

At the 5783rd meeting, on 21 November 2007, the President (Indonesia) made a statement on behalf of the Council,⁴⁰ by which the Council, *inter alia*:

Commended the Governments of the Democratic Republic of the Congo and the Republic of Rwanda for their joint communiqué on a common approach to end the threat posed to peace and stability in both countries and the Great Lakes region, signed in Nairobi on 9 November 2007;⁴¹

Expressed its appreciation for the efforts undertaken in this respect by the Secretary-General through the special

⁴⁰ S/PRST/2007/44.

⁴¹ S/2007/679, annex.

mission carried out by the Assistant Secretary-General for Political Affairs;

Recalled that the continued presence of illegal armed groups, in particular the Forces démocratiques de libération du Rwanda, the ex-Rwandan Armed Forces/Interahamwe and the dissident militia of Laurent Nkunda, was one of the root causes of conflict in the eastern Democratic Republic of the Congo and constituted a threat to regional stability;

Reiterated its demand that these groups lay down their arms and engage voluntarily and without preconditions in their demobilization, repatriation, resettlement and reintegration, as appropriate;

Encouraged the authorities of the Democratic Republic of the Congo and the Republic of Rwanda to implement fully their commitments in the Nairobi communiqué;

Stressed its readiness to facilitate and support the implementation of these commitments;

Reiterated its full support to the United Nations Organization Mission in the Democratic Republic of the Congo for its action on the ground.

8. The situation concerning the Democratic Republic of the Congo

Decision of 15 January 2004 (4894th meeting): resolution 1522 (2004)

At the 4894th meeting,¹ on 15 January 2004, in which the representatives of Belgium and the Democratic Republic of the Congo were invited to participate, the President (Chile) drew attention to a draft resolution;² it was adopted unanimously and without debate as resolution 1522 (2004), by which the Council, *inter alia*:

Decided that its demand for the demilitarization of Kisangani and its surroundings laid down in paragraph 3 of resolution 1304 (2000) should not apply to restructured and integrated forces of the Democratic Republic of the Congo and

to the armed forces included in the comprehensive programme for formation of an integrated and restructured national army;

Urged the Government of National Unity and Transition to take appropriate measures for the restructuring and integration of the armed forces;

Called upon the international community to provide further assistance for the integration and restructuring of the armed forces of the Democratic Republic of the Congo in accordance with resolution 1493 (2003).

Decision of 12 March 2004 (4926th meeting): resolution 1533 (2004)

On 17 November 2003 the Secretary-General submitted the fourteenth report on the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC),³ in which he observed that, while significant progress had been achieved in the Democratic Republic of the Congo over the previous five months, considerable work remained to be done on a number of key issues of the peace process. On the positive side, former belligerents were working

¹ During this period, in addition to the meetings covered in this section, the Council held a number of meetings in private with the troop-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), pursuant to resolution 1353 (2001), annex II, sections A and B. The meetings were held on 23 July 2004 (5009th), 23 August 2004 (5023rd), 22 March 2005 (5146th), 29 September 2005 (5271st), 27 September 2006 (5537th), 4 April 2007 (5656th) and 29 November 2007 (5787th).

² S/2004/25.

³ S/2003/1098, submitted pursuant to resolutions 1417 (2002) and 1493 (2003).

together in the Transitional Government, the process of uniting the territory had begun, and there were encouraging trends in peacemaking at the local level. Moreover, MONUC and the wider international community were prepared to assist in strengthening the peace process through free and fair elections, and the relations between the Democratic Republic of the Congo and Rwanda had been improving. Nonetheless, significant challenges remained, which included the continuing presence of foreign armed combatants in the eastern Democratic Republic of the Congo and ongoing allegations of the presence of Rwandan military personnel in the Democratic Republic of the Congo. Noting that the disarmament, demobilization and reintegration of Congolese combatants was intricately linked to local-level political and economic dynamics in the eastern part of the country, he underlined the need for the Transitional Government to extend State administration throughout the eastern part. He further expressed gratitude to the Government of France and the European Union for quickly deploying a multinational force, for a limited period of time to Bunia. The presence of a robustly equipped force in Bunia, under Chapter VII of the Charter, had helped to stave off an impending humanitarian crisis. He also reported that, despite significant challenges, the efforts of MONUC and other international partners in stabilizing the situation in Ituri had had positive results. However, the humanitarian situation remained “catastrophic”. He believed that the elections planned for mid-2005 would be vital for establishing the foundation for a new, democratic and peaceful order in that country. Drawing attention to the danger posed by the “incessant” flow of arms into the country, despite the arms embargo imposed by resolution 1493 (2003), and its link to the illegal exploitation of natural resources, the Secretary-General proposed that the Council consider a three-tiered approach to addressing the issue. Under the first tier, MONUC would continue to carry out its monitoring mandate, collecting and categorizing information in accordance with the means made available to it. Under the second tier, a small group of three to four technical experts would be formed to collect and conduct preliminary investigations of information both within the Democratic Republic of the Congo and in other countries, as necessary. That group of experts would report to a third tier, a sanctions committee, which in turn would report and make recommendations to the Security Council and address the issue at the political

level with Member States. As the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo had completed its work, the Secretary-General believed that the Transitional Government should be encouraged to adopt the necessary laws to ensure the fair and equitable management of natural resources.

At its 4926th meeting, on 12 March 2004, the Council included in its agenda the above-mentioned report of the Secretary-General on MONUC.³ The President (France) then drew attention to a letter dated 23 October 2003 from the Secretary-General to the President of the Council, transmitting the final report of the Panel of Experts.⁴ Statements were made by the representatives of Pakistan and the United States.

The President also drew attention to a draft resolution;⁵ it was adopted unanimously as resolution 1533 (2004), by which the Council, acting under Chapter VII of the Charter of the United Nations, *inter alia*:

Requested MONUC to continue to use all means to carry out the tasks outlined in resolution 1493 (2003);

Authorized MONUC to seize or collect, as appropriate, the arms and any related material whose presence in the territory of the Democratic Republic of the Congo violated its provisions, and to dispose of such arms as appropriate;

Decided to establish a Committee of the Security Council consisting of all members of the Council to undertake the following tasks: (a) to seek from all States information regarding the actions taken by them to implement the measures imposed by resolution 1493 (2003); (b) to examine information concerning alleged violations of the measures; (c) to present regular reports to the Council on its work; (d) to consider the lists referred to in paragraph 10 (g) of the resolution with a view to submitting recommendations to the Council for possible future measures to be taken; (e) to receive notifications in advance from States made under paragraph 21 of resolution 1493 (2003) and to decide, if need be, upon any action to be taken;

Requested the Secretary-General to create, within 30 days, and for a period expiring on 28 July 2004, a group of experts to: (a) examine and analyse information gathered by MONUC; (b) to gather and analyse all relevant information in the Democratic Republic of the Congo, countries of the region and in others, flows of arms and related materiel, as well as networks operating in violation of resolution 1493 (2003); (c) to

⁴ S/2003/1027; the report was submitted pursuant to resolutions 1457 (2003) and 1499 (2003).

⁵ S/2004/192.

consider and recommend ways of improving the capabilities of States interested;

Requested the Special Representative of the Secretary-General to communicate to the Council information gathered by MONUC and reviewed by the Group of Experts, concerning supply in arms and related materiel to armed groups and militias, and any possible presence of foreign military in the Democratic Republic of the Congo.

After the vote, the representative of the United States welcomed the adoption of the resolution as a critical step in the collective effort to reduce the illegal flow of weapons in the Democratic Republic of the Congo. He believed that the newly created sanctions Committee, devoted to overseeing the implementation of the arms embargo imposed by resolution 1493 (2003), would constitute a useful tool that the Council could use to compel adherence by the non-compliant parties. He further stressed that the value of the information and recommendations brought to the attention of the Council by experts was contingent upon whether the Council acted in response to those findings.⁶

The representative of Pakistan drew attention to the importance of tracking financial resources for eliminating the root causes of conflict and indicated that his delegation would have liked to have an appropriate reflection of that included in the resolution. However, in the spirit of flexibility, his delegation had supported the decision.⁷

**Decision of 14 May 2004 (4969th meeting):
statement by the President**

At the 4969th meeting, on 14 May 2004, in which the representative of the Democratic Republic of the Congo was invited to participate, the President (Pakistan) drew attention to a letter dated 26 April 2004 from the representative of the Democratic Republic of the Congo to the President of the Council.⁸

⁶ S/PV.4926, p. 2.

⁷ Ibid., pp. 2-3.

⁸ S/2004/327, by which the representative of the Democratic Republic of the Congo drew the attention of the Council to the situation prevailing in North and South Kivu and at the frontier with Rwanda, where MONUC had confirmed that soldiers of the Rwandan Defence Forces were still present in the Democratic Republic of the Congo.

The President made a statement on behalf of the Council,⁹ by which the Council, *inter alia*:

Condemned any impediments to the freedom of movement of MONUC and reaffirmed its full support for the efforts of MONUC to stabilize the situation in the eastern part of the Democratic Republic of the Congo, and encouraged MONUC to continue to report to it on the military situation in the eastern part of the Democratic Republic of the Congo;

Attached great importance to respect for the national sovereignty and territorial integrity of the Democratic Republic of the Congo;

Demanded that the Government of Rwanda take measures to prevent the presence of any of its troops on the territory of the Democratic Republic of the Congo;

Reaffirmed its support for the commitments made by the Governments of the Democratic Republic of the Congo and Rwanda in Pretoria, on 27 November 2003;

Urged all Governments in the region to encourage the re-establishment of confidence between neighbouring countries.

**Decision of 7 June 2004 (4985th meeting):
statement by the President**

At the 4985th meeting, on 7 June 2004, in which the representative of the Democratic Republic of the Congo was invited to participate, the President (Philippines) made a statement on behalf of the Council,¹⁰ by which the Council, *inter alia*:

Condemned the seizure of the town of Bukavu on 2 June 2004;

Reaffirmed its commitment to and respect for national sovereignty, political independence, territorial integrity and unity of the Democratic Republic of the Congo;

Urged all parties represented in the Government of National Unity and Transition to remain fully committed to the peace process;

Warned the neighbouring States of the consequences of support to the armed rebel groups;

Welcomed the initiative of the Chairperson of the Commission of the African Union aimed at overcoming the current crisis;

Reiterated its full support to MONUC and condemned the recent killing of three of its personnel.

**Decision of 22 June 2004 (4994th meeting):
statement by the President**

⁹ S/PRST/2004/15.

¹⁰ S/PRST/2004/19.

