and conducted bulk demolitions of 145,717 obsolete ordnance stocks from some troop-contributing countries.

Monitoring the implementation of the arms embargo

40. FARDC, supported by MONUSCO, did not discover any new M23-associated arms caches during the reporting period. However, 35 automatic weapons and 1,590 rounds of 7.62 millimetre ammunition were recovered following the surrender of some elements of Mayi-Mayi Raia Mutomboki in South Kivu and the Forces de résistance patriotiques en Ituri in Ituri district. Additionally, North Kivu provincial authorities launched a series of arms control initiatives, including the Masisi sans armes initiative, to address the question of illegal weapons and criminal networks in Masisi territory and Goma. This initiative resulted in the discovery of an arms cache of Mayi-Mayi Kifuafua on 11 December; FARDC reported 46 automatic weapons, 1 precision-guided munition and 1 60-millimetre mortar. The majority of weapons

used by armed groups in the Democratic Republic of the Congo were reportedly acquired from within the country, and from weapons trafficking across the border from Burundi, the United Republic of Tanzania and Uganda. Information related to the identification of arms and ammunition recovered was systematically shared with the Group of Experts on the Democratic Republic of the Congo for traceability purposes. Furthermore, from 20 to 30 October, the United Nations Mine Action Service trained 12 members of FARDC in arms cache search techniques.

Regional developments

41. The FDLR disarmament process remained stalled. Within the context of the midterm review of the FDLR disarmament process, on 5 October, in Lusamambo, North Kivu, a joint delegation comprising representatives of the African Union, the Government, the International Conference on the Great Lakes Region, MONUSCO, the Office of the Secretary-General's Special Envoy for the Great Lakes Region and the Southern African Development Community (SADC) met the Vice President of the Forces démocratiques pour la libération du Rwanda, Victor Byiringiro. The delegation urged the Forces démocratiques pour la libération du Rwanda to comply with the timeline for complete and unconditional disarmament set by the 2 July joint International Conference on the Great Lakes Region-SADC ministerial meeting or face military action. Victor Byiringiro reiterated that further progress on the disarmament of the Forces démocratiques pour la libération du Rwanda would be contingent on political dialogue with Rwanda.

42. On 8 October, in Geneva, the team of Special Envoys, including my Special Representative and my Special Envoy for the Great Lakes Region met with the United Nations High Commissioner for Refugees, Antonio Guterres, to explore ways to resolve the issue of Rwandan Hutu refugees in eastern Democratic Republic of the Congo, and regional and international efforts to address the threat posed by the Forces démocratiques pour la libération du Rwanda.

43. A joint International Conference on the Great Lakes Region-SADC ministerial meeting took place on 20 October in Luanda, Angola. The final communiqué recognized the lack of progress in the Forces démocratiques pour la libération du Rwanda disarmament process, reiterated that military action would take place if the Forces démocratiques pour la libération du Rwanda did not comply with the six-month timeline and called on the Government of the Democratic Republic of the Congo and MONUSCO to create enabling conditions for the disarmament process. Also, on 1 December, in Addis Ababa, a meeting of the guarantors of the Peace, Security and Cooperation Framework noted with disappointment the slow pace in the disarmament of the Forces démocratiques pour la libération du Rwanda and stressed that the 2 January 2015 deadline was binding and non-negotiable.

44. On 3 November, Victor Byiringiro, sent a letter to President Kabila, the International Conference on the Great Lakes Region, MONUSCO and SADC in which he reaffirmed the willingness of FDLR to continue its disarmament process and called for a joint Government-SADC-MONUSCO-FDLR team to conduct an assessment visit to the transit camp in Kisangani. On 15 November, representatives of the Government, the FDLR, the International Conference on the Great Lakes Region, MONUSCO and SADC jointly assessed conditions in the transit camp in Kisangani, in Orientale Province, and unanimously concluded that they were generally acceptable. Between 27 November and 12 December, 820 FDLR

elements, including 190 ex-combatants were transferred on a voluntary basis from the assembly camps in Kanyabayonga, North Kivu and in Walungu, South Kivu to the Kisangani transit camp. One ex-combatant and one dependant returned voluntarily, as part of the disarmament, demobilization, repatriation, resettlement and reintegration programme, to Rwanda instead of moving to Kisangani.

