



# Security Council

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## United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

### Report of the Secretary-General

#### I. Introduction

1. The present report, submitted pursuant to paragraph 51 of Security Council resolution [2502 \(2019\)](#), covers major developments in the Democratic Republic of the Congo from 19 September to 1 December 2020. It describes progress made in the implementation of the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) since the report of 21 September 2020 ([S/2020/919](#)). It provides an overview of political developments, including the progress made towards the strengthening of State institutions and key governance and security reforms. It also outlines the progress made in adjusting the Mission's priorities, posture and presence, as well as the pursuit of its comprehensive approach to the protection of civilians. Furthermore, the report provides information concerning the joint transition strategy with the Government of the Democratic Republic of the Congo and implementation of the measures aimed at improving the Mission's performance in accordance with Action for Peacekeeping commitments.

#### II. Political developments

2. Political dynamics were marked by persistent tensions within the ruling Cap pour le changement (CACH)-Front commun pour le Congo (FCC) coalition concerning nominations to key positions in the military and the judiciary, in particular the swearing-in of three judges to the Constitutional Court appointed by the President, Félix Tshilombo Tshisekedi, on 17 July.

3. On 13 October, the President of the National Assembly, Jeanine Mabunda, and the President of the Senate, Alexis Thambwe Mwamba, met President Tshisekedi to express their reservations about the constitutionality and legality of the nomination of the three new judges. On 14 October, President Tshisekedi also received a delegation from the Conseil supérieur de la Magistrature, which declared that the presidential ordinances appointing the three judges were lawful and constitutional. On 21 October, the three judges were sworn-in during a ceremony in Parliament, attended by President Tshisekedi and 60 parliamentarians from CACH, but not FCC-affiliated parliamentarians and members of the Government, including the Prime Minister, the President of the Senate and the President of the National Assembly.



4. Addressing the nation on 23 October, President Tshisekedi expressed concern about continuing divergences within the ruling coalition. He also announced his intention to undertake consultations with political and civil society actors. On 2 November, he began his consultations and held separate meetings with civil society organizations, religious and traditional leaders, opposition parties, provincial governors, former presidential candidates, former prime ministers and political leaders.

5. On 15 September, the National Assembly and the Senate opened their ordinary session. Both chambers examined three finance bills, including the revised 2020 budget, which was reduced from \$11.2 billion to \$5.7 billion. The National Assembly is also expected to examine the backlog of bills from its previous sessions, including three judiciary reform bills and a bill on electoral reform, and the 2018 elections report of the Commission électorale nationale indépendante and the nominations to the Commission.

6. Civil society leaders remained actively engaged in several political and electoral issues. On 19 October, following its fifty-seventh ordinary plenary assembly, the Episcopal Conference of the Democratic Republic of the Congo issued a statement in which it denounced what it described as political manoeuvres by members of the ruling coalition aimed at controlling the Commission électorale nationale indépendante ahead of the 2023 elections. The Episcopal Conference also denounced the lack of consensus on electoral reforms, interference in the functioning of the Constitutional Court and tribalism and community conflicts exacerbated by political actors.

7. On 7 October, President Tshisekedi chaired a virtual summit with the Presidents of Angola, Rwanda and Uganda. The four Heads of State expressed their willingness to eradicate the threat posed by “negative forces” in the Great Lakes subregion, strengthen national capacities to cut the financing sources of armed groups, set up a coronavirus disease (COVID-19) cross-border response plan and explore further economic opportunities. On 5 October, in Bujumbura, the State Minister for Foreign Affairs of the Democratic Republic of the Congo, Marie Tumba Nzeza, met the Minister for Foreign Affairs and Development Cooperation of Burundi, Albert Shingiro, to discuss bilateral cooperation on peace and security.

8. The economic situation in the country remained fragile. Nevertheless, the Central Bank of the Democratic Republic of the Congo, which had foreseen a 2.4 per cent contraction of the national economy in 2020 as a result of the socioeconomic impact of the COVID-19 pandemic, revised that forecast to a 1.7 per cent contraction.

9. With regard to the participation of women in public life, on 3 October, Cécile Ntumba Muanza was installed as the President of the Tribunal de grande instance in Mbanza-Ngungu of Kongo Central Province, followed by the swearing-in, on 23 October, of Alphonsine Kalume Asengo, the first woman appointed to the Constitutional Court.

### **III. Security situation**

#### **A. North Kivu Province**

10. In Petit Nord, North Kivu, the security situation deteriorated in the surroundings of Pinga, where in-fighting between rival factions of the Nduma défense du Congo-Rénové (NDC-R) escalated in September and October. Those clashes resulted in the death of 17 civilians, including 1 woman, the rape of 3 women and the displacement of 5,149 families. The situation was further exacerbated by the increased activity of

Nyatura militias and of the Forces démocratiques de libération du Rwanda (FDLR), which attempted to seize control of areas vacated by NDC-R as a result of the split within the group. Overall, MONUSCO recorded at least 113 incidents, resulting in the death of 85 civilians, including at least 10 women and 6 children, representing a 12 per cent increase in the number of civilians killed compared with the previous reporting period.

11. In Grand Nord, in Beni territory, attacks by suspected Allied Democratic Forces (ADF) persisted against civilians and the Armed Forces of the Democratic Republic of the Congo (FARDC). Suspected ADF elements, allegedly working in cooperation with local Mai-Mai groups, carried out 30 attacks against civilians, resulting in at least 174 civilians killed (127 men, 42 women and 5 boys), 11 injured (10 men and 1 woman) and 59 abducted (47 men, 9 women and 3 boys), as well as 40 houses destroyed. This represents 35 per cent of all incidents and 85 per cent of all killings of civilians occurring in Grand Nord. Although there has been a 27 per cent decrease in incidents against civilians compared with the previous reporting period, the death rate resulting from those attacks increased by 34 per cent. On 18 November, a team of military investigators led by the prosecutor at the Operational Military Court was deployed to Mwalika, with support from MONUSCO, and confirmed that 30 civilians had been killed, presumably after being abducted by ADF combatants in Lisasa, Kisimba and Kasanza on 31 October.