At the 4994th meeting, on 22 June 2004, in which the representative of the Democratic Republic of the Congo was invited to participate, the President (Philippines) made a statement on behalf of the Council,¹¹ by which the Council, inter alia:

Reiterated its grave concern at the continued violence and threats to the peace and transition process and condemned any involvement by outside forces in the Democratic Republic of the Congo;

Urged all parties to remain fully committed to the peace process and to respect the Government of National Unity and Transition;

Warned all parties against any attempt at belligerent actions or violations of the embargo imposed by resolution 1493 (2003);

Urged the Governments of the Democratic Republic of the Congo and Rwanda to respond to the request made by MONUC to establish a joint verification mechanism for their common security;

Urged the Governments of Rwanda, Uganda and Burundi not to provide any support to armed groups in the Democratic Republic of the Congo;

Condemned the deaths of innocent civilians and human rights abuses in the east of the Democratic Republic of the Congo and called for such incidents to be fully investigated.

**Decision of 27 July 2004 (5011th meeting):
resolution 1552 (2004)**

At its 5011th meeting, on 27 July 2004, in which the representative of the Democratic Republic of the Congo was invited to participate, the Council included in its agenda a letter dated 15 July 2004 addressed to the President of the Council by the Chairman of the Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo, transmitting the report of the Group of Experts.¹² In its report, the Group of Experts recommended, inter alia, border control and Customs measures aimed at preventing all forms of assistance to armed groups; measures designed to ensure effective air-traffic monitoring and control; enhancement of the capability of MONUC; and the renewal of the arms embargo for a period covering the next mandate of MONUC.

The President (Romania) then drew attention to a draft resolution;¹³ it was adopted unanimously and without debate as resolution 1552 (2004), by which the Council, acting under Chapter VII of the Charter, inter alia:

Decided, in the light of the failure by the parties to comply with its demands in resolution 1493 (2003), to renew, until 31 July 2005, the provisions of paragraphs 20 to 22 of resolution 1493 (2003) and all the provisions of resolution 1533 (2004);

Decided further that it would review those measures by 1 October 2004, and periodically thereafter;

Requested that the Secretary-General, in consultation with the Committee, to re-establish, within 30 days and for a period expiring on 31 January 2005, the Group of Experts referred to in paragraph 10 of resolution 1533 (2004);

Requested the Group of Experts to report to the Council in writing before 15 December 2004, through the Committee, on the implementation of the measures imposed by paragraph 20 of resolution 1493 (2003), with recommendations in that regard, in particular regarding the lists provided for by paragraph 10 (g) of resolution 1533 (2004).

**Decision of 29 July 2004 (5014th meeting):
resolution 1555 (2004)**

At the 5014th meeting, on 29 July 2004, in which the representative of the Democratic Republic of the Congo was invited to participate, the President (Romania) drew attention to a draft resolution;¹⁴ it was adopted unanimously and without debate as resolution 1555 (2004), by which the Council, noting that the situation in the Democratic Republic of the Congo continued to constitute a threat to international peace and security in the region, inter alia:

Decided to extend the mandate of MONUC, as contained in resolutions 1493 (2003) and 1533 (2004), both adopted under Chapter VII of the Charter of the United Nations, until 1 October 2004;

Requested the Secretary-General to submit a report to the Council, before 16 August 2004, on the execution by MONUC of its mandate;

Decided to remain actively seized of the matter.

**Decision of 1 October 2004 (5048th meeting):
resolution 1565 (2004)**

¹¹ S/PRST/2004/21.

¹² S/2004/551; the report was submitted pursuant to paragraph 10 of resolution 1533 (2004).

¹³ S/2004/594.

¹⁴ S/2004/605.

At its 5048th meeting, on 1 October 2004, the Council included in its agenda the third special report of the Secretary-General on MONUC, dated 16 August 2004¹⁵ and a letter dated 3 September 2004 from the Secretary-General to the President of the Council.¹⁶ Statements were made by the Secretary-General and the representative of the United States.¹⁷

In his special report, the Secretary-General noted that the events of the past few months had demonstrated that if the political process did not move forward, it would run off track and risk collapse. Therefore, he called for a renewed commitment by the Transitional Government, the Security Council and the international community to work in full partnership to see the transitional process through to the elections scheduled for 2005. He further urged the Transitional Government to address the issue of human rights abuses and emphasized that the Governments of the Democratic Republic of the Congo, Rwanda and Uganda had to make concrete progress to ensure that the flow of arms across their borders was brought to an end. Observing that the expectations among the Congolese regarding the role MONUC could play under a Chapter VII mandate far outweighed what any external partner could ever do to assist a peace process as MONUC could not implement the transitional process on behalf of the Transitional Government or create stability, he recommended that the Council consider increasing the military strength of MONUC from 10,800 to 23,900 and expanding the Mission's civilian police component from 140 to 507 personnel.¹⁵

In his letter, the Secretary-General expressed concern about the volatile security environment prevailing in the Democratic Republic of the Congo following the crisis that had erupted in Bukavu in May and June, and the massacre of Congolese Banyamulenge refugees in Gatumba, Burundi, on 13 August 2004. In view of the possibility of a further deterioration of the situation, he proposed that, without prejudice to its consideration of the future expansion of MONUC, the Council consider taking an urgent decision to deploy emergency reinforcements to MONUC, so that the Mission could be provided with

the necessary capability to address any immediate security concerns.¹⁶

The President (United Kingdom) drew attention to a draft resolution;¹⁸ it was adopted unanimously as resolution 1565 (2004), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Decided to extend the deployment of MONUC until 31 March 2005;

Authorized the increase in the strength of MONUC by 5,900 personnel, including up to 341 civilian posts;

Decided that MONUC would have a new mandate in support of the Government of National Unity and Transition;

Authorized MONUC to use all necessary means to carry out its tasks; requested the Secretary-General to report to the Council within one month on reforms necessary to improve the structures of MONUC;

Requested the Secretary-General, through his Special Representative, to coordinate all activities of the United Nations system in the country, and to submit a report, before 28 February 2005, on the execution by MONUC of its mandate;

Decided to remain actively seized of the matter.

After the adoption of the draft resolution, the Secretary-General praised the decision of the Council to expand the strength of MONUC, which in his opinion would contribute to improving the Mission's operational capabilities that were severely under-resourced. However, he noted that the newly approved ceiling of 16,700 in total fell well below the figure recommended in his report. Consequently, MONUC would have to review the scope of the support it could provide for the peace process. He reiterated his position that the total military and police strength he had recommended was the minimum required to effectively meet the challenges in the Democratic Republic of the Congo and hoped that the Council would favourably revisit the issue of the Mission's requirements in the future.¹⁹

The representative of the United States explained that his delegation supported the resolution with the understanding that the decision did not direct MONUC to cooperate with the International Criminal Court.²⁰

¹⁵ S/2004/650, submitted pursuant to resolution 1555 (2004).

¹⁶ S/2004/715.

¹⁷ The representative of the Democratic Republic of the Congo was invited to participate in the meeting but did not make a statement.

¹⁸ S/2004/774.

¹⁹ S/PV.5048, pp. 2-3.

²⁰ *Ibid.*, p. 3.

Decision of 7 December 2004 (5095th meeting): statement by the President

At the 5095th meeting, on 7 December 2004, in which the representative of the Democratic Republic of the Congo was invited to participate, the President (Algeria) drew attention to a number of communications from the representatives of the Democratic Republic of the Congo and Rwanda.²¹

The President made a statement on behalf of the Council,²² by which the Council, inter alia:

Expressed its very deep concern at multiple reports of military operations by the Rwandan army in the eastern part of the Democratic Republic of the Congo;

Condemned any such military actions that were contrary to its resolutions;

Demanded that Rwanda withdraw any forces in the Democratic Republic of the Congo;

Called on all Governments to commit themselves to the multilateral mechanisms they had agreed to establish;

Urged all Member States to fully comply with their obligations under resolution 1493 (2003);

Welcomed steps taken to establish the plan aimed at accelerating the disarmament of foreign armed groups;

Called upon Rwanda and the Democratic Republic of the Congo to explore ways to facilitate the voluntary repatriation of those combatants based on existing mechanisms;

Called on the Congolese authorities to accelerate the integration of the armed forces of the Democratic Republic of

the Congo and encouraged the donor community to provide coordinated financial and technical assistance to that task;

Condemned any attempt aimed at undermining the unity and territorial integrity of the Democratic Republic of the Congo.

Decision of 2 March 2005 (5133rd meeting): statement by the President

At the 5133rd meeting, on 2 March 2005, in which the representative of the Democratic Republic of the Congo was invited to participate, the President (Brazil) made a statement on behalf of the Council,²³ by which the Council, inter alia:

Condemned with the utmost firmness the attack against a patrol of MONUC by the Front des Nationalistes et Intégrationnistes in Ituri on 25 February 2005, resulting in the murder of nine Bangladeshi peacekeepers;

Called upon the Government of National Unity and Transition immediately to take all necessary measures to bring to justice the perpetrators, sponsors and authors of that attack and to strengthen its support for the implementation of the disarmament and community reintegration programme for Ituri militiamen;

Reminded all States in the region of their responsibility to ensure compliance for the arms embargo imposed by resolution 1493 (2003);

Further urged those States to ensure that their territories could not be used by any Congolese armed group, notably the Ituri militia, whose activities perpetuated a climate of insecurity that affected the whole region;

Reaffirmed its full support for MONUC, and urged MONUC to continue to fulfil its mandate with determination.

Decision of 30 March 2005 (5155th meeting): resolution 1592 (2005)

At its 5155th meeting, on 30 March 2005, the Council included in its agenda the seventeenth report of the Secretary-General on MONUC.²⁴ In that report, the Secretary-General called on the Transitional Government to take resolute action on several fronts, particularly in regard to elections, security sector reform and the establishment of rule of law. With respect to the situation in Ituri, he emphasized the need for the Governments of the Democratic Republic of the Congo, Rwanda and Uganda to ensure that their territories were not used to support the flow of arms

²¹ By a letter dated 30 November 2004 to the President of the Council, the representative of the Democratic Republic of the Congo informed the Council that Rwandan regular troops had crossed the Congolese border in order to attack the town of Mutongo in North Kivu province and requested that the Council meet urgently in order to firmly condemn that attack (S/2004/935). By a letter dated 30 November 2004 to the President of the Council, the representative of Rwanda presented his Government's account of the situation in the Democratic Republic of the Congo (S/2004/933). By a letter dated 6 December 2004 to the President of the Council, the representative of Rwanda transmitted a communiqué issued by his Government in response to the declaration by the President of the Democratic Republic of the Congo calling on all Congolese to mobilize, inter alia, to fight a Rwandan invasion on the territory of the Democratic Republic of the Congo (S/2004/951).

²² S/PRST/2004/45.

