

4. The situation concerning the Democratic Republic of the Congo

In 2021, the Security Council held five meetings and adopted two resolutions, both under Chapter VII of the Charter, in connection with the situation concerning the Democratic Republic of the Congo. More details about the meetings, including on participants and speakers, are provided in table 1 below. The Council also held one private meeting with countries contributing troops and police to the United Nations Organization Mission in the Democratic Republic of the Congo (MONUSCO), pursuant to resolution [1353 \(2001\)](#).⁷⁹ In 2021, Council members also held one open videoconference in connection with this item. More information on the videoconference is provided in table 2 below. In addition, during the year under review, Council members held informal consultations of the whole and closed videoconferences to discuss the situation concerning the Democratic Republic of the Congo.⁸⁰ In 2021, the Secretary-General appointed a new Special Representative of the Secretary-General and Head of MONUSCO.⁸¹

In 2021, further to the quarterly reports of the Secretary-General,⁸² the Council heard regular briefings by the Special Representative for the Democratic Republic of the Congo and the Head of MONUSCO, as well as briefings by civil society representatives, namely the Executive Coordinator of Women’s Solidarity for Peace and Integral Development, the Deputy Head of the Laboratory of Medical Biology at Ngaliema Clinic in Kinshasa, the Coordinator of Voice of Congolese Women, and a member of the African Women Leaders Network.⁸³ Consistent with prior practice, the Council also heard briefings by the Chair of the Committee established pursuant to resolution [1533 \(2004\)](#).⁸⁴

On 30 March 2021, in her first briefing to Council members since taking office, the Special Representative explained that the 2023 electoral process represented a new, critical stage

⁷⁹ The private meeting was held on 3 December 2021, under the item entitled “Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution [1353 \(2001\)](#), annex II, sections A and B”. See [S/PV.8916](#). See also [A/76/2](#), part II, chap. 22

⁸⁰ See [A/76/2](#), part II, chap. 11. See also [S/2021/1032](#) and [S/2022/174](#). In 2021, informal consultations of the Council were also held in the form of closed videoconferences. For more details on the procedures developed during the COVID-19 pandemic, see part II of this Supplement as well as *Repertoire, Supplement 2020*, part II.

⁸¹ See [S/2021/34](#) and [S/2021/35](#).

⁸² See [S/2021/274](#), [S/2021/587](#), [S/2021/807](#) and [S/2021/987](#).

⁸³ See [S/2021/316](#), [S/PV.8813](#), [S/PV.8873](#) and [S/PV.8918](#).

⁸⁴ See [S/PV.8873](#) and [S/PV.8918](#).

in the process of democratic transition, institutional consolidation and stabilization in the country.⁸⁵ In this connection, she discussed the opportunities that the political situation in the Democratic Republic of the Congo offered as well as the risks that it entailed. Among the opportunities that the Special Representative identified, she mentioned the formation of the new Government and the United Nations work in partnership with it to support the implementation of much-needed reforms, the process of MONUSCO's transition to increase cooperation within the United Nations family and with other partners, as well as President Tshisekedi's assumption of the chairmanship of the African Union to demonstrate the commitment of the country and the region to silencing the guns once and for all in that part of the continent. In closing, she underlined three core tasks of MONUSCO under her leadership: (i) the deployment of good offices and political strategies to support the protection of civilians and stabilization efforts; (ii) supporting the Democratic Republic of the Congo in its regional and continental leadership to enhance peace and stability in the Great Lakes region; and (iii) the implementation of the Mission's transition strategy.

In her subsequent briefing in July, the Special Representative informed the Council about the joint working group set up on 5 July 2021 between the Government, MONUSCO and relevant agencies, which would support the implementation of the Government's action plan and oversee the Mission's transition process.⁸⁶ In her briefing to the Council, she reported on the political and security situation in the country. In this regard, she stressed the importance of ensuring that the 2023 elections were held within the constitutional timeframe and reported on the state of siege declared in North Kivu and Ituri on 6 May 2021, which remained in effect following parliamentary approval. The Special Representative concluded by referring to the immediate primary tasks for the United Nations concerning the need to (i) actively support the implementation of the Government's programme of action, (ii) intensify good offices encouraging the establishment of the conditions that would permit the holding of the 2023 elections on time and in a consensual manner, (iii) intensify political engagement in the quest for non-military solutions to the conflict in eastern Democratic Republic of the Congo, and (iv)

⁸⁵ See [S/2021/316](#).

⁸⁶ See [S/PV.8813](#).

reach an agreement with the Government on a set of conditioned benchmarks that clearly linked the Government's programme of action to the adjustment of the Mission's presence. Addressing the Council ahead of the renewal of MONUSCO's mandate in October 2021, the Special Representative expressed the view that the joint transition plan constituted a road map that could help guide the work of the Mission in the coming years and prepare the ground for its orderly and responsible withdrawal.⁸⁷ In her final briefing of the year in December 2021, the Special Representative informed the Council about the joint military operations of the Forces armées de la République démocratique du Congo and the Ugandan army against the Allied Democratic Forces in the eastern parts of the Democratic Republic of the Congo.⁸⁸ In that regard, she noted that mechanisms of cooperation were being put in place to ensure the security of the United Nations peacekeepers and to allow MONUSCO to continue to support the Forces armées de la République démocratique du Congo in the protection of civilians and the neutralization of armed groups. The Special Representative also reflected on the challenges facing the Government in implementing the state of siege in North Kivu and Ituri, which had been extended for the thirteenth time during which period there had been a 10 per cent increase in the number of violations and abuses of human rights.

During their deliberations in 2021, Council members discussed the political developments, including preparations for the 2023 elections, the security situation in the eastern Democratic Republic of the Congo, the reports of violations of human rights, the humanitarian conditions, as well as the transition plan for the progressive drawdown of MONUSCO.