12. Attacks by ADF and its clashes with FARDC are reaching a level of intensity not seen since July 2020, indicating a deterioration in the security situation. Following an attack against FARDC by suspected ADF elements on 5 October, the MONUSCO Intervention Brigade responded and repelled the assailants. On 20 October, in a separate attack by suspected ADF elements on the Beni prison, 1,335 prisoners escaped. In response, MONUSCO deployed a quick reaction force and launched an unmanned aerial system to fly over the area and assist local authorities in locating escaped prisoners on the run. As at 12 November, 404 prisoners had been located and returned to the prison.

13. In line with the trend noticed in the previous reporting period, a continued increase in movements of suspected ADF elements was observed in southern Irumu territory along the border with North Kivu, as well as the Mbau-Kamango and Beni-Kasindi axes that lead to Uganda. Furthermore, insecurity in the south-east of Beni town increased, reportedly in connection with the harvest season for cocoa and other agricultural produce, with ADF and Mai-Mai groups competing for control of that lucrative seasonal activity.

14. Persistent civilian casualties led to an increase in public demonstrations and anti-MONUSCO sentiment. Seven peaceful demonstrations were held in Beni town, Mbau and Oicha, led by various groups, including La lutte pour le changement, as well as civil society organizations. The Mission increased its engagement with and outreach to the local community in an effort to counter disinformation and reduce anti-MONUSCO sentiment.

## **B. South Kivu and Maniema Provinces**

15. The security situation deteriorated in the Hauts Plateaux of Minembwe, amid persistent inter-ethnic strife. FARDC reduced the rate of its operations owing to the redeployment of units outside South Kivu and logistical challenges. Seven of the eight territories in South Kivu were affected by harassment, looting, razing of dwellings, cattle rustling and attacks against civilians by armed groups. The Hauts Plateaux of Fizi, Mwenga and Uvira territories, comprising the zones of Bijombo, Mikenge and Minembwe were the most insecure areas in South Kivu, with 131 attacks against

civilians recorded, resulting in at least 38 civilians killed (including 15 women and 1 child) and 22 injured. The situation deteriorated further following the official installation of a member of the Banyamulenge community as the mayor of Minembwe, which triggered demonstrations led by members of the Babembe, Bafuliro and Banyindu communities. In Bijombo, internally displaced persons remained the target of opportunistic attacks by armed militias. Five direct attacks against internally displaced persons resulted in 8 civilians killed or wounded, mostly women, in addition to 18 cases of rape and sexual violence. In the territory of Fizi, four humanitarian workers were kidnapped.

16. Violence also persisted in the Ruzizi plain of Uvira territory, as well as throughout Kalehe, Walungu, Kabare and Shabunda territories. This was due in part to limited FARDC deployments and the return of several leaders of Mai-Mai Raia Mutomboki to South Kivu after a failed attempt to demobilize. In Kalehe territory, the insufficient deployment of FARDC enabled ongoing armed group activity and increased recruitment in Kalonge and Ziralo *groupements*. Meanwhile in Shabunda, there was a surge in violence, including sexual violence, by Raia Mutomboki groups. In the Ruzizi plain, Mai-Mai Kijangala and local gangs have been active in cattle rustling, imposing illegal taxation and directly attacking villages, while in Muturule four civilians from the Banyamulenge community were allegedly kidnapped by armed elements from Burundi on 17 October.

### **C. Ituri Province**

17. The security situation in Ituri improved slightly, compared with the previous reporting period, mainly as a result of a decrease in attacks by the Coopérative pour le développement du Congo (CODECO) and other, mainly Walendu community, armed militia groups in Djugu territory. Notwithstanding ongoing negotiations led by a delegation of former armed group leaders sent by President Tshisekedi, various factions and groups have yet to reach a consensus and cease hostilities. CODECO and the other factions continue to target civilians, including through harassment and extortion. From 3 to 9 October, more than 15 incidents involving CODECO elements were reported, resulting in the killing of at least 11 civilians, including 3 women and 2 children.

18. In Irumu territory, the Front patriotique et intégrationniste du Congo (FPIC) continues to threaten civilians and launch attacks on FARDC. Against the background of the government-negotiated peace process with the Force de résistance patriotique de l'Ituri (FRPI), human rights violations decreased in the area compared with the previous reporting period. Frustrations surrounding delays in the peace process boiled over on 30 September when FRPI attacked the proposed disarmament and demobilization sites in Karatsi and Kazana, looting and destroying equipment and supplies in the camps. In addition, Mai-Mai and ADF activity continued in Irumu and Mambasa territories along the border areas of Ituri and North Kivu. The increased presence of those armed groups also fuelled underlying tensions between the Nande, Nyali and Hutu communities, who accuse one another of supporting the movement of those armed groups into the area.

### **D. Tanganyika Province**

19. The overall security situation in Tanganyika continued to improve. Nevertheless, from 19 September to 18 November, 16 civilians were killed, 27 injured and 4 women and 1 girl raped in Kalemie and Nyunzu territories. Most of those incidents were reportedly attributed to Twa militia. Overall, there was a 20 per cent decrease in the

number of incidents and a 65 per cent decrease in the number of civilians killed compared with the previous reporting period. With at least 19 ambushes reported and attributed to Mai-Mai Apa Na Pale and Mai-Mai Kabeke along the Kalemie-Bendera axis, Bendera in Kalemie territory was the area most affected by armed group violence. The surrender, on 5 October, of a Mai-Mai Apa Na Pale leader, Kasongo Amuri, led to reduced levels of violence in the north-eastern part of Nyunzu territory.