²³ S/PRST/2005/10.

²⁴ S/2005/167, submitted pursuant to resolution 1565 (2004).

into the region. He called on the international community to step up its efforts for security sector reform, particularly to assist in the training and equipping of the armed forces of the Democratic Republic of the Congo, and emphasized that the establishment of an integrated and professional army and police force was a key element of the exit strategy for MONUC. With the full deployment of the MONUC brigades in the Kivus, the Mission's capacity to support the maintenance of security and the protection of civilians in the Kivus had been significantly enhanced. He further announced that the African Union and some Member States were examining, in consultation with the United Nations, the possibility of deploying troops into the Democratic Republic of the Congo to forcibly disarm the ex-Rwandan Armed Forces/Interahamwe. Stressing the central role played by MONUC in supporting the Transitional Government in its efforts to prepare the new elections and ensure stable governance, the Secretary-General recommended that the Council extend the Mission's mandate for one year.

The Council extended an invitation to the representative of the Democratic Republic of the Congo to participate in the discussion. The President (Brazil) then drew attention to a draft resolution;²⁵ it was adopted unanimously and without debate as resolution 1592 (2005), by which the Council, acting under Chapter VII of the Charter, inter alia:

Decided to extend the mandate of MONUC until 1 October 2005;

Reaffirmed its demand that all parties cooperate fully with the operations of MONUC and that they ensure the safety of all United Nations personnel;

Emphasizing that MONUC was authorized to use all necessary means to carry out its tasks and deter any attempt at the use of force, stressed that MONUC might use cordon and search tactics to prevent attacks;

Demanded that the Governments of Uganda and Rwanda, as well as the Democratic Republic of the Congo put a stop to the use of their territories in support of violations of the arms embargo or activities of armed groups in the region;

Decided to remain actively seized of the matter.

**Decision of 12 April 2005 (5162nd meeting):
statement by the President**

At the 5162nd meeting, on 12 April 2005, in which the representative of the Democratic Republic of

²⁵ S/2005/207.

the Congo was invited to participate, the President (China) drew attention to a letter dated 4 April 2005 from the representative of Rwanda to the President of the Council, transmitting a communiqué issued by his Government concerning the decision of the ex-Rwandan Armed Forces/Interahamwe to disarm unconditionally and return to Rwanda.²⁶

The President then made a statement on behalf of the Council,²⁷ by which the Council, inter alia:

Welcomed the statement issued by the Forces démocratiques de libération du Rwanda (FDLR) in Rome, on 31 March 2005, in which they condemned the 1994 genocide and committed themselves to renounce the use of force and cease all offensive operations against Rwanda;

Called on FDLR to turn their positive words into action and to demonstrate their commitment to peace by immediately handing all their arms to MONUC and by taking part in the programme put in place for their earliest voluntary and peaceful return to Rwanda;

Encouraged all other armed groups in the Democratic Republic of the Congo that had not yet done so to renounce likewise the use of force and to take part without delay in the programmes of disarmament, demobilization and reintegration;

Urged the Governments of the Democratic Republic of the Congo and Rwanda to work together, in close cooperation with MONUC, to make use of the chance given to them to contribute to peace and stability in the whole Great Lakes region of Africa;

Urged the Government of Rwanda to guarantee the return and reintegration of FDLR.

**Decision of 18 April 2005 (5163rd meeting):
resolution 1596 (2005)**

At its 5163rd meeting, on 18 April 2005, the Council included in its agenda a letter dated 25 January 2005 from the Chairman of the Committee established pursuant to resolution 1533 (2004) to the President of the Council, transmitting the report of the Group of Experts.²⁸ In that report, given the complexity of the Congolese political landscape and the varying allegiances of the members of the Transitional Government, the Group of Experts recommended that the target of the embargo as defined in resolution 1493 (2003) be revisited with a view to clarifying the terms and exemptions of the embargo. The Group also

²⁶ S/2005/223.

²⁷ S/PRST/2005/15.

²⁸ S/2005/30; the report was submitted pursuant to paragraph 6 of resolution 1552 (2004).

recommended that the *État-major du renseignement militaire* in Kinshasa be instituted as the sole procuring and authorizing agent on behalf of the Transitional Government and integrated army for military hardware and other forms of military equipment. Furthermore, to enhance the effectiveness of the monitoring mechanism and embargo enforcement, the Security Council should extend the arms embargo to the entire territory of the Democratic Republic of the Congo, with the exception of the *État-major* and MONUC and for supplies of non-lethal material and training for humanitarian or protective use. The report also contained a number of recommendations related to monitoring mechanisms, civil aviation, border control and financial aspects, arms flows and violations, and bilateral, regional and international efforts.

The representative of the Democratic Republic of the Congo was invited to participate in the discussion. The President (China) then drew attention to a draft resolution;²⁹ it was adopted unanimously and without debate as resolution 1596 (2005), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Reaffirmed the measures established by paragraph 20 of resolution 1493 (2003) and extended until 31 July 2005 by resolution 1552 (2004);

Decided that those measures from then on would apply to any recipient in the territory of the Democratic Republic of the Congo, and reiterated that assistance included financing and financial assistance related to military activities;

Decided that all future authorized shipments of arms and related materiel consistent with such exemptions noted in paragraph 2 (a) of the resolution should only be made to receiving sites as designated by the Government of National Unity and Transition, in coordination with MONUC, and notified in advance to the Committee;

Decided that each Government in the region, in particular those of States bordering Ituri and the Kivus, as well as that of the Democratic Republic of the Congo, should maintain a registry for review by the Committee and the Group of Experts of all information concerning flights originating in their respective territories en route to destinations in the Democratic Republic of the Congo, as well as flights originating in the Democratic Republic of the Congo en route to destinations in their respective territories;

Decided that, during the period of enforcement of the measures referred to above, all States should take the necessary measures to prevent the entry into or transit through their

territories of all persons designated by the Committee as acting in violation of the measures taken by Member States;

Decided that all States should, during the period of enforcement of the measures, immediately freeze the funds, other financial assets and economic resources which were on their territories from the date of adoption of the resolution, which were owned or controlled, directly or indirectly, by persons designated by the Committee.

**Decision of 29 June 2005 (5218th meeting):
statement by the President**

At its 5218th meeting, on 29 June 2005, the Council included in its agenda the special report of the Secretary-General, dated 26 May 2005, on elections in the Democratic Republic of the Congo.³⁰ In the special report, the Secretary-General noted that despite security, operational and political challenges, with sufficient focus and support by the Transitional Government and assistance from international partners, elections in the Democratic Republic of the Congo could be held within a reasonable period of time. He stressed the primary responsibility of the Transitional Government for creating the conditions necessary for stability in the post-transition period and for the success of the electoral process. He welcomed the adoption of a Constitution that put in place a structure ensuring checks and balances among the executive, legislative and judicial branches, and provided for balance of power within the executive branch of government. He also expressed concern at the state of security sector reform. Underlining the role played by MONUC in disarming more than 12,000 combatants in Ituri and in improving the security environment in North and South Kivu, he recommended that the Council increase the Mission's military strength to a total of 19,290. In his view, the additional military personnel, who would be deployed only temporarily for the period of the elections and their immediate aftermath, could play a significant role in ensuring stability in highly volatile areas and in allowing the electorate the right to participate in the process, as well as ensuring the security of MONUC and other international personnel in high-risk areas. Furthermore, he recommended the strengthening of the Mission's civilian police component by an additional 261 civilian police and five formed police units, in order to

²⁹ S/2005/245.

³⁰ S/2005/320, submitted pursuant to paragraph 6 of resolution 1552 (2004).

undertake training and institution-building activities at the central and ground levels.

The representative of the Democratic Republic of the Congo was invited to participate in the discussion. The President (France) made a statement on behalf of the Council,³¹ by which the Council, *inter alia*:

Took note of the joint decision reached by the two Houses of Parliament of the Democratic Republic of the Congo on 17 June 2005 to extend for six months, renewable once, the transitional period that was to expire on 30 June 2005;

Called on all Congolese parties to respect that decision and urged in particular the candidates and political parties to refrain from any action that might disrupt that process;

Urged all parties and transitional institutions to make every effort to respect scrupulously the timetable for polls developed by the Independent Electoral Commission, and in particular to begin preparations for the referendum on the draft Constitution as soon as possible;

Called on the transitional authorities to accelerate those reforms remaining to be carried out, in particular drafting of the electoral law and integration of the security forces;

Called upon the Congolese authorities to exercise efficient, transparent and comprehensive control over State finances and encouraged them to continue consultations with their international partners, in full respect for the sovereignty of the Democratic Republic of the Congo, and to put in place credible arrangements to strengthen support for good governance and transparent economic management.

**Decision of 13 July 2005 (5226th meeting):
statement by the President**

At the 5226th meeting, on 13 July 2005, in which the representative of the Democratic Republic of the Congo was invited to participate, the President (Greece) made a statement on behalf of the Council,³² by which the Council, *inter alia*:

Condemned with the utmost firmness the massacre of some 50 people, most of them women and children, which had occurred on 9 July 2005 in Ntulu-Mamba, in the Democratic Republic of the Congo;

Requested the Special Representative of the Secretary-General for the Democratic Republic of the Congo to establish the facts and report to the Council as quickly as possible;

Called upon the Congolese authorities to prosecute and bring to justice expeditiously the perpetrators and those responsible for those crimes;

Stressed the need to bring to an end attacks by armed groups on local populations;

Demanded that FDLR abide by the commitment given in Rome put an end to the armed conflict and settle without further delay the issue of the repatriation of their combatants.

**Decision of 29 July 2005 (5243rd meeting):
resolution 1616 (2005)**

By a letter dated 26 July 2005 to the President of the Council, the Chairman of the Committee established pursuant to resolution 1533 (2004) transmitted the report of the Group of Experts.³³ In its report, the Group of Experts stressed the importance of inter-State cooperation in the Great Lakes region for countering violations of the arms embargo. While commending the Tripartite Commission and the bilateral Joint Verification Mechanism for their work towards improving intergovernmental communication, the Group believed that the arms embargo demanded a flexible and permanent mechanism for unambiguous information-sharing and cooperative action between States at the tactical and political levels. The Group of Experts recommended that: the existing sanctions regime should be maintained well into the post-electoral period; sufficient means should be allocated to MONUC for deployment on the borders and in the airports of the Democratic Republic of the Congo to support existing national customs structures and for monitoring of airspace and airport activities; enhanced traceability systems for all important natural resources of the Democratic Republic of the Congo should be developed under the direction of the Government which should be required to report on the development and implementation of those systems to the Committee; the Government of the Democratic Republic of the Congo should request the International Civil Aviation Organization (ICAO) to assist in providing the technical expertise necessary to improve national aviation security standards; and the World Bank, ICAO and other multilateral organizations should assist the Transitional Government in developing the capacity of its Civil Aviation Authority.