45. During the reporting period, the Coordinator of the National Oversight Mechanism initiated an exchange of letters with the International Conference on the Great Lakes Region and the ex-M23 regarding the implementation of the Nairobi Declarations. The exchange covered modalities for the repatriation of eligible ex-M23 elements from Rwanda and Uganda; clarification about the status of those benefiting from the amnesty law; and arrangements for meetings to review progress on the implementation of the Nairobi Declarations.

46. On 1 October, ex-M23 representatives met with the International Conference on the Great Lakes Region and the Government of Uganda to discuss, inter alia, the implementation of the amnesty law and the continued presence of ex-M23 elements in Uganda. Given the continued undefined status of these elements on its territory, Uganda gave a three-month deadline to complete their repatriation, failing which they could apply for refugee status.

47. On 7 November, in Kinshasa, the National Oversight Mechanism convened the second evaluation meeting to review implementation of the Nairobi Declarations to discuss progress on its road map, including the granting of amnesty to 559 ex-M23 elements, and its intention to conclude the repatriation of ex-M23 elements from Rwanda and Uganda by the end of December. René Abandi, the Coordinator of the ex-M23, declined to participate in spite of security assurances provided by the Government and MONUSCO. This was his second such refusal to take part in evaluation meetings convened by the Government. On the same date, in Kampala, Uganda, Bertrand Bisimwa, leader of the ex-M23, warned of the possibility of renewed conflict owing to the armed group's frustration at the slow progress in the implementation of the Nairobi Declarations.

48. From 5 to 10 December, a Government delegation travelled to Kampala to develop a plan of action with Uganda authorities for the repatriation of ex-M23 combatants, armaments and vehicles. The two Governments undertook visits and inspections in Kampala, Bihanga and Kisoro. On 16 December, a first group of 120 former M23 elements were repatriated from Uganda to the Democratic Republic of the Congo. Some 1,000 ex-M23 elements reportedly refused to be repatriated on 16 December and fled their cantonment camp in Bihanga, from where they reportedly moved towards Rwamwanja refugee camp.

49. In other developments, the Democratic Republic of the Congo concluded bilateral agreements with some countries in the region with a view to strengthening economic integration and regional relations. Following a high-level meeting held on 19 September between President Kabila and President Denis Sassou-Nguesso of the Republic of the Congo, a joint commission decided on 25 September to cancel the requirement for an entry visa for Congolese citizens travelling to the Republic of the Congo and vice versa. The entry visa requirement was introduced in the aftermath of expulsions of Congolese citizens from Brazzaville, Republic of the Congo, earlier this year. On 22 October, in Kinshasa, the Parliament passed the bill ratifying the treaty signed by the Democratic Republic of the Congo and South Africa on the building of the Grand Inga dam.

III. Progress on implementation of national commitments under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the region

Security sector reform

50. In the absence of progress towards the development by the Government of a comprehensive national security sector reform strategy, the reorganization of the leadership structure of FARDC in October and of the Presidential Guard on 16 November was welcomed as a positive step that could facilitate the improvement of the management and performance of the defence sector. MONUSCO pursued consultations with the Government and key partners to develop a concrete proposal to support the establishment of an accountable and efficient rapid reaction force, as an entry point for broader defence sector reform.

51. The reform of the police progressed at a slow pace, owing mainly to the lack of allocation of adequate financial resources by the Government. Nevertheless, MONUSCO continued coordination efforts in support of police reform. With the support of the United Nations Development Programme (UNDP), MONUSCO conducted two training programmes for the Congolese National Police during the reporting period. The Mission trained 60 judicial police officers in Ituri district, North Kivu and South Kivu on how to address sexual and gender-based violence and also provided training on community policing to 245 Congolese National Police officers in Bunia and Kisangani, in Orientale Province.