## **E. Kasai and Kasai Central Provinces**

20. Overall, the security situation in Kasai and Kasai Central remained relatively calm, although there were reports of small-scale, localized inter-community conflicts over customary power and boundary issues. Former Kamuina Nsapu elements unsuccessfully attempted to reorganize, especially in Dibaya and Dimbelenge territories of Kasai Central, following the arrest in May of one of the Kamuina Nsapu leaders and the lack of support within the communities.

## **IV. Human rights situation**

21. Between July and October, 2,747 human rights violations and abuses were documented throughout the country, a small decrease compared with the previous four months (March to June). State agents, in particular FARDC soldiers, were responsible for 48 per cent of those violations, whereas 52 per cent were committed by armed groups, with Nyatura, ADF and FDLR combatants as the main perpetrators. Some 12 per cent of the violations were related to restrictions on democratic space, which represents a decrease from the previous four months.

22. Approximately half of all the violations documented between July and October occurred in North Kivu, in which at least 407 civilians (308 men, 72 women and 27 children) were killed and 237 wounded (188 men, 37 women and 12 children) during attacks against civilians and clashes between armed groups. In South Kivu, the intercommunal conflict in the Hauts Plateaux resulted in at least 35 civilians (26 men, 8 women and 1 child) killed and the widespread destruction of villages and livelihoods. At least 308 civilians were killed by armed groups in Ituri.

23. In the context of the COVID-19 pandemic, between July and October, 27 human rights violations were documented in relation to the enforcement of prevention measures, of which 18 were committed by agents of the Congolese National Police (PNC). Those violations included the extrajudicial killing of 2 men, the ill-treatment of 42 people (34 men, 5 women and 3 children) and the arbitrary arrest and illegal detention of 16 people (13 men and 3 women). Training and awareness-raising activities were delivered on human rights in the response to COVID-19, especially to law enforcement agents, civil society and members of the National Human Rights Commission in Kinshasa, South Kivu and Tanganyika.

24. Between July and October, the United Nations Joint Human Rights Office documented 76 deaths in custody (74 men, 1 woman and 1 child), caused mainly by the conditions of detention, in particular the lack of food and access to appropriate health care. In addition to the Beni mass prison escape, the lack of security in prisons was illustrated by the mutiny in the prison of Lubumbashi between 25 and 28 September, during which at least 4 prisoners escaped, 3 were shot dead and 18 wounded by security and defence forces. Some 50 women detainees were also rounded up in a courtyard and at least 21 of them were gang raped. The Human Rights Office engaged with national judicial and administrative authorities to address the situation at the prison, especially of women detainees. Civil justice authorities opened an investigation into the mass rape of women detainees, and another investigation

into the escape, mutiny and use of force by defence and security forces was opened by military justice. Women detainees received medical and psychological support by a local non-governmental organization (NGO), with the support of the United Nations Children's Fund.

25. Following the enhanced interactive dialogue on the Democratic Republic of the Congo on 2 October, the Human Rights Council adopted, on 7 October, a resolution on technical assistance and capacity-building in the field of human rights. By its resolution, the Council renewed the mandate of the team of international experts on the situation in Kasai and of the technical assistance team that, as in the previous resolution, was requested to provide assistance, including forensic expertise, to the Democratic Republic of the Congo in supporting judicial authorities in their investigations into allegations of human rights violations and abuses throughout the country.

## V. Humanitarian situation

26. On 18 November, the Minister of Health declared the end of the eleventh Ebola virus disease outbreak in Equateur Province. Since 1 June 2020, 130 cases (119 confirmed cases and 11 probable cases) were recorded, with 55 deaths and 75 survivors (72 men and 58 women). As at 18 November, 41,433 people had been vaccinated against the Ebola virus disease throughout the province. The Deputy Special Representative (Resident Coordinator/Humanitarian Coordinator) and partners called for continued efforts to monitor Ebola survivors and strengthen the community-based surveillance system. To this end, the Ministry of Health is developing a 90-day post-Ebola plan, with support from partners.

27. Allegations of sexual exploitation and abuse committed by members of the Ebola response during the tenth outbreak in the eastern part of the Democratic Republic of the Congo surfaced during the reporting period. In this specific context, no allegation has been reported to date against MONUSCO personnel. An action plan to prevent sexual exploitation and abuse was put in place in July 2020 by the humanitarian country team. The Deputy Special Representative (Resident Coordinator/Humanitarian Coordinator) worked closely with the Government, concerned humanitarian actors and victims' rights advocates to address the situation. With the support of the Inter-Agency Standing Committee, which deployed a team of experts on the ground, humanitarian actors are investigating the allegations, reviewing existing preventive measures and identifying gaps in prevention and response. In parallel, the World Health Organization appointed an independent commission to investigate the allegations, identify systemic issues and review existing prevention measures.

28. As at 15 November, the Democratic Republic of the Congo had registered 11,838 COVID-19 cases in 22 of 26 provinces, including 322 deaths and 11,081 survivors. On 9 October, the Council of Ministers adopted a decree by which it established an institutional framework for the implementation of the multisectoral emergency mitigation programme. Meanwhile, COVID-19 prevention measures hampered humanitarian operations and the movement of humanitarian staff within and across provinces. Polymerase chain reaction COVID-19 test result requirements for inter-provincial movements remain a challenge for humanitarian actors, notwithstanding the 1 October decision of the Prime Minister to increase the validity of the required polymerase chain reaction test result from three to seven days.

29. Notwithstanding the ongoing humanitarian assistance and government-led community dialogue initiatives in conflict-affected areas, an estimated 5.2 million people remain internally displaced. Violence, protection concerns, outstanding land

disputes and a lack of access to basic services remain major impediments to their sustainable return. In addition, owing to conflict, economic decline, the COVID-19 pandemic and natural hazards, 21.8 million people are facing acute food insecurity.