At its 5243rd meeting, on 29 July 2005, the Council included in its agenda the above-mentioned letter and extended an invitation to the representative of the Democratic Republic of the Congo to participate in the discussion.

³¹ S/PRST/2005/27.

³² S/PRST/2005/31.

³³ S/2005/436; the report was submitted pursuant to paragraph 22 of resolution 1596 (2005).

The President (Greece) drew attention to a draft resolution;³⁴ it was adopted unanimously and without debate as resolution 1616 (2005), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Decided to renew until 31 July 2006 the provisions of paragraphs 20 to 22 of resolution 1493 (2003), and reaffirmed paragraphs 2, 6, 10 and 13 to 16 of resolution 1596 (2005);

Requested the Secretary-General to re-establish the Group of Experts within 30 days and for a period expiring on 31 January 2006, drawing on the expertise of the members of the Group of Experts established pursuant to resolution 1596 (2005);

Requested the Group of Experts to continue fulfilling its mandate to update the Committee on its work by 10 November 2005, and to report to the Council in writing, through the Committee, before 10 January 2006, including information on the sources of financing which were funding the illicit trade in arms.

**Decision of 6 September 2005 (5255th meeting):
resolution 1621 (2005)**

At its 5255th meeting, on 6 September 2005, the Council again included in its agenda the special report of the Secretary-General on elections in the Democratic Republic of the Congo.³⁵ The Council extended an invitation to the representative of the Democratic Republic of the Congo to participate in the discussion.

The President (Philippines) then drew attention to a draft resolution;³⁶ it was adopted unanimously and without debate as resolution 1621 (2005), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Authorized an increase in the strength of MONUC of 841 personnel, including up to five formed police units of 125 officers each and the additional police personnel;

Requested the Secretary-General to take the necessary steps with a view to downsizing or repatriating those additional personnel from 1 July 2006 at the latest;

Authorized MONUC, in accordance with the recommendation and with its mandate as defined in paragraphs 5 (f) and 7 (c) of resolution 1565 (2004), and acting in close coordination with the United Nations Development Programme, to provide additional support to the Independent Electoral Commission for the transport of electoral materials.

**Decision of 30 September 2005 (5272nd
meeting): resolution 1628 (2005)**

On 26 September 2005, the Secretary-General submitted the nineteenth report on MONUC,³⁷ in which he stated that, in spite of delays, largely caused by logistical problems, encouraging progress had been made in the voter registration process, an important step towards the holding of democratic elections in the Democratic Republic of the Congo. He considered it vital that the necessary legislation, including the electoral law, be adopted by the Transitional Government and Parliament with a minimum of delay so that the elections could be organized no later than June 2006. In that context, MONUC was expanding its extensive role nationwide in providing logistical and other support to the Independent Electoral Commission. The Secretary-General also remarked that considerable progress had been made in training the Congolese National Police, who would provide security for the elections. Noting that an enhancement of the military capacity of MONUC would be required to address the threats posed by armed groups in Katanga and contribute to establishing the necessary security conditions for elections in that province, the Secretary-General hoped that the Council would give due consideration to his recommendation for an increase of 2,580 in the Mission's force strength. He further stressed the importance of good governance and was of the opinion that, in the remaining months of the transition, the Transitional Government should focus on extending State administration throughout the country and improving delivery of basic services to the population. The Secretary-General further noted the "continuing humanitarian catastrophe" in the country and reaffirmed the importance of disarming and demobilizing foreign armed groups on the territory of the Democratic Republic of the Congo. He reported that some progress had been achieved in the reform of the armed forces and called for increased support by international partners for security sector reform. He informed the Council that the constitutional referendum was scheduled to be held before the expiration of the first extension of the transition on 31 December and that the Parliament was likely to have voted, by that time, for the second and final six-month extension of the transition, in order to allow the Independent Electoral Commission to organize the elections. In that context, he recommended that the

³⁴ S/2005/493.

³⁵ S/2005/320 and Add.1.

³⁶ S/2005/555.

³⁷ S/2005/603, submitted pursuant to resolutions 1565 (2004) and 1592 (2005).

mandate of MONUC be extended for one year, until 1 October 2006, which would include the period until the elections and the immediate post-transitional period following the installation of the new Government.

At its 5272nd meeting, on 30 September 2005, the Council included in its agenda the above-mentioned report of the Secretary-General and extended an invitation to the representative of the Democratic Republic of the Congo to participate in the discussion.

The President (Philippines) drew attention to a draft resolution;³⁸ it was adopted unanimously and without debate as resolution 1628 (2005), by which the Council, noting that the situation in the Democratic Republic of the Congo continued to constitute a threat to international peace and security in the region, inter alia, decided to extend the mandate of MONUC, as contained in resolutions 1565 (2004), 1592 (2005), 1596 (2005) and 1621 (2005), adopted under Chapter VII of the Charter, until 31 October 2005; and to remain seized of the matter.

**Decision of 4 October 2005 (5275th meeting):
statement by the President**

At the 5275th meeting, on 4 October 2005, in which the representatives of the Democratic Republic of the Congo, Rwanda and Uganda were invited to participate, the President (Romania) drew attention to the nineteenth report of the Secretary-General on MONUC³⁹ and to a letter dated 3 October 2005 from the representative of the Democratic Republic of the Congo to the President of the Council.⁴⁰

The President made a statement on behalf of the Council,⁴¹ by which the Council, inter alia:

Expressed concern over the presence of foreign armed groups in the Democratic Republic of the Congo;

Recognized the decision taken on 16 September 2005 by the Democratic Republic of the Congo, Uganda, Rwanda and

Burundi, acting within the framework of the Tripartite Plus Joint Commission, to set the deadline of 30 September 2005 for FDLR to disarm or otherwise to face measures intended to compel them to do so;

Demanded that FDLR proceed voluntarily with their disarmament and return to Rwanda without any delay or preconditions;

Demanded the full cooperation of FDLR with the International Criminal Tribunal for Rwanda in Arusha, particularly with regard to the arrest and transfer of indictees who remained at large;

Noted with concern the incursion of members of the Lord's Resistance Army into the Democratic Republic of the Congo and welcomed the intention of the Congolese Armed Forces to disarm that group in cooperation with MONUC and in accordance with its mandate;

Called upon all armed groups in the Great Lakes region of Africa to act without delay to lay down their arms and join the processes of political transition under way in the region.

**Decision of 28 October 2005 (5296th meeting):
resolution 1635 (2005)**

At its 5296th meeting, on 28 October 2005, the Council included again in its agenda the nineteenth report of the Secretary-General on MONUC.⁴²

The President (Romania) drew attention to a draft resolution;⁴³ it was adopted unanimously and without debate as resolution 1635 (2005), by which the Council, acting under Chapter VII of the Charter, inter alia:

Decided to extend the mandate of MONUC until 30 September 2006;

Authorized an increase of 300 personnel in the military strength of MONUC;

Requested the Secretary-General to take the necessary steps with a view to downsizing or repatriating that additional strength from 1 July 2006 at the latest, and to report to the Council before 1 June 2006 on the assessment to be made for that purpose;

Called upon the transitional institutions and on all Congolese parties to ensure that free, fair and peaceful elections took place, and that the timetable for polls developed by the Independent Electoral Commission was scrupulously respected;

Called on the Government of National Unity and Transition to carry out reform of the security sector;

³⁸ S/2005/614.

³⁹ S/2005/603.

⁴⁰ S/2005/620; the letter was sent in protest at the remarks made by the President of Uganda to the effect that the Ugandan army would cross the border with the Democratic Republic of the Congo if the Government of the Democratic Republic of the Congo and MONUC failed to disarm within two months the rebels of the Lord's Resistance Army.

⁴¹ S/PRST/2005/46.

⁴² S/2005/603.

⁴³ S/2005/665.

Called on the donor community to continue to engage firmly in the provision of assistance needed for the integration, training and equipping of the Armed Forces and of the National Police of the Democratic Republic of the Congo;

Requested MONUC to continue to provide advice and assistance as well as the necessary support, to the effective follow-up to the meeting on 21 September 2005 between the Espace présidentiel and the International Committee in Support of the Transition, to strengthen support for good governance and transparent economic management;

Decided to remain actively seized of the matter.

**Decisions of 21 December 2005 (5340th meeting):
resolution 1649 (2005) and statement by
the President**

At the 5340th meeting, on 21 December 2005, in which the representative of the Democratic Republic of the Congo was invited to participate, the President (United Kingdom) drew attention to a draft resolution;⁴⁴ it was adopted unanimously and without debate as resolution 1649 (2005), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Decided that, for a period expiring on 31 July 2006, the provisions of paragraphs 13 to 16 of resolution 1596 (2005) should extend to the following individuals, as designated by the Committee established pursuant to resolution 1533 (2004): (a) political and military leaders of foreign armed groups operating in the Democratic Republic of the Congo; (b) political and military leaders of Congolese militias receiving support from outside the Democratic Republic of the Congo;

Decided that the measures imposed above as well as those under paragraph 13 of resolution 1596 (2005) should not apply where the Committee authorized in advance, and on a case-by-case basis, the transit of individuals returning to the territory of the State of their nationality, or participating in efforts to bring to justice perpetrators of grave violations of human rights or international humanitarian law;

Decided that the tasks of the Committee set out in paragraph 18 of resolution 1596 (2005) should extend to the provisions set out above;

Requested the Secretary-General and the Group of Experts established under resolution 1533 (2004) to assist the Committee in the designation of the leaders referred to above;

Decided that the provisions of paragraphs 2 to 5 of the resolution should enter into force on 15 January 2006, unless the Secretary-General informed the Council that the process of disarmament of those foreign armed groups and Congolese

militias operating in the Democratic Republic of the Congo was being completed;

Decided that, no later than 31 July 2006, it should review the measures set forth above, in the light of progress accomplished in the peace and transition process in the Democratic Republic of the Congo, in particular with regard to the disarmament of foreign armed groups.

The President also made a statement on behalf of the Council,⁴⁵ by which the Council, *inter alia*:

Commended the people of the Democratic Republic of the Congo for the successful holding of the referendum on the draft Constitution;

Paid tribute to the work of the Independent Electoral Commission, which had been able, with unprecedented and outstanding logistical support from MONUC and with the assistance of the international community, to take up that challenge;

Recalled its support for the holding of elections in the coming months, which had to take place before the end of the transitional period on 30 June 2006;

Urged the Government of National Unity and Transition to live up to the expectations of the Congolese people and to do its utmost to ensure that the next polls were held in accordance with the timetable of the Independent Electoral Commission.