Consolidation of State authority and stabilization

52. In early October, the Minister of Planning and the Governors of North Kivu, Orientale Province and South Kivu validated the choice of 13 priority zones for intervention within the framework of the revised International Security and Stabilization Support Strategy. To articulate a common government-international partners' vision and provide a programmatic framework for the Support Strategy, conflict analyses and needs assessments were carried out in the priority zones. In November, national and provincial representatives of the Government Strategy for the Reconstruction of Areas Emerging from Conflict, with the support of MONUSCO and the United Nations country team, initiated the development of provincial stabilization strategies and action plans for North Kivu, Orientale Province and South Kivu. On 1 December, the Governor of South Kivu committed to ensuring payment of salaries for adequate levels of staffing to ensure service delivery to the population in the areas of implementation of the projects. Also on 1 December, the Government, supported by the United Nations, including the Peacebuilding Fund, launched two Support Strategy projects in Kalehe, South Kivu and Mambasa, Orientale Province. These projects address conflict transformation, restoration of State authority and economic recovery.

53. MONUSCO established three additional islands of stability in eastern Democratic Republic of the Congo, bringing the total to nine islands of stability across Katanga, North Kivu, Orientale Province and South Kivu. In these areas, the Mission is engaging with conflict-affected populations and government officials responsible for security, justice and civil administration to identify initiatives that will support the restoration of State authority. As of 17 December, 24 quick-impact projects amounting to \$1.1 million were approved, with a further 25 projects

amounting to \$1.4 million, under development, to support the islands of stability. Efforts are under way to link these initiatives to International Security and Stabilization Support Strategy projects.

Justice and corrections institutions

54. MONUSCO prosecution support cells assisted military justice authorities in conducting investigations and convening mobile courts in at least 12 remote locations. Cases involved members of FARDC, the Congolese National Police and armed groups, alleged to have perpetrated war crimes and other serious crimes, including murder and rape. During the reporting period, the prosecution support cells assisted in five investigative missions and supported five mobile court hearings concerning 88 cases, in which 30 decisions have been handed down, with 20 convictions, 4 acquittals and 6 cases referred back for further investigation.

55. Despite MONUSCO support to the management of the prison system, including the rehabilitation of prisons, the separation of men and women in prisons, prison security and the training of prison staff, the conditions in prisons across the country remained deplorable because of the lack of a strong commitment and allocation of adequate resources for the prison sector by the Government. Nevertheless, MONUSCO continued to advocate with the Government for greater national ownership of the prison sector and initiated an agreement with the national authorities to establish a steering committee to review the prison reform plan, develop a national strategy on justice and corrections, a road map for the corrections sector, and a training curriculum for prison officers by June 2015. The lack of a national vision and strategy in the areas of justice and corrections, including the delay in the endorsement of projects under the joint justice support programme, made it difficult to sustain the impact of the support provided by MONUSCO in these areas.

Decentralization

56. On 26 September, in Kinshasa, the Government submitted to the National Assembly the draft law establishing the Caisse nationale de péréquation, which seeks to redistribute revenues and investments among all the provinces. The constitutional provision envisaging that the provinces will receive 40 per cent of the resources generated by them, has yet to be fully implemented. On 1 October, in Katanga, the President of the Provincial Assembly urged the Government to transfer to the provincial government 40 per cent of the estimated \$830 million in taxes and related revenues collected from the province during the first half of the year.