30. Humanitarian access continues to be hampered by insecurity, compounded by a weak State presence and poor transport infrastructure. Moreover, during the reporting period, one humanitarian national staff member was killed in North Kivu, three humanitarian staff members were reported missing in Ituri and several kidnapping incidents were recorded in North Kivu and South Kivu.

## **VI. Protection of civilians**

### **A. Mission strategies and political processes**

31. To support the implementation of the targeted provincial strategies, and in accordance with Action for Peacekeeping commitments to strengthen the protection provided by peacekeepers, MONUSCO developed operational plans for Ituri, North Kivu, South Kivu, Tanganyika, Kasai and Kasai Central. Those plans, developed in close coordination with the United Nations country team, identified clear outcomes, priority areas of intervention and indicators of achievement, which will enable MONUSCO to prioritize its response to key security challenges in the areas where it is still present. The plans will be reviewed every six months. Meanwhile, sustained efforts to improve coordination between MONUSCO, humanitarian agencies and the Congolese defence and security forces at the field level contributed to the development of and improvement in comprehensive responses to threats.

32. In view of its progressive drawdown, MONUSCO continued its efforts to ensure the sustainability of local protection of civilians tools and build the capacity of local security actors, including through the provision of logistical support and training of the Congolese defence and security forces, and support for the Congolese judiciary in efforts to combat impunity and for the restoration of State authority in areas previously controlled by armed groups. MONUSCO also pursued its efforts to build the capacity of protection units within the provincial ministries of interior.

### **B. Field-level responses**

33. During the reporting period, MONUSCO deployed 11 standing combat deployments, 3 joint protection teams and 23 joint assessment missions in different conflict-affected areas. Those activities contributed to strengthening the performance and impact of the Mission, in keeping with Action for Peacekeeping commitments. In Ituri, MONUSCO developed an integrated security plan to respond to growing security threats in and around Bunia. Additional efforts included strengthening community alert networks and early warning systems, as well as conducting robust joint patrols with FARDC in the most at-risk areas. MONUSCO also deployed a standing combat deployment to Marabo to deter FPIC activities. Outside of Bunia town, MONUSCO continued to provide protection to civilians, especially at sites for internally displaced persons in Djugu and Irumu territories with the ongoing standing combat deployments and by ensuring access to the national highway 27, a key trade route linking Uganda and Kisangani. MONUSCO also undertook a joint assessment mission to Tchabi and Boga, to evaluate the security situation following attacks against civilians and a flare-up of ethnic tensions between communities in the area.

34. In Petit Nord, North Kivu, MONUSCO intensified its protection of civilians efforts through increased political engagement in response to the deterioration of the security situation along the border between Masisi and Walikale territories, caused

mainly by infighting between NDC-R factions. Standing combat deployments were deployed in Lukweti, Pinga and Kalembe to increase the Mission's presence and facilitate protection activities by civilian components, including community engagement, human rights investigations and the reinforcement of local protection mechanisms and early warning systems. MONUSCO ensured the protection of internally displaced persons gathered around Pinga hospital during clashes between the two factions of NDC-R and escorted humanitarian partners to facilitate the delivery of humanitarian assistance. The Mission also supported the efforts of the Government towards the consolidation of peace and the restoration of State authority in Pinga through capacity-building, logistical and intelligence support to national security forces, as well as by facilitating mediation efforts by authorities.

35. In Grand Nord, North Kivu, attacks against civilians by armed groups took place in retaliation against FARDC offensive operations, in particular in the north-east, north-west and south-east of Beni territory, and along the national highway 4 and Mbau-Kamango roads. In response, MONUSCO strengthened its protection activities by deploying five joint assessment missions to engage with local protection actors on mitigation measures. A standing combat deployment was also deployed in Kilya, Halungupa area, to deter and respond to ADF attacks against civilians, which tend to escalate during the cacao harvesting season. In addition, MONUSCO continued to strengthen coordination and intelligence-sharing with FARDC and increased joint patrolling with FARDC in an effort to deter attacks. The Mission also organized a training session with community liaison assistants and the Intervention Brigade to enhance the early warning system in the Grand Nord area of operations.

36. In the Hauts Plateaux of South Kivu, MONUSCO continued to protect civilians and internally displaced persons in Bijombo (7,182 internally displaced persons) and Mikenge (2,750 internally displaced persons), including by escorting internally displaced persons to their fields and local markets and conducting joint patrols with FARDC. To prevent a further escalation of tensions over land use, the Mission conducted workshops with community leaders and civil society organizations to encourage community-based conflict resolution. Meanwhile, the Mission continued to develop the second phase of its action plan aimed at contributing to the long-term protection of civilians, including through the strengthening of State presence and sustainable protection of civilians capacities in Shabunda and Walungu territories.

37. In Tanganyika, MONUSCO focused on the employment of its good offices with the provincial authorities to further consolidate stabilization gains in Nyunzu territory. Delivering as one, the Mission provided support to United Nations agencies for the effective provision of humanitarian assistance to internally displaced persons and returnees in the Nyunzu and Bendera areas. Furthermore, the Mission intensified patrols along the main axes where armed elements were present, while maintaining close engagement with community leaders and local security actors to reduce tensions. Notably, those efforts resulted in the surrender of 40 Mai-Mai Apa Na Pale elements and 3 children associated with the armed group in Nsela village.

38. In Kasai Central, MONUSCO supported national and provincial authorities in the management of escalating tensions and clashes between the Kuba and Lulua communities over a border dispute in Demba and Mweka territories. Following a joint assessment mission, MONUSCO provided additional support in the form of air transportation for the deployment of FARDC and the Congolese National Police to stabilize the disputed area. The Government, supported by the Mission, organized a peace conference in Kananga from 9 to 11 October, at which the concerned communities reached an agreement over the border dispute.