**Decision of 25 January 2006 (5356th meeting):
statement by the President**

At the 5356th meeting, on 25 January 2006, in which the representative of the Democratic Republic of the Congo was invited to participate, the President (United Republic of Tanzania) made a statement on behalf of the Council,⁴⁶ by which the Council, *inter alia*:

Condemned with the utmost firmness the attack against a detachment of MONUC, which had occurred on 23 January 2006 in the national park of Garamba, resulting in the death of eight Guatemalan peacekeepers and the severe wounding of five others;

Considered that aggression to be an unacceptable outrage;

Called upon the Government of National Unity and Transition immediately to take all necessary measures to bring to justice those responsible for the attack;

Also condemned with the utmost firmness the recent seizure of villages in the area of Rutshuru, North Kivu province, by insurgent elements;

⁴⁴ S/2005/810.

⁴⁵ S/PRST/2005/66.

⁴⁶ S/PRST/2006/4.

Underlined the importance of the electoral process not being disturbed.

**Decision of 31 January 2006 (5360th meeting):
resolution 1654 (2006)**

At the 5360th meeting, on 31 January 2006, in which the representative of the Democratic Republic of the Congo was invited to participate, the President (United Republic of Tanzania) drew attention to a draft resolution;⁴⁷ it was adopted unanimously and without debate as resolution 1654 (2006), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Requested the Secretary-General to re-establish the Group of Experts referred to in paragraph 10 of resolution 1533 (2004) and paragraph 21 of resolution 1596 (2005), within 30 days and for a period expiring on 31 July 2006;

Requested the Group of Experts to update the Committee on its work by 10 April 2006, and to report to the Council in writing, through the Committee, before 10 July 2006;

Decided to remain seized of the matter.

**Decision of 10 April 2006 (5408th meeting):
resolution 1669 (2006)**

At its 5408th meeting, on 10 April 2006, in which the representative of the Democratic Republic of the Congo was invited to participate, the Council included in its agenda a letter dated 30 March 2006 from the Secretary-General to the President of the Council.⁴⁸ In that letter, the Secretary-General indicated the intention to temporarily redeploy military personnel and resources from the United Nations Operation in Burundi (ONUB) to MONUC, as previously authorized by the Council by resolution 1650 (2005), for an initial period ending on 31 December 2006. The battalion would operate in the central area of Katanga Province and carry out the mandate entrusted to MONUC by the Council in resolution 1291 (2000) and all subsequent relevant resolutions. The military observers would be deployed in teams to various areas of the Democratic Republic of the Congo in the context of the increased military observer capacity required during the electoral process.

The President (China) drew attention to a draft resolution;⁴⁹ it was adopted unanimously and without

debate as resolution 1669 (2006), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Decided to authorize the Secretary-General to redeploy temporarily a maximum of one infantry battalion, a military hospital and up to 50 military observers from ONUB to MONUC, until 1 July 2006, according to resolution 1650 (2005), and with the intention to renew such authorization according to future decisions by the Security Council concerning the renewal of the mandates of ONUB and MONUC;

Decided to remain actively seized of the matter.

**Decision of 25 April 2006 (5421st meeting):
resolution 1671 (2006)**

At its 5421st meeting, on 25 April 2006, a Council included in its agenda a letter dated 12 April 2006 from the Secretary-General to the President of the Council.⁵⁰ By that letter, the Secretary-General informed the Council that, while the referendum on the draft constitution of the Democratic Republic of the Congo had been held on 18 and 19 December 2005 with minimal security problems, the United Nations remained concerned about the possibility of violence occurring before, during or after the upcoming elections, which neither the forces of MONUC nor the armed forces of the Democratic Republic of the Congo would have the capacity to contain. In response to the request of the Under-Secretary-General for Peacekeeping Operations, the European Union had agreed to provide support to MONUC during the electoral period, subject to the authorization of the Council under Chapter VII of the Charter.⁵¹ He held that the deployment of such a force would be an important contribution to the international community's efforts to support the Government of the Democratic Republic of the Congo in ensuring the successful holding of elections under secure conditions in the country.

The President (China) drew attention to a letter dated 30 March 2006 from the representative of the Democratic Republic of the Congo to the President of the Council, transmitting a communiqué reporting that the Supreme Defence Council of his country had recommended endorsing the initiative for the

⁴⁷ S/2006/56.

⁴⁸ S/2006/206.

⁴⁹ S/2006/224.

⁵⁰ S/2006/219.

⁵¹ *Ibid.*, annex II.

establishment of a European Union force to reinforce the security arrangements for the electoral process.⁵²

The representative of France made a statement. The President drew attention to a draft resolution;⁵³ it was adopted unanimously as resolution 1671 (2006), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Authorized for a period ending four months after the date of the first round of the presidential and parliamentary elections, the deployment of the European Union force in the Democratic Republic of the Congo;

Decided that the authorization for the deployment should not exceed the term of the mandate of MONUC and would be subject, beyond 30 September 2006, to the extension of the mandate of MONUC;

Stressed that the European Union force was authorized immediately to take all appropriate steps, including the deployment of advance elements in the Democratic Republic of the Congo, in order to prepare its full operational capability.

The representative of France welcomed the adoption of the resolution as a proof of the commitment of the international community, particularly the United Nations and the European Union, to the peace process in the Democratic Republic of the Congo. The European Union force would be an important element in ensuring that the elections scheduled for June went smoothly. He further pointed out that it would not be necessary to adopt another resolution to renew the mandate of force when the Council decided, by 30 September, to extend the mandate of MONUC, which was his delegation's interpretation of the provision contained in the resolution, shared by other Council members.⁵⁴

**Decision of 30 June 2006 (5480th meeting):
resolution 1693 (2006)**

On 13 June 2006, the Secretary-General submitted the twenty-first report on MONUC,⁵⁵ in which he expressed his gratitude to the international community for its considerable political, financial, technical and logistical support of the electoral process in the Democratic Republic of the Congo in preparation for the historic elections to be held in the coming months. He stressed that the elections and their

outcome should provide an opportunity to continue the process of national dialogue, consolidation of peace and progress towards the long-term unity and stability of the country. He announced that MONUC and its partners would continue to support the Government's efforts towards securing the elections and strongly welcomed the decision of the European Union to assist the United Nations in that endeavour. He reported that, despite some progress, the political and security situation in Ituri, the Kivus and Katanga remained tenuous. Drawing attention to the human rights violations, he urged the Congolese authorities to accelerate the establishment of a reformed army and police force and to ensure that those responsible were swiftly brought to trial by an independent and credible justice system. He further deplored the humanitarian situation. He observed that in the post-electoral period, the sustained engagement of the international community and the establishment of follow-up consolidation mechanisms would be critical. In his view, the new Government would have to establish a national action plan, including benchmarks and coordinated programmes of donor support targeted at key objectives, such as the poverty reduction strategy, the United Nations action plan and security sector reform. Lastly, he announced his intention to provide the Council proposals for the post-electoral role of MONUC after the possible second round of the presidential elections.

At its 5480th meeting, on 30 June 2006, the Council included in its agenda the above-mentioned report of the Secretary-General and extended an invitation to the representative of the Democratic Republic of the Congo to participate in the discussion.

The President (Denmark) drew attention to a draft resolution;⁵⁶ it was adopted unanimously and without debate as resolution 1693 (2006), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Decided to extend until 30 September 2006 the increase in the military and civilian police strength of MONUC authorized by resolutions 1621 (2005) and 1635 (2005);

Requested the Secretary-General to take the necessary steps with a view to downsizing or repatriating that additional strength by 30 September 2006;

Called on all Congolese parties to refrain from incitement to hatred and violence.

⁵² S/2006/203.

⁵³ S/2006/253.

⁵⁴ S/PV.5421, p. 2.

⁵⁵ S/2006/390, submitted pursuant to resolutions 1565 (2004) and 1635 (2005).

⁵⁶ S/2006/457.

**Decision of 31 July 2006 (5502nd meeting):
resolution 1698 (2006)**

By a letter dated 18 July 2006 to the President of the Council, the Chairman of the Committee established pursuant to resolution 1533 (2004) transmitted the report of the Group of Experts.⁵⁷ In the report, observing that the internal trafficking in arms and ammunition constituted a genuine threat to the peace process, the Group continued to recommend that all arms held and imported by the Democratic Republic of the Congo be separately registered and marked. The Group further noted that, although some FDLR members had been listed by the Council as subject to financial and travel sanctions, it would be advantageous if FDLR organizations were listed as sanctionable entities and if membership in those organizations were to lead to automatic financial sanctions and travel bans. The Group also made a number of recommendations aimed at preventing the use of civil aviation in the illicit transport of arms and ammunition. Taking into account the link between the illegal exploitation of natural resources and the funding of arms embargo violations, the Group recommended that the Council declare for one year all illegal exploration, exploitation and commerce of natural resources from the Democratic Republic of the Congo to be a sanctionable act in order to assist the new Government in its efforts to stabilize and promote the legal exploitation and commerce of natural resources. With regard to customs and migratory flows, the Group reiterated its earlier recommendations on the reinforcement of border controls and encouraged donors to strengthen the capacities of customs and immigration services.

At its 5502nd meeting, on 31 July 2006, the Council included in its agenda the above-mentioned report of the Group of Experts.

The President (France) drew attention to the report of the Group of Experts transmitted through a letter dated 26 January 2006 from the Chairman of the Committee established pursuant to resolution 1533 (2004) to the President of the Council;⁵⁸ the report of

the Secretary-General on children and armed conflict in the Democratic Republic of the Congo;⁵⁹ and the report of the Council mission on the electoral process in the Democratic Republic of the Congo.⁶⁰

The President also drew attention to a draft resolution;⁶¹ it was adopted unanimously and without debate as resolution 1698 (2006), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Decided to renew until 31 July 2007 the provisions of paragraphs 20 to 22 of resolution 1493 (2003), as amended and expanded by paragraph 1 of resolution 1596 (2005) and by paragraph 2 of resolution 1649 (2005);

Requested the Secretary-General to take the necessary administrative measures as expeditiously as possible with a view to extending the mandate of the Group of Experts for a period expiring on 31 July 2007;

Requested the Group of Experts to continue fulfilling its mandate by 20 December 2006 and again before 10 July 2007;

Requested the Group of Experts to include in its report further recommendations on feasible and effective measures the Council might impose to prevent the illegal exploitation of natural resources financing armed groups and militias in the eastern part of the Democratic Republic of the Congo;

Requested the Secretary-General to enable the Group of Experts to perform the tasks set out in the resolution without prejudice to the execution of the other tasks in its mandate, by providing it with the necessary additional resources;

Decided that, for a period expiring on 31 July 2007, the provisions of paragraphs 13 to 16 of resolution 1596 (2005) should extend to the following individuals: political and military leaders recruiting or using children in armed conflict in violation of applicable international law and individuals committing serious violations of international law involving the targeting of children in situations of armed conflict;

Requested the working group of the Security Council on children in armed conflict, the Secretary-General and his Special Representative for children in armed conflict, as well as the Group of Experts to assist the Committee in the designation of the individuals mentioned above, by making known without delay to the Committee any useful information;

violations; and civil aviation.