Structural reforms of Government institutions, including financial reforms

57. Efforts to move forward on structural reforms stalled, owing partly to delays in forming the Government of “national cohesion”. The loan programme of IMF amounting to \$532 million and technical assistance on structural reforms remained suspended owing to the lack of transparency in the mining sector. There was some progress in the transformation of the Supreme Court of Justice into three separate courts (Constitutional Court, Conseil d’Etat and Cour de Cassation) as provided for by article 223 of the Constitution, with the appointment by President Kabila on 19 November of the high magistrates of the Office of the Prosecutor General of the Constitutional Court.

Extraction and trade of natural resources

58. From 3 to 5 November, in Kinshasa, the 8th Forum on Responsible Supply Chain of Minerals was held, with the participation of the International Conference on the Great Lakes Region, the Organisation for Economic Cooperation and Development (OECD), MONUSCO and the United Nations Group of Experts on the Democratic Republic of the Congo. The Forum sought to support and coordinate implementation of OECD Guidelines on Due Diligence and the United States Dodd-Frank Act to ensure that minerals extracted and exported from conflict-affected zones are certified as conflict-free. The Mission continued to provide logistic and security support to the joint validation team, which cleared 30 new mining sites as conflict-free since October. On 5 December, the Minister of Justice, supported by MONUSCO, signed a memorandum of understanding with a second company to accelerate the validation of mining sites.

IV. Mission reconfiguration and transfer of responsibilities

59. MONUSCO and the United Nations country team conducted an in-depth analysis of the status of the transfer of responsibilities. The assessment confirmed that in most cases the assumption of additional responsibilities by the United Nations country team was hampered by the lack of adequate funding. Recommendations included further defining respective roles in relation to: justice and corrections reform and support to rule of law institutional capacity-building; children affected by armed conflict; coordinating the national strategy on sexual and gender-based violence; the extraction and trade of natural resources; and electoral assistance.

60. MONUSCO and the United Nations country team agreed to develop a joint strategic plan based on a revised United Nations Development Assistance Framework (UNDAF) for 2013-2017. The revised UNDAF, incorporating MONUSCO priorities, will be developed in cooperation with Government counterparts and aligned with relevant Government plans. The aim is to ensure adequate planning and resource mobilization for the repositioning of the United Nations integrated presence in the Democratic Republic of the Congo in the next three years as part of a wider exit strategy.

V. Observations

61. I welcome the appointment of the long-awaited new Government and the inclusion of some members of the political opposition. I call on the Government to assume its protection of civilians and governance responsibilities and implement the national commitments under the Peace, Security and Cooperation Framework, while accelerating structural reforms. I urge the authorities to accelerate the adoption of a budget for the electoral process and to publish a global electoral calendar. I also call on the national authorities to address uncertainties surrounding the elections, which risk undermining the confidence of national and international stakeholders in the country's political trajectory and its future stability.

62. I am concerned about reports of human rights violations committed against members of the political opposition and some individuals who are critical of the

Congolese authorities. Freedom of speech and the right of association and peaceful assembly are essential to a vibrant political life and to the democratic process. I reiterate my condemnation of the Government's decision to expel the Director of the United Nations Joint Human Rights Office following the publication of the report on human rights violations committed by agents of the Congolese National Police during "Operation Likofi". Respect for human rights and the fight against impunity are absolutely essential for long-term peace and stability. MONUSCO and the United Nations Joint Human Rights Office will continue to implement the Security Council mandate to promote human rights in the Democratic Republic of the Congo.

63. Although FARDC has made important gains, at a heavy cost, in their operations against ADF since January, I am appalled by the resurgence of horrific attacks by ADF and affiliated elements, which have resulted in the deaths of hundreds of defenceless civilians. I support the increasing cooperation between FARDC and the MONUSCO Force. A more mobile, flexible and robust posture by MONUSCO should further increase the response to such asymmetric attacks. These incidents, while they may reflect a change in tactics by an armed group under pressure, have complex roots, connected to local political rivalries and, notably, to illegal economic activities. It is critical that the Government address the complicity between the extensive networks behind these brutal attacks and some within the ranks of the country's own security forces.