## VII. Stabilization and the strengthening of State institutions

### A. Stabilization and root causes of conflict

39. Addressing the root causes of conflict remained a priority for the International Security and Stabilization Support Strategy and the Stabilization Coherence Fund. In partnership with international NGOs, the Fund launched three new projects in South Kivu. The projects are intended to: (a) reduce customary power conflicts through inclusive local governance; (b) reduce land and transhumance conflicts; and (c) support communities and the political authorities in reaching an agreement on an approach to disarmament, demobilization and community-based reintegration in the province.

40. In Kasai and Kasai Central, the Mission supported several community-based initiatives designed to encourage peaceful cohabitation between communities and strengthen the capacity of the State to manage conflicts. From 26 to 28 September, in Dimbelenge territory, in Kasai Central, MONUSCO facilitated community dialogue between the Bakwa Kanyinga and Bakwa Ndaye *groupements*, involving 60 local and customary leaders (including 16 women) with the aim of fostering peaceful coexistence. The chiefs of both *groupements* signed an *acte d'engagement*, which was subsequently endorsed by the provincial government.

### B. Security sector and justice system reform

41. MONUSCO continued an integrated approach to security sector reform, leveraging its good offices to support national authorities in pursuing long-term institutional transformation. MONUSCO also worked in partnership with the International Committee of the Red Cross and the International Criminal Court to develop a training curriculum and carry out the training of FARDC on human rights, international humanitarian law and the efforts to combat the recruitment of child soldiers and gender-based violence. On 21 October, MONUSCO held a coordination meeting with international partners to discuss options to bolster the institutional capacity of the security and defence forces and address governance deficits, in line with the joint transition strategy.

42. On 26 November, the Ministry of Justice, the Conseil supérieur de la Magistrature, MONUSCO and the United Nations Development Programme (UNDP) approved the joint United Nations justice reform support programme, a four-year initiative that is intended to support the justice system and the national justice reform strategy. Developed in close collaboration among all partners, the programme supports justice reform at both the national and provincial levels, including by enhancing the performance of the criminal justice chain in Kasai Central, Tanganyika and North Kivu.

43. The Mission also continued to assist the Congolese authorities in their efforts to prosecute those accused of war crimes, crimes against humanity and other serious human rights violations. On 30 September, the Operational Military Court of North Kivu convicted two members of the FDLR/Forces combattantes abacunguzi (FOCA) and 14 Mai-Mai Mazembe-Union pour la protection des innocents (UPDI) members, including the leaders of both groups, of war crimes, crimes against humanity and participation in an insurrectional movement related to crimes committed in Miriki and Vuvotsio villages in 2016. MONUSCO provided technical, logistical and financial support to the judicial authorities, from the investigative stage to the prosecution of that priority case. On 7 October, the Tribunal militaire de garnison of Bukavu sentenced two members of Raia Mutomboki Hamakombo to 20 years in

prison each for crimes against humanity, including murder, rape, sexual slavery, torture and other inhumane acts committed in Kambale and Kanwe villages between 2016 and 2018. MONUSCO also provided technical support and coordinated assistance to the trial. In Kalemie, the Tribunal militaire de garnison began trials of 14 cases against members of FARDC and the Congolese National Police for alleged sexual violence. As at 10 November, nine FARDC members had been convicted and two National Police officers acquitted. On 10 November, the Tribunal militaire de garnison in Ituri sentenced nine Mai-Mai to life imprisonment for war crimes related to attacks on Ebola response teams in Biakato and Lwemba between 15 September and 28 November 2019, which resulted in the killing of four people. Four other defendants were acquitted.

44. On 23 November, the Operational Military Court of North Kivu sentenced the former NDC leader, Ntabo Ntaberi Sheka, to life imprisonment for war crimes, including murder, rape, sexual enslavement and the recruitment of children committed from 2007 to 2017 in Walikale territory. MONUSCO provided protection to victims and witnesses and technical, logistical and financial support to judicial authorities during joint investigations and the trial.

45. In response to the 20 October attack on Beni prison, the Mission supported efforts to recapture escapees, including almost 100 ADF members whose trial before the Operational Military Court in Beni and Butembo had been postponed as a result of the escape. The Mission also worked with judicial and security institutions to mitigate the risk to victims and witnesses from reprisals by escapees, adjust trial schedules, identify those prisoners who had escaped and strengthen prison security measures.

46. In September, as part of ongoing prison reforms, MONUSCO facilitated a retreat with national prison authorities on draft prison laws and helped the national prison reform committee to conduct field missions to assess prison infrastructure. Through the Mission's good offices, in October, the Government released funds, which boosted food supplies to prisons. Since the beginning of 2020, the Mission's support to the prison authorities in implementing decongestion measures has led to the release of 1,037 eligible prisoners from detention facilities throughout the country, which, on average, hold more than three times their capacity.

47. MONUSCO supported the development of a national action plan for the management of women prisoners and children in conflict with the law, supported the construction of a family area in Ndolo military prison in Kinshasa and donated modified, written-off United Nations vehicles to Bunia and Goma prisons for use as ambulances. To facilitate the reinsertion of children in conflict with the law, MONUSCO assisted in the introduction of computer training programmes in Kinshasa and Goma. The Mission also organized simulation exercises on readiness for security incidents in all 12 priority prisons, established a database for high-risk prisoners in 3 priority prisons and provided uniforms for prison personnel.

### **C. Disarmament, demobilization and reintegration**

48. Overall, 83 Congolese ex-combatants were demobilized by MONUSCO and 17 children were separated from armed groups and handed over to child protection partners for psychosocial support and reunification with their families. Following the lifting of COVID-19-related travel restrictions, 25 ex-combatants (23 men and 2 women) and 35 dependents (12 men and 23 women) were repatriated to Rwanda (58) and Uganda (2).