⁵⁹ S/2006/389, in which the Secretary-General made a series of recommendations with a view to securing strengthened action for the protection of war-affected children in the Democratic Republic of the Congo.

⁶⁰ S/2006/434, in which the mission made recommendations with respect to elections, security sector reform, governance, sexual violence and the mandate of MONUC.

⁶¹ S/2006/585.

⁵⁷ S/2006/525; the report was submitted pursuant to paragraph 2 of resolution 1654 (2006).

⁵⁸ S/2006/53. In its report, the Group of Experts made a number of recommendations in connection with arms smuggling and trafficking issues; Customs and migratory movements; confronting the financing of arms embargo

Reaffirmed its demand that all parties and all States cooperate fully with the work of the Group of Experts and that they ensure the safety of its members and unhindered and immediate access, in particular to persons, documents and sites the Group of Experts deemed relevant to the execution of its mandate;

Further demanded that all parties and all States ensure the cooperation with the Group of Experts of individuals and entities within their jurisdiction or under their control, and called on all States in the region to implement fully their obligations.

**Decision of 3 August 2006 (5504th meeting):
statement by the President**

At the 5504th meeting, on 3 August 2006, in which the representative of the Democratic Republic of the Congo was invited to participate, the President (Ghana) made a statement on behalf of the Council,⁶² by which the Council, inter alia:

Expressed its appreciation to the Independent Electoral Commission for the untiring efforts they had made to ensure that the polls could take place in the best possible conditions, and looked forward to the official announcement of the results by the Commission;

Deplored the incidents which had occurred in Kinshasa, Mbuji Mayi and Mweka;

Endorsed the opinion of the International Committee in Support of the Transition, who had welcomed, in that context, the work of the National Police forces;

Urged all political actors in the Democratic Republic of the Congo to continue to work to ensure that the electoral process proceeded in a free, transparent and peaceful manner, in accordance with the agreed timetable.

**Decision of 22 September 2006 (5533rd meeting):
statement by the President**

At the 5533rd meeting, on 22 September 2006, in which the representative of the Democratic Republic of the Congo was invited to participate, the President (Greece) made a statement on behalf of the Council,⁶³ by which the Council, inter alia:

Paid tribute once again to the extraordinary commitment of the citizens of the Democratic Republic of the Congo demonstrated by their peaceful participation in the first stage of democratic elections of historical importance to their nation;

Deplored the violence that had erupted in Kinshasa from 20 to 22 August 2006 between security forces loyal to President

Kabila and Vice-President Bemba, and commended the effective action of the European Union force in support of MONUC;

Called on all political parties and in particular President Kabila and Vice-President Bemba to restate their commitment to the peace process and to work within the framework they had agreed to establish with the facilitation of MONUC as a means of peacefully resolving political differences;

Reiterated its support to the Independent Electoral Commission and to the High Media Authority;

Emphasized the need for all political parties to act responsibly within the framework of democratic institutions after the elections.

⁶² S/PRST/2006/36.

⁶³ S/PRST/2006/40.

**Decision of 29 September 2006 (5541st meeting):
resolution 1711 (2006)**

At its 5541st meeting, on 29 September 2006, the Council included in its agenda the twenty-second report of the Secretary-General on MONUC.⁶⁴ In his report, the Secretary-General noted that, despite concerns over irregularities and isolated incidents of violence, the successful elections of 30 July represented a landmark step in the peace process in the Democratic Republic of the Congo. He encouraged President Kabila and Vice-President Bemba to reaffirm their commitment to the electoral calendar, which had established 29 October as the date for the second round of presidential elections. Pledging the support of the United Nations in ensuring the timely and successful holding of those elections, he stressed that the parties and candidates had to take all possible steps to ensure that elections were held under secure conditions and were credible and transparent. He further deplored the violent incidents that had occurred from 20 to 22 August in Kinshasa and considered as worrisome the use of the media to incite hatred and violence during the electoral process. He reiterated the importance of a comprehensive plan for security sector reform and drew attention to the many challenges facing the Democratic Republic of the Congo in the post-elections period which would require the continuing support of a United Nations peacekeeping operation. He explained that the envisaged post-electoral tasks of MONUC, in cooperation with the United Nations country team and the international community, would include: providing support to the new Government and civil society in strengthening democratic institutions; promoting the rule of law and basic human rights; building an adequate security environment and architecture; strengthening economic management; and establishing and consolidating State authority nationwide. The Secretary-General recommended an extension of the mandate of MONUC for a period of four and a half months, until 15 February 2007, to allow sufficient time for consultations with the new Government on the Mission's future role. He further recommended the extension, until 15 February 2007, of the authorization to redeploy the troops from ONUB to MONUC in accordance with resolution 1669 (2006).

⁶⁴ S/2006/759, submitted pursuant to resolutions 1635 (2005) and 1565 (2004).

The President (Greece) drew attention to a draft resolution;⁶⁵ it was adopted unanimously and without debate as resolution 1711 (2006), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Decided to extend the mandate of MONUC, as contained in resolutions 1565 (2004), 1592 (2005), 1596 (2005), 1621 (2005) and 1635 (2005), until 15 February 2007;

Decided to extend until 15 February 2007 the increase in the military and civilian police strength of MONUC authorized by resolutions 1621 (2005) and 1635 (2005);

Decided to extend until 31 December 2006 the authorization contained in resolutions 1669 (2006) and 1692 (2006) for the Secretary-General to redeploy temporarily a maximum of one infantry battalion, a military hospital and 50 military observers from ONUB to MONUC; and expressed its intention to re-examine this issue before 31 December 2006.

**Decision of 7 November 2006 (5562nd meeting):
statement by the President**

At the 5562nd meeting, on 7 November 2006, in which the representative of the Democratic Republic of the Congo was invited to participate, the President (Peru) made a statement on behalf of the Council,⁶⁶ by which the Council, *inter alia*:

Took note of the fact that voting generally had taken place in an orderly and safe atmosphere;

Deplored the isolated incidents that had occurred;

Called on all political actors and the Congolese people to await and receive those results calmly and responsibly, refraining from any incitement to hatred or recourse to violence and respecting democratic institutions and the rule of law; stressed that the new authorities and all Congolese political actors would be responsible for ensuring the long-term sustainability of the restoration of peace and stability and for continuing to promote national reconciliation and the establishment of democratic institutions and the rule of law in the country.

**Decision of 6 December 2006 (5580th meeting):
statement by the President**

At the 5580th meeting, on 6 December 2006, in which the representative of the Democratic Republic of the Congo was invited to participate, the President

⁶⁵ S/2006/774.

⁶⁶ S/PRST/2006/44.

(Qatar) made a statement on behalf of the Council,⁶⁷ by which the Council, *inter alia*:

Congratulated President Joseph Kabila on his election and commended once again the Congolese people for their civic responsibility;

Looked forward to the completion of the electoral process, and reiterated the need for all political parties to act responsibly after the elections within the framework of democratic institutions and the rule of law;

Expressed its sincere appreciation for the central role played by the Independent Electoral Commission, the Congolese National Police, MONUC, the European Union Force and by all the regional and international partners;

Paid tribute to the donor community for their assistance and encouraged the international community as a whole to continue to assist the Democratic Republic of the Congo during the process of peace consolidation, reconstruction and recovery;

Expressed its serious concern at the recent hostilities launched by non-integrated army units in Sake, in North Kivu province, and at the impact that those actions had had on the civilian population including women, children and the elderly;

Called on those units to cease their hostilities, return without delay to their initial positions and submit themselves to the army integration or demobilization process;

Encouraged MONUC, in accordance with its mandate, to continue to address with determination such security challenges, and supported the steps it had taken recently in that regard, particularly in the district of Ituri and the North Kivu province.

Decision of 22 December 2006 (5610th meeting): resolution 1736 (2006)

At the 5610th meeting, on 22 December 2006, in which the representative of the Democratic Republic of the Congo was invited to participate, the President (Qatar) drew attention to a letter dated 15 November 2006 from the Secretary-General to the President of the Council.⁶⁸ In that letter, recalling resolution 1711 (2006) by which the Council had expressed its intention to re-examine the issue of redeployment of one infantry battalion, a military hospital and 50 military observers from ONUB to MONUC before 31 December 2006 with a view to ensuring that MONUC had adequate capacities to perform its mandate fully until 15 February 2007, the Secretary-General warned that, should the 916 troops deployed to MONUC under the authorized strength of ONUB be withdrawn on 31 December 2006, the security situation in northern and

central Katanga, where they were deployed, would most likely worsen, with a consequent negative impact on stability and reductions in return of internally displaced persons in the province. He requested that the Council consider a temporary increase in the authorized military strength of MONUC to accommodate the 916 troops authorized at that time under the ONUB mandate, from 1 January until 15 February 2007.

The President also drew attention to a draft resolution submitted by France;⁶⁹ it was adopted unanimously and without debate as resolution 1736 (2006), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Authorized, from 1 January 2007 until the expiry of the current mandate of MONUC on 15 February 2007, an increase in the military strength of MONUC of up to 916 military personnel, to allow for the continued deployment to MONUC of the infantry battalion and the military hospital currently authorized under the ONUB mandate and expressed its intention to examine that issue further before 15 February, in the context of the Secretary-General's forthcoming proposals, with a view to ensuring that MONUC had adequate capabilities to perform its mandate;

Decided to remain actively seized of the matter.

Decision of 15 February 2007 (5630th meeting): resolution 1742 (2007)

At its 5616th meeting, on 9 January 2007, the Council was briefed by the High Representative for the Common Foreign and Security Policy and Secretary-General of the Council of the European Union, the Under-Secretary-General for Peacekeeping Operations, and the Under-Secretary-General for Political Affairs. Statements were made by several members of the Council⁷⁰ and by the representatives of the Democratic Republic of the Congo and Germany (on behalf of the European Union).⁷¹

Recalling the military involvements of the European Union in the Democratic Republic of the Congo since 2003, through operation Artemis in Bunia in summer 2003 and the European Union force, which had been authorized by resolution 1671 (2006) and

⁶⁷ S/PRST/2006/50.

⁶⁸ S/2006/892.

⁶⁹ S/2006/1014.