64. The ongoing conflicts not just in Beni but throughout the East have security, economic and political dimensions that cannot be addressed through military action alone. To break the illicit networks that perpetuate conflict, it is essential that all stakeholders — national, regional and international — are genuinely committed to shifting from the mindset of a war economy to peacetime economic activities. Private investment is critical to long-term stability in the eastern part of Democratic Republic of the Congo. However, while the illicit economy dominates, real gains in livelihoods and standards of living will remain elusive.

65. I call on the Democratic Republic of the Congo and its neighbours to work closely, including through bilateral agreements, International Conference on the Great Lakes Region protocols and the Peace, Security and Cooperation Framework, to strengthen border security and arrest and prosecute those involved in cross-border trafficking of Congolese natural resources. I further call on regional and international partners to tighten the regulations by which economic actors in their countries engage in illicit exploitation of natural resources in the Democratic Republic of the Congo.

66. The Mission's islands of stability initiatives in recently liberated areas, such as Rutshuru in North Kivu, and in areas where they can reduce community violence or encourage disarmament, as in Sange and Shabunda in South Kivu, illustrate how peacekeepers can contribute to early stabilization by fostering the restoration of State authority and community dialogue. The United Nations family should advance broader, long-term stabilization objectives under the UNDAF, and renew efforts to work with the Government and partners under the Government Strategy for the Reconstruction of Areas Emerging from Conflict framework.

67. Despite impressive gains in stabilizing some areas, I remain increasingly concerned about the humanitarian situation, particularly in Katanga Province. It is imperative that the Mayi-Mayi Kata-Katanga rebellion and the Twa-Luaba conflict

and the massive internal displacement of the population are addressed, while enhancing efforts to stabilize Northern Katanga.

68. I fully support the position of the International Conference on the Great Lakes Region and SADC on the FDLR disarmament process. Military action is needed in the event of non-compliance by the time the six-month deadline expires on 2 January 2015. I urge the Government of the Democratic Republic of the Congo and the subregion to stand firm by their decision and to take decisive action should FDLR fail to complete their disarmament by 2 January. While there cannot be a purely military solution to the FDLR problem, it has now become, through the group's own fault, inevitable.

69. I welcome the steps taken by the Government of the Democratic Republic of Congo and the Government of Uganda to expedite the repatriation of former M23 elements from Uganda. I am concerned about the repeated refusal of the M23 Coordinator to engage with the Government of the Democratic Republic of the Congo on the implementation of the Nairobi Declarations. The repatriation of M23 elements is a critical element of the commitments outlined in the Nairobi Declarations. Its implementation is vital to ending a vicious cycle of violence in the eastern Democratic Republic of the Congo and the region. I encourage the Government of the Democratic Republic of the Congo, working closely with the Government of Rwanda and the Government of Uganda to complete the voluntary repatriation of all former M23 elements and to ensure that they will be treated in line with international obligations, while moving forward on other outstanding commitments under the Nairobi Declarations.

70. The disarmament, demobilization and reintegration of former combatants is a vital part of neutralizing armed groups. I am concerned at delays in implementing the third national disarmament, demobilization and reintegration plan and poor treatment in assembly sites risks discouraging former fighters to lay down their arms and join the process. Positive developments, such as the apparent willingness of Forces de résistance patriotiques en Ituri to surrender, must be fully exploited and must not be put at risk by a lack of funds. It is essential that committed funds, especially from the Government, be made immediately available and that sensitization and reinsertion activities commence without undue delay.

71. I wish to express my sincere appreciation for my Special Representative, Martin Kobler, and the men and women of MONUSCO and the United Nations agencies, funds and programmes in the Democratic Republic of the Congo who operate in a challenging and often volatile environment. I also thank troop- and police-contributing countries, bilateral partners, regional and international organizations, and my Special Envoy for the Great Lakes Region, Said Djinnit, and the team of Special Envoys for their support.