49. At the provincial level, in Ituri, negotiations between FRPI and the Government remained suspended. The request of FRPI for reintegration into FARDC, with the

recognition of their ranks and a general amnesty, was rejected by the Government. This was reiterated by the national Minister of Defence during his visit in September to the province, when he urged the armed group to disarm. On 30 September, FRPI elements attacked the disarmament sites. As part of efforts to facilitate the resumption of negotiations, MONUSCO supported a workshop organized by the FRPI peace agreement steering committee, to agree on the way forward. The Government agreed to proceed with the payment of pending stipends, enabling the FRPI leadership to resume the negotiations. On 31 October, the disarmament process commenced. Following identification, verification and orientation, 31 FRPI elements entered the demobilization camp, including 29 combatants who were demobilized and returned to their communities, 1 child associated with the group who was separated and handed over to child protection actors, and 1 combatant who opted to apply to join FARDC and remains in the demobilization camp. The combatants also handed over 10 weapons. However, the process was halted again because the FRPI leadership was requesting the payment of the agreed stipends before further disarmament. The total expected number of combatants to disarm is 1,138.

50. From 5 to 8 October, during his visit to Goma, North Kivu, President Tshisekedi reaffirmed his stance in favour of a community-based approach to disarmament, demobilization and reintegration and his commitment to breaking the cycle of amnesty and integration into the armed forces. He requested the establishment of a substantial budget for the 2021 fiscal year to meet community needs in the eastern provinces. MONUSCO continued to support the development of a new comprehensive community-based national disarmament, demobilization and reintegration framework. Consultations are ongoing within the Government and are expected to result in the adoption of the revised national disarmament, demobilization and reintegration framework.

## **VIII. Women and peace and security**

51. MONUSCO continued to advance the implementation of the women and peace and security agenda through targeted engagement with national, provincial and local authorities, as well as advocate increased space for the political participation of women. In the framework of the twentieth anniversary of Security Council resolution [1325 \(2000\)](#) and in line with Action for Peacekeeping commitments, the Mission, together with the United Nations country team, supported a series of initiatives to foster further progress on the women and peace and security agenda and mobilize support for the second national action plan on resolution [1325 \(2000\)](#). The Mission also supported women community leaders in Fizi, Mwenga and Uvira territories through training in conflict management and women's inclusion in local peace processes. In Ituri Province, the Mission conducted a mapping of hotspot areas where women and girls were more at risk of sexual violence and other human rights violations. The mapping was shared with local protection committees. The Mission also worked with 200 members of FARDC and the Congolese National Police in North Kivu (140 men and 60 women) to integrate a gender-based analysis into their operational security roles and to enhance the participation of women in security and protection-related decision-making.

## **IX. Child protection and sexual violence in conflict**

52. MONUSCO verified 245 grave violations against children (88 girls and 157 boys), representing an increase of 1 per cent compared with the previous reporting period. Nine children (four girls and five boys) were reportedly killed or maimed, including two children killed by FARDC during fighting against armed groups in

North Kivu. Thirty girls were raped or subjected to other forms of sexual violence, including 11 rapes attributable to State agents. Meanwhile, 184 children (38 girls and 146 boys) formerly associated with armed groups escaped or were separated, among whom 81, including 43 associated with Mai-Mai Apa Na Pale in Tanganyika and 25 associated with Mai-Mai Mtetezi in the Hauts Plateaux of South Kivu, were voluntarily released by commanders who committed themselves to protecting children. In addition, two commanders of armed groups (Mai-Mai Apa Na Pale-Mandjosa and Mai-Mai Apa Na Pale-Kamutu) in Tanganyika signed a unilateral declaration and road map to end child recruitment. To date, 35 armed groups have made such commitments to end and prevent child recruitment since July 2018. A total of 2,121 children, including 304 girls, have been voluntarily released by commanders of armed groups.

53. Between July and October, 248 victims of conflict-related sexual violence, including 152 women, 94 girls and 2 men, were documented by the Mission. This represented a decrease of almost 33 per cent compared with the previous four months, which can be attributed in part to increased difficulties in documenting such cases in many of the conflict-affected provinces, especially North Kivu and South Kivu, as well as Kasai, Kasai Central, Maniema and Tanganyika. In some areas of North Kivu, survivors were, for example, prevented, including by perpetrators, from gaining access to medical care, which, in turn, hampered the reporting process. Additional monitoring missions and investigations are planned in areas affected by conflict-related sexual violence to ensure adequate documentation and survivor-centred support. Ongoing efforts to demobilize armed groups, such as in Ituri where fewer cases of conflict-related sexual violence have been reported, may also have contributed to the decrease in documented cases. Overall, armed groups were responsible for 55 per cent of conflict-related sexual violence-related incidents, with North Kivu representing the most-affected province. Nyatura and Mai-Mai were the main perpetrators among armed groups. Cases of conflict-related sexual violence have also been attributed to NDC-R factions and Mai-Mai Malaika in Maniema. Among State actors, FARDC accounted for 30 per cent and the Congolese National Police for 12 per cent of conflict-related sexual violence.

## **X. Exit strategy**

54. On 19 October, the Mission and the Government agreed on a joint strategy on the progressive and phased drawdown of MONUSCO, as described in the letter of the Secretary-General dated 26 October to the President of the Security Council (S/2020/1041).

55. In accordance with the directive of the Secretary-General for the development of consistent and coherent United Nations transitions, the Deputy Special Representative (Resident Coordinator/Humanitarian Coordinator) will ensure that there is an inclusive process for the operationalization and implementation of the joint strategy through engagement with the United Nations country team, humanitarian partners and international financial institutions, including the World Bank, in line with the humanitarian-development-peace nexus approach. MONUSCO and the United Nations country team will develop a joint operational plan outlining their relevant roles and responsibilities in the implementation of the Mission's transition plan.