⁷⁰ Statements were made by the representatives of Belgium, China, the Congo, France, Ghana, Peru, Qatar, South Africa and the United Kingdom.

⁷¹ Croatia and Turkey aligned themselves with the statement.

concluded after four months in November 2006, the representative of Germany noted that the joint efforts of the European Union and the United Nations had helped to provide stability, defuse tensions and deter potential spoilers during critical stages of the election process. Welcoming the success of the first democratic elections in the Democratic Republic of the Congo in more than 40 years, he conveyed the commitment of the European Union to continue its support for the consolidation of stability and reconstruction in the Democratic Republic of the Congo, notably through assuming a coordinating role for international efforts in the security sector, in close cooperation with the United Nations.⁷²

The High Representative for the Common Foreign and Security Policy of the European Union highlighted the role of the European Union force as a deterrent factor, in particular by containing a possible spread of violence during the elections in close cooperation with MONUC, and called the overall mission a success. He opined that some key elements for its success included the definition of a clear mandate, both in scope and timeframe, and a high degree of interaction with MONUC. He observed that, while the transitional period had entered its final phase, the peace process still faced significant challenges and expressed the determination of the European Union to continue to work with the United Nations.⁷³

The Under-Secretary-General for Peacekeeping Operations noted that, during the critical period of the elections, the European Union force had complemented the massive effort of MONUC by adding extra capacity and flexibility and by helping to address security challenges and any potential escalation that could have arisen in the country. Speaking of positive developments in the Democratic Republic of the Congo, he mentioned the appointment of former presidential candidate Mr. Antoine Gizenga as Prime Minister, the formation of the National Assembly, and the decline in fighting between the armed forces of the Democratic Republic of the Congo and the renegade forces of Laurent Nkunda in North Kivu, among others. He announced that MONUC stood ready to support the newly elected Government as it began to address the many challenges remaining, including the completion of the transitional agenda and the

implementation of the new constitution. He warned against early disengagement following the elections in the Democratic Republic of the Congo as that had resulted elsewhere in the resumption of conflict requiring a new, costlier international intervention.⁷⁴

The Under-Secretary-General for Political Affairs, reporting on the involvement of the United Nations in the electoral process in the Democratic Republic of the Congo since 2003, commended the manner in which the elections had been conducted by the Electoral Commission and welcomed the establishment of the first democratically elected national institutions in more than four decades. He stressed, however, that many challenges remained, including the holding of local elections. In his view, the establishment of local structures and institutions freely chosen by their constituents was essential for the legitimate extension of State authority, improved governance and the building of durable peace in the Democratic Republic of the Congo, with consequences for the region.⁷⁵

Council members generally commended the successful conduct of the elections in the Democratic Republic of the Congo, as well as the role that the European Union force had played in assisting MONUC in the process, particularly in advancing security sector reform.

In that context, a few representatives praised the deployment of the European Union force as a useful example of cooperation between the European Union and the United Nations.⁷⁶ In response to the question raised by the representative of the United Kingdom regarding the future role to be played by the European Union in helping tackle other difficult problems in Africa,⁷⁷ the High Representative for the Common Foreign and Security Policy of the European Union stated that good lessons had already been drawn and would be useful in other parts of Africa, in particular in Darfur.⁷⁸

Concurring with the Under-Secretary-General for Peacekeeping Operations, the representative of South Africa warned that a premature disengagement of

⁷² S/PV.5616, pp. 2-3.

⁷³ *Ibid.*, pp. 3-4.

⁷⁴ *Ibid.*, pp. 5-7.

⁷⁵ *Ibid.*, pp. 7-8.

⁷⁶ *Ibid.*, p. 9 (France, Belgium); and p. 12 (United Kingdom).

⁷⁷ *Ibid.*, p. 13.

⁷⁸ *Ibid.*, p. 16.

forces was likely to have negative consequences.⁷⁹ Noting that the mandate of MONUC was set to expire on 15 February, the representative of Qatar stated that the successful formation of the Government would help the Secretary-General to conduct fruitful consultations with the Congolese authorities on the future of MONUC.⁸⁰

At the 5630th meeting, on 15 February 2007, in which the representative of the Democratic Republic of the Congo was invited to participate, the President (Slovakia) drew attention to a letter dated 15 January 2007 from the representative of the Democratic Republic of the Congo to the President of the Council, asking the Council to consider the possibility of a technical renewal, limited in time, of the mandate of MONUC, in order to give the new Government the necessary flexibility in the determination of the next mandate of the Mission along with the United Nations.⁸¹

The President also drew attention to a draft resolution;⁸² it was adopted unanimously and without debate as resolution 1742 (2007), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Decided to extend the mandate and personnel strength of MONUC, as set out in its resolutions 1565 (2004), 1592 (2005), 1596 (2005), 1621 (2005), 1635 (2005) and 1736 (2006), until 15 April 2007;

Requested the Secretary-General to report, as soon as possible and not later than 15 March 2007, on his consultations with the Congolese authorities and to submit recommendations on adjustments the Council might consider making to the mandate and capacities of MONUC;

Decided to remain actively seized of the matter.

**Decision of 3 April 2007 (5653rd meeting):
statement by the President**

At the 5653rd meeting, on 3 April 2007, in which the representative of the Democratic Republic of the Congo was invited to participate, the President (United Kingdom) made a statement on behalf of the Council,⁸³ by which the Council, *inter alia*:

Deplored the violence which had occurred from 22 to 25 March in Kinshasa between the Congolese security forces and the security guards of Senator Jean-Pierre Bemba;

Expressed its grave concern at the loss of lives, in particular of civilians, and urged all parties to respect the sanctity of human life and the principles of human rights;

Expressed its regret at the destruction and pillaging, including of some diplomatic missions, which had taken place during the clashes;

Emphasized the legitimacy of the new democratically elected institutions and the need for those institutions to ensure the protection of the population;

Urged all Congolese stakeholders to pursue negotiated solutions to their differences with respect for the constitutional framework and the law;

Reiterated the importance of the international community's continuing support for the peace consolidation process in the Democratic Republic of the Congo, particularly with a view to carrying out urgently security sector reform, and the need to ensure concerted action by international partners to that end.

**Decision of 13 April 2007 (5660th meeting):
resolution 1751 (2007)**

At its 5660th meeting, on 13 April 2007, the Council included in its agenda the twenty-third report of the Secretary-General on MONUC.⁸⁴ In the report, the Secretary-General observed that, after the successful conduct of the 2006 elections in the Democratic Republic of the Congo, the new Government faced the daunting task of realizing its ambitious programme for 2007-2011. Expressing concern at the most recent political developments in that country, which included, *inter alia*, allegations of widespread electoral corruption, he urged political leaders in the Democratic Republic of the Congo to respect the principles of transparency, inclusiveness and tolerance of dissent. He announced that, at the request of the new Government, MONUC would offer assistance for the holding of local elections. Referring to the security challenges posed by armed groups in the east, the Secretary-General stressed the importance of progress in security sector reform for the restoration and consolidation of peace and the exit strategy for MONUC. He reported that consultations regarding the future of MONUC were under way with the Congolese authorities and the international community and

⁷⁹ *Ibid.*, p. 14.

⁸⁰ *Ibid.*, p. 10.

⁸¹ S/2007/17.

⁸² S/2007/87.

⁸³ S/PRST/2007/9.

⁸⁴ S/2007/156, submitted pursuant to resolution 1711 (2006).

recommended that the Council approve a post-transition mandate for MONUC, during which it would continue to operate at the existing authorized strength until 31 December 2007 as a fully integrated Mission, reinforcing and complementing the work of the United Nations country team. He underscored that an operational plan for the gradual downsizing and eventual withdrawal of MONUC and a responsible exit strategy would require clear linkages between the achievement of benchmarks in key areas and the handover of responsibility to other actors, including the Government, the United Nations family and other international actors.

The representative of the Democratic Republic of the Congo was invited to participate in the discussion. The President (United Kingdom) drew attention to a draft resolution;⁸⁵ it was adopted unanimously and without debate as resolution 1751 (2007), by which the Council, acting under Chapter VII of the Charter, *inter alia*, decided to extend the mandate and personnel strength of MONUC, as set out in its resolutions 1565 (2004), 1592 (2005), 1596 (2005), 1621 (2005), 1635 (2005) and 1736 (2006), until 15 May 2007; and to remain actively seized of the matter.

**Decision of 15 May 2007 (5674th meeting):
resolution 1756 (2007)**

At its 5674th meeting, on 15 May 2007, the Council again included in its agenda the twenty-third report of the Secretary-General on MONUC⁸⁶ and extended an invitation to the representative of Democratic Republic of the Congo to participate in the discussion.

The President (United States) drew attention to a draft resolution;⁸⁷ it was adopted unanimously and without debate as resolution 1756 (2007), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Decided to extend the deployment of MONUC until 31 December 2007 and authorized the continuation until that date of up to 17,030 military personnel, 760 military observers, 391 police trainers and 750 personnel of formed police units;

Decided that MONUC would have the mandate, within the limits of its capabilities and in its areas of deployment, to

assist the Government of the Democratic Republic of the Congo in establishing a stable security environment in the country;

Urged the Government of the Democratic Republic of the Congo to strengthen its efforts with a view to effectively extending the State's authority throughout its territory, establishing its control over the exploitation and export of natural resources, and improving the transparency of the management of the revenues from the exploitation of those natural resources;

Demanded that the militias and armed groups that were still present in the eastern part of the Democratic Republic of the Congo lay down their arms and engage voluntarily and without any further delay or preconditions in their demobilization, repatriation or resettlement, and reintegration;

Urged all States, especially those in the region, including the Democratic Republic of the Congo itself, to take appropriate steps to end the illicit trade in natural resources, including if necessary through judicial means, and, where necessary, to report to the Council, and called upon the international financial institutions to assist the Government of the Democratic Republic of the Congo in establishing effective and transparent control over the exploitation of natural resources.

**Decision of 23 July 2007 (5721st meeting):
statement by the President**

At the 5721st meeting, on 23 July 2007, in which the representative of the Democratic Republic of the Congo was invited to participate, the President (China) made a statement on behalf of the Council,⁸⁸ by which the Council, *inter alia*:

Expressed its deep concern at the deteriorating security situation in the east of the Democratic Republic of the Congo, in particular in North and South Kivu;

Urged all actors involved to refrain from any action leading to a military confrontation, that could result in further tension and aggravate the ongoing humanitarian crisis in the Kivus, and to seek a solution to the current crisis through political and diplomatic means;

Encouraged MONUC, in conformity with its mandate, to assist the Government, including through the provision of good offices, in its efforts to find a lasting solution to the crisis in the Kivus through promoting reconciliation and political dialogue.