56. The transition is well under way in Kasai and Kasai Central. On 17 September, an integrated transition task force for the Kasai region was established to strategically reposition the United Nations system's presence in the two Kasai provinces, in preparation for the Mission's withdrawal by June 2021, and support the provincial

authorities in key peacebuilding areas. To this end, the task force will: (a) update the mapping of humanitarian and development programmes; (b) conduct an analysis of comparative advantages of agencies, funds and programmes with respect to the peacebuilding priorities identified; and (c) coordinate a joint communications strategy. In order to mitigate the risk of a security gap, since 19 September, the United Nations police has deployed seven additional individual police officers to Kananga and a further six to Tshikapa. Furthermore, two formed police unit platoons were also redeployed to Kananga early in November and will remain there until the closure of the MONUSCO field office. In Kananga and Tshikapa, the United Nations police, UNDP, the International Organization for Migration and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) launched a project, financed by the Peacebuilding Fund, on proximity policing. An additional project was launched by the United Nations Joint Human Rights Office and UN-Women in Tshikapa on inclusive governance. In line with the humanitarian-development-peace nexus approach, MONUSCO and the United Nations country team have finalized a joint programme on agricultural development and food security.

57. MONUSCO and the United Nations country team initiated joint programmes to support the implementation of national reform plans and reinforce the capacities of national institutions in the justice and police sectors. MONUSCO and UNDP are also jointly developing a stabilization programme focused on sustainable conflict transformation and the enhancement of community resilience within the framework of the International Security and Stabilization Support Strategy.

58. The United Nations police, in partnership with MONUSCO and the Mine Action Service, developed a joint plan to support the Congolese National Police in improving the safety of State-owned weapons and prevent their misuse. This plan has incorporated monitoring mechanisms, including joint field assessment missions to track and assess the impact of the initiative.

## **XI. Mission effectiveness**

### **A. Mission performance**

#### **1. Assessment of the performance of the force and police components**

59. In line with the Action for Peacekeeping commitments, MONUSCO focused on ensuring a high level of performance of its uniformed components, while at the same time taking steps to enhance force protection procedures, including in the context of the COVID-19 pandemic. Inspections of military units, which were suspended owing to the pandemic, resumed on 14 September. Four units were inspected, including three in the Intervention Brigade and one in Central Sector. Two units were assessed as satisfactory and two assessments have not been approved yet. In accordance with the new inspection standard operating procedure, several critical indicators have been included in the inspections aimed at measuring the impact of unit operations in their relevant area of responsibility, including defence plans, patrolling, protection of civilian plans and activities, convoy escorts, mortar drills and communications. A new matrix system was developed for monitoring recommendations and actions to be implemented at the unit, sector headquarters and force headquarters levels. In addition, the integration of female engagement teams in major units has contributed to an improvement in the performance of the force, especially in the areas of civilian-military cooperation and medical services. Women represent 4.1 per cent of the Mission's total contingent strength. The tempo of operations has reached levels similar to those prior to the outbreak of COVID-19, with 15,039 patrols conducted by the force and the launch of 11 standing combat deployments.

60. The 2020–2021 performance evaluation of four of the six formed police units was planned for the end of November, in Bukavu, Goma, Bunia and Kinshasa. One formed police unit was not operational until 12 October because it was put in quarantine owing to diagnosed cases of COVID-19 within its ranks. The sixth formed police unit conducted its rotation on 13 November and is expected to be operational on 10 December, while its first performance evaluation is due on 10 February 2021. Steps were taken to enhance the effectiveness of formed police units through the provision of additional contingent-owned equipment, armoured personnel carriers, crowd-control equipment, water cannon trucks and unmanned aerial system equipment with night vision. To further enhance operational readiness, MONUSCO organized 533 dedicated training sessions for formed police units, including joint MONUSCO police and force scenario-based sessions, awareness-raising sessions on the prevention of misconduct and sessions on public order management. The key deficiencies that were identified and are being addressed related to inadequate accommodation, the need to enhance safety measures, including perimeter defences in three camps in Beni and Kinshasa, and outdated contingent-owned equipment.

61. Women officers constitute 16.8 per cent of MONUSCO formed police unit personnel. The Mission continues its advocacy to encourage police-contributing countries to increase the number of female personnel and commanding staff within formed police units, with the aim of achieving 25 per cent women officers by the end of 2020.

62. MONUSCO conducted a quarterly performance evaluation for 255 individual police officers, including 75 women officers. Evaluation criteria included professionalism, a commitment to addressing protection challenges, identifying security threats, productivity, and information-gathering and analysis. The overall performance assessment saw an increase from 81.81 to 81.90 per cent. MONUSCO also reviewed key skill sets of individual police officers regarding current operational needs in the context of transition planning and conducted 40 redeployments within the mission area.

## **2. Progress in the implementation of the Comprehensive Performance Assessment System**

63. The Mission made further progress towards the implementation of the Comprehensive Performance Assessment System with the refinement of its results framework. The framework was reviewed in the light of the joint strategy and further expanded in line with the development of the Mission's operational plans for the provincial strategies, which mapped the Mission's outputs at the field level. The mapping of indicators and outputs provided input to several planning work streams, including the formulation of the results-based budget for the coming fiscal year.

## **3. Impact of the COVID-19 pandemic on mandate implementation**

64. The suspension of rotations for several months had a negative impact on the force and police generation processes, authorized by the Security Council in its resolution [2502 \(2019\)](#). One formed police unit rotation was postponed from April to November 2020, while delays in the generation of two new formed police units for Beni and Kalemie also occurred. The police generation process is expected to be completed by April 2021. Significant staff officer shortages in the Intervention Brigade headquarters and the force headquarters occurred as a result of military staff officers leaving the Mission without the timely arrival of their replacements. Military observers were given new assignments in order to fill critical gaps. In addition, the suspension of rotations further delayed the implementation of several recommendations made by Lieutenant General Carlos Alberto dos Santos Cruz in his report, including the deployment of the Geolocation Threat Analysis Unit.