⁸⁵ S/2007/198.

⁸⁶ S/2007/156.

⁸⁷ S/2007/271.

⁸⁸ S/PRST/2007/28.

Decision of 31 July 2007 (5726th meeting): resolution 1768 (2007)

By a letter dated 16 July 2007 to the President of the Council, the Chairman of the Committee established pursuant to resolution 1533 (2004) transmitted the report of the Group of Experts.⁸⁹ In that report, based on new investigations into the widespread diversion of natural resources in the Democratic Republic of the Congo, the Group of Experts reconfirmed the need for enhanced controls of natural resources and for the international community to lend its support to the project to develop a certification system for precious and semi-precious minerals and stones, as well as other mineral substances produced by small-scale miners. The Group also made recommendations designed to enhance aircraft security and proposed the restructuring of government civil aviation services. Noting that widely compromised supply chains and the lack of adequate due diligence systems undermined the measures authorized by the Council to prevent financial assistance to illegal armed groups, the Group recommended that companies which could not demonstrate due diligence practices be sanctioned. In order to ensure institutional knowledge on the embargo and improve its capacity to investigate potential violators, the Group recommended the creation of a database specific to the arms embargo imposed against the Democratic Republic of the Congo. In that connection, the Group also recommended that the authority of the MONUC mechanism for collecting and reporting information on embargoed material be extended to include additional technical details. In the event that non-enforcement of sanctions was the result of a lack of capacity of Member States, the Group recommended that its mandate include the task, in cooperation with those countries, of assessing their capacity needs and, where possible, suggesting ways to improve their ability to enforce targeted sanctions.

At its 5726th meeting, on 31 July 2007, the Council included in its agenda the above-mentioned letter containing the report of the Group of Experts⁸⁹ and extended an invitation to the representative of Democratic Republic of the Congo to participate in the discussion.

⁸⁹ S/2007/423; the report was submitted pursuant to paragraph 4 of resolution 1698 (2006).

The President (China) drew attention to a draft resolution;⁹⁰ it was adopted unanimously and without debate as resolution 1768 (2007), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Decided to extend until 10 August 2007 the measures on arms embargo imposed by resolution 1493 (2003) as amended and expanded by resolution 1596 (2005);

Decided to extend, for the same period, the measures on transport imposed by resolution 1596 (2005);

Decided to extend, for the same period, the financial and travel measures imposed by resolutions 1596 (2005) and 1649 (2005), and resolution 1698 (2006);

Decided to extend, for the same period, the mandate of the Group of Experts referred to in paragraph 3 of resolution 1698 (2006);

Decided to remain actively seized of the matter.

Decision of 10 August 2007 (5730th meeting): resolution 1771 (2007)

At its 5730th meeting, on 10 August 2007, the Council included again in its agenda the letter dated 16 July 2006 from the Chairman of the Committee established pursuant to resolution 1533 (2004) to the President of the Council,⁹¹ and invited the representative of the Democratic Republic of the Congo to participate in the discussion.

The President (Congo) drew attention to a draft resolution submitted by France;⁹² it was adopted unanimously and without debate as resolution 1771 (2007), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Decided to renew until 15 February 2008 the measures on arms imposed by paragraph 20 of resolution 1493 (2003) as amended and expanded by paragraph 1 of resolution 1596 (2005);

Decided further that the measures referred to above should not apply to technical training and assistance agreed to by the Government and intended solely for support of units of the army and police of the Democratic Republic of the Congo that were in the process of their integration in the provinces of North and South Kivu and the Ituri district;

Decided to renew, for the period specified above, the measures on transport imposed by paragraphs 6, 7 and 10 of resolution 1596 (2005);

⁹⁰ S/2007/465.

⁹¹ S/2007/423.

⁹² S/2007/485.

Decided that, no later than 15 February 2008, it should review the measures set forth in the resolution, with a view to adjusting them, as appropriate, in the light of the consolidation of the security situation in the Democratic Republic of the Congo, in particular progress in security sector reform including the integration of the armed forces and the reform of the national police, and in disarming, demobilizing, resettling or repatriating, as appropriate, and reintegrating Congolese and foreign armed groups.

**Decision of 21 December 2007 (5814th meeting):
resolution 1794 (2007)**

On 14 November 2007, the Secretary-General submitted the twenty-fourth report on MONUC,⁹³ by which he noted that the Government of the Democratic Republic of the Congo had demonstrated a strong determination to exert its sovereign responsibilities throughout the country. However, long-standing security challenges in the eastern Democratic Republic of the Congo continued to overshadow the positive developments. In his view, those challenges required MONUC to maintain a robust capacity in the east and a continued police, rule of law, human rights, political and civil affairs presence throughout the country. He therefore recommended the renewal of the Mission's mandate for a period of one year, and that it retain its existing complement of military, police and civilian personnel at least until the end of local elections. Gradual drawdown might then commence, subject to progress towards meeting benchmarks such as the successful completion of the local elections and ensuring the security of the population. He believed that the problems posed by all foreign armed groups on Congolese soil, particularly FDLR, could not be solved through a purely military solution, but required a common approach and close cooperation among the Governments in the region. In that context, the Secretary-General welcomed the increased dialogue among Great Lakes countries, both bilaterally and through mechanisms such as the Great Lakes Pact and the Tripartite Plus Joint Committee. As the protection of civilians remained central to the resolution of the crisis in the eastern Democratic Republic of the Congo, he announced that MONUC would continue to focus on its mandate for the protection of civilians. He further insisted that a strong security sector programme was needed in order to enable the Congolese authorities to assume their full responsibilities as

MONUC began its drawdown, and urged the Government and its international partners to seize the opportunity presented by the planned round table on security sector reform to develop a detailed and coherent blueprint without delay. Lastly, he recommended that the Council authorize MONUC to provide full support to the local elections scheduled for 2008, subject to progress by the Government of the Democratic Republic of the Congo and relevant national institutions in putting in place the legal, institutional and financial frameworks needed to conduct credible polls.

At its 5814th meeting, on 21 December 2007, the Council included in its agenda the above-mentioned report⁹³ and invited the representative of the Democratic Republic of the Congo to participate in the discussion.

The President (Italy) then drew attention to a draft resolution;⁹⁴ it was adopted unanimously and without debate as resolution 1794 (2007), by which the Council, acting under Chapter VII of the Charter, *inter alia*:

Decided to extend the mandate and capacity of MONUC, as set out in resolution 1756 (2007), until 31 December 2008 and authorized the continuation until that date of up to 17,030 military personnel, 760 military observers, 391 police personnel and 6 formed police units comprising up to 125 personnel each;

Requested MONUC to attach the highest priority to addressing the crisis in the Kivus in all its dimensions, in particular through the protection of civilians and support for the implementation of the Nairobi Joint Communiqué; demanded that the militias and armed groups still present in the eastern part of the Democratic Republic of the Congo, in particular FDLR, the ex-Rwandan Armed Forces/Interahamwe and the dissident militia of Laurent Nkunda and the Lord's Resistance Army, lay down their arms and engage voluntarily and without any further delay or preconditions in their demobilization, repatriation, resettlement, and reintegration, as appropriate;

Also demanded, recalling its resolution 1698 (2006), that all armed groups, in particular the forces of Laurent Nkunda and FDLR, immediately stop recruiting and using children and release all children associated with them;

Requested MONUC to undertake a thorough review of its efforts to prevent and respond to sexual violence, and to pursue a comprehensive mission-wide strategy, in close cooperation with the United Nations country team and other partners, to strengthen prevention, protection, and response to sexual violence, including through training for the Congolese security

⁹³ S/2007/671, submitted pursuant to resolution 1756 (2007).

⁹⁴ S/2007/752.

forces in accordance with its mandate, and to regularly report on actions taken in that regard, including factual data and trend analyses of the problem.

9. The situation in the Central African Republic

Decision of 28 October 2004 (5067th meeting): statement by the President

At its 5067th meeting, on 28 October 2004, the Security Council invited the representative of the Central African Republic to participate in the discussion. The President (United Kingdom) then made a statement on behalf of the Council,¹ by which the Council, *inter alia*:

Welcomed the spirit of consensus which the Central African parties have shown and which attests to their determination to continue the transition process to the end;

Encouraged the Central Africans to continue their efforts to ensure the success of the constitutional referendum in November and the satisfactory organization of free, transparent and democratic presidential and legislative elections in January 2005;

Welcomed the assistance provided by the international community to the stabilization and recovery of the Central African Republic;

Called upon international donors and the international financial institutions to continue to provide resolute support to the Central African Republic;

Expressed its concern at the deterioration of the State's finances and of the public sector, and called on the Central African authorities to act with determination in order to address this situation;

Encouraged the Central African authorities to continue to combat with determination human rights violations.

Decision of 22 July 2005 (5232nd meeting): statement by the President

At its 5232nd meeting, on 22 July 2005, the Council included in its agenda the report of the Secretary-General on the situation in the Central African Republic and the activities of the United Nations Peacebuilding Support Office in the Central African Republic (BONUCA).² In his report, the Secretary-General observed that, following two rounds

of elections, held on 13 March and 8 May 2005 respectively, General François Bozizé had been elected as the next President of the Central African Republic. Despite a few shortcomings, the electoral process had been deemed to be free, reliable, fair and transparent. Noting that concerns remained regarding the security situation, the Secretary-General reported that the authorities of the Central African Republic were concerned that armed gangs, which continued their attacks throughout the country, could be used for political destabilization of the new regime. He added that efforts by BONUCA to restructure the country's armed forces and to complete the reintegration of former combatants were continuing. On the economic situation, the Secretary-General stated that the country's finances remained in crisis and deeply dependent on external budget support, but added that growth was expected to resume in most sectors in 2005. He indicated that serious human rights abuses had taken place throughout the country, including by law enforcement agencies, and stated that BONUCA continued its sensitization and training programmes.

The Council invited the representative of the Central African Republic to participate in the discussion. The President (Greece) then made a statement on behalf of the Council,³ by which the Council, *inter alia*:

Stated that it was deeply gratified by the successful holding of the presidential and legislative elections, welcomed the establishment of the newly elected institutions whose stability was necessary to ensure lasting peace in the Central African Republic;

Commended the Multinational Force of the Central African Economic and Monetary Community, France, the European Union, China and Germany for providing decisive support to them;

Called upon international donors and the international financial institutions to continue to assist the Central African Republic generously;

Requested the Secretary-General to explore the possibility of setting up a follow-up committee or enlarging the Committee

¹ S/PRST/2004/39.

² S/2005/414, submitted pursuant to the statement by the President of 26 September 2001 (S/PRST/2001/25).

³ S/PRST/2005/35.