65. As at 25 November, 171 United Nations personnel in the Democratic Republic of the Congo had tested positive for COVID-19, 149 had recovered and 6 MONUSCO personnel died after contracting the virus.

## **B. Serious misconduct, including sexual exploitation and abuse**

66. Between 1 September and 31 October, no allegations of sexual exploitation and abuse involving personnel were recorded by the Mission. However, two allegations of serious misconduct that did not relate to sexual exploitation and abuse were recorded and are under investigation.

67. Reflecting the Action for Peacekeeping commitment to accountability of peacekeepers, MONUSCO sustained its implementation of robust preventive measures against misconduct, including training, risk assessments and the enforcement of curfews and out-of-bounds areas. In the context of COVID-19, community outreach on the United Nations “zero tolerance” policy on sexual exploitation and abuse continues to be pursued predominantly through radio broadcasts and text messages.

## **XII. Safety and security of United Nations personnel**

68. Ensuring the safety and security of United Nations personnel and facilities remained a priority, in line with the Action for Peacekeeping commitments. A total of 158 incidents against United Nations personnel and facilities were recorded, including 12 incidents related to armed conflict, 50 to crime, 81 to civil unrest and 15 to hazards. Of the personnel affected, 14 were international staff (9 men and 5 women) and 25 national staff (20 men and 5 women). This represents a 107.8 per cent increase from the 76 incidents recorded in the previous reporting period. The increase in the number of incidents could be attributed to the socioeconomic impact of COVID-19 on the local population, which resulted in increased incidents of criminality and civil unrest. All cases were referred to the judicial authorities, and MONUSCO is supporting relevant investigations and trials.

69. On 20 October, the trial in the murder case of the two United Nations experts in Kasai and Kasai Central in 2017 recommenced before the military court of Kananga. Owing to the large number of defendants in the case, hearings had been postponed for several months because of the COVID-19 pandemic. On 17 October, the Operational Military Court acquitted 18 members of the Congolese National Police for various crimes in relation to the attack on the MONUSCO office in Boikene, Beni, on 25 November 2019. However, charges are now expected to also be brought against the National Police commander at the time. The second trial related to that incident, involving civilians, remains adjourned.

## **XIII. Observations and recommendations**

70. I remain concerned by the rising political tensions within the ruling coalition, which could undermine the fragile political stability, reverse the gains made since the 2018 elections and the resulting peaceful transfer of power, and divert efforts to address security challenges in the eastern part of the country. While Parliament is working and receiving bills from the Government, the indefinite suspension of the Council of Ministers illustrates a breakdown of communication within the executive branch, which is very concerning and could undermine the institutional stability of the country. I call upon all stakeholders to resolve their differences through dialogue,

in accordance with the Constitution and in the greater interest of the people of the Democratic Republic of the Congo.

71. I am encouraged by the constructive dialogue between the authorities of the Democratic Republic of the Congo and MONUSCO, which has resulted in the articulation of a joint strategy for the Mission's progressive drawdown. I reiterate my commitment to ensuring that the transition and eventual exit of MONUSCO is sequenced, conditions-based and driven by the situation on the ground in each of the provinces where MONUSCO is still present. To this end, I call upon international partners to lend their full support to MONUSCO and the United Nations country team in helping to create the conditions for the progressive transfer of the Mission's tasks to the authorities of the Democratic Republic of the Congo.

72. I remain concerned by the deterioration in the human rights situation in conflict-affected provinces of the Democratic Republic of the Congo, marked by an increasing number of human rights abuses and violations attributed not only to armed groups, but also to national defence and security forces. I condemn in the strongest terms the continued attacks on civilians by armed groups in the eastern part of the Democratic Republic of the Congo and urge them to respond to my call for a global ceasefire and lay down their weapons.

73. A sustained effort is required to help to foster an enabling environment for the adoption and implementation of key governance and security reforms. The United Nations, in conjunction with regional and international partners, remains committed to supporting the Government of the Democratic Republic of the Congo in strengthening the core functions of the State, through security sector reform, the implementation of a new disarmament, demobilization and reintegration framework, the pursuit of a robust human rights and rule of law agenda and the creation of a protective environment that will enable the participation of citizens in the decision-making process.

74. The humanitarian situation in the Democratic Republic of the Congo, which continues to deteriorate, especially in conflict-affected provinces, is deeply concerning. I wish to thank international partners for their assistance and encourage them to redouble their efforts in this regard. I congratulate the Democratic Republic of the Congo and international partners for concerted efforts in ending the eleventh Ebola outbreak in the west. I condemn, in the strongest terms, armed attacks on humanitarian actors and call upon the authorities of the Democratic Republic of the Congo to bring the perpetrators to justice.

75. Important steps towards the stabilization of the Democratic Republic of the Congo have been made in the past year, although the Government and people continue to face significant challenges that require the support of MONUSCO and the country's key regional and international partners. I therefore recommend the extension of the mandate of MONUSCO for one year with its current authorized troop and police strength and strategic objectives, namely: (a) the protection of civilians; and (b) the stabilization and the strengthening of State institutions and key governance and security reforms.

76. MONUSCO will continue to deliver on its core mandated responsibilities, as efficiently and effectively as possible. I continue to count on the full support of Security Council members, troop- and police-contributing countries and key regional partners to ensure the timely implementation of the envisaged improvements to the MONUSCO force, including its Intervention Brigade.

77. I wish to thank my Special Representative, Leila Zerrougui, for her steadfast leadership and dedication. I also wish to express my sincere gratitude to all MONUSCO personnel, the Office of my Special Envoy for the Great Lakes region and troop- and police-contributing countries for their continued commitment towards peace and security in the Democratic Republic of the Congo.

# MONUSCO

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