With regard to the political situation, early in the year, Council members welcomed the formation of the new government and commended the increase in the representation of women in the Council of Ministers.⁸⁹ Specifically on the 2023 electoral process, several Council members affirmed throughout 2021 the importance of electoral reform to ensure inclusive, credible, peaceful, free and fair elections to take place within the constitutional timeline.⁹⁰ In this context,

⁸⁷ See [S/PV.8873](#). For the joint transition plan, see [S/2021/807](#), annex.

⁸⁸ See [S/PV.8918](#).

⁸⁹ See [S/PV.8813](#), India, Mexico, United States, Estonia, Norway, Viet Nam, Ireland.

⁹⁰ See [S/2021/316](#), United Kingdom ; [S/PV.8813](#), Estonia , Norway, United Kingdom, France; [S/PV.8873](#), France, Ireland, Norway, Estonia; [S/PV.8918](#), France, Kenya (speaking also on behalf of Niger, Saint Vincent and the Grenadines and Tunisia), United States and Estonia.

the representative of India expressed appreciation for the progress made towards the holding of elections in 2023, welcomed the advances in women's participation in political processes and expressed hope that the Government and the opposition parties in the country would maintain the positive trajectory in the run-up to the 2023 elections.⁹¹ Similarly, the representative of Mexico welcomed the legislative progress in electoral matters and noted that it was essential for the Council to call on the various political actors to maintain an inclusive political dialogue, which clearly implied the full, equal and meaningful participation of women in all aspects of political life.⁹² According to the representative of China, electoral reform was essential to the national unity of the Democratic Republic of the Congo.⁹³ The representative of Viet Nam noted the ongoing tensions between political parties and civil society actors and called to settle differences through dialogue and to ensure the participation of women in the political process.⁹⁴ The representative of Kenya, speaking also on behalf of Niger, Saint Vincent and the Grenadines and Tunisia, was encouraged by President Tshisekedi Tshilombo's commitment to hold elections in line with the constitutional timelines and welcomed the establishment of the Independent National Electoral Commission, the promotion of freedom of expression and democratic space and the meaningful participation of women and youth in decision-making positions.⁹⁵ The representative of Norway also underlined the need for inclusion of women at all levels and in all political and conflict-prevention processes, including in the electoral reform and the 2023 election. The representative of Ireland held the view that MONUSCO should continue to engage with key actors to promote timely, transparent, inclusive and peaceful political processes.

On the security front, Council members continued to express concern over the deteriorating situation in the eastern Democratic Republic of the Congo and referred to the need to tackle illicit exploitation of natural resources, continue with the disarmament, demobilization and reintegration process and promote regional cooperation as a means of overcoming those challenges. Council members also took note of the declaration of the state of siege on 6 May

⁹¹ See [S/PV.8813](#), [S/PV.8873](#) and [S/PV.8918](#).

⁹² See [S/PV.8873](#) and [S/PV.8918](#).

⁹³ See [S/PV.8873](#).

⁹⁴ See [S/PV.8873](#) and [S/PV.8918](#).

⁹⁵ See [S/PV.8918](#).

2021 by the Government of the Democratic Republic of the Congo in the provinces of North Kivu and Ituri. In this regard, several Council members underlined the importance of respecting human rights and ensuring humanitarian access in those areas.⁹⁶ Furthermore, some Council members also voiced their concern over the increased use of improvised explosive devices.⁹⁷ Throughout the year, many Council members noted with concern the reports of grave human rights violations, in particular in the eastern provinces of the Democratic Republic of the Congo, including instances of sexual and gender-based violence against women and children.⁹⁸ Furthermore, several Council members called for greater efforts to be made to address the issue of hate speech, which they saw as contributing to intercommunal violence.⁹⁹

With respect to the humanitarian conditions, Council members continued to express concern over the dire situation and noted the multiple challenges related to, inter alia, the re-emergence of the Ebola epidemic, the ongoing impact of the COVID-19 pandemic, food insecurity, displacement, and the surge of violence in the eastern provinces of the Democratic Republic of the Congo. In addition, Council members noted that the humanitarian situation was further compounded by the volcanic eruption of Mount Nyiragongo in May 2021.¹⁰⁰

Concerning the reconfiguration of MONUSCO, speakers discussed the joint transition plan for the gradual withdrawal of the Mission noting the importance of various aspects of the plan, including the benchmarks and indicators for a responsible and conditions-based transition in line with the situation on the ground as well as the financial, logistical and technical support

⁹⁶ See [S/PV.8813](#), United States, Estonia, Norway, United Kingdom, Ireland and France. See also [S/PV.8873](#), France, Ireland, United Kingdom, Norway and Mexico. See also [S/PV.8918](#), Ireland, Estonia and United Kingdom.

⁹⁷ See [S/PV.8813](#), Kenya (speaking also on behalf of Niger, Saint Vincent and the Grenadines and Tunisia) and Mexico.

⁹⁸ See [S/2021/316](#), Estonia, Ireland, Mexico, Norway and United States; [S/PV.8813](#), Kenya (speaking also on behalf of Niger, Saint Vincent and the Grenadines and Tunisia), United States, Estonia and Ireland; [S/PV.8873](#), France, Ireland, Norway, Estonia and Kenya (speaking also on behalf of Niger, Saint Vincent and the Grenadines and Tunisia); [S/PV.8918](#), Kenya (speaking also on behalf of Niger, Saint Vincent and the Grenadines and Tunisia), Ireland and Estonia.

⁹⁹ See [S/2021/316](#), Estonia and France; [S/PV.8813](#), Mexico, Viet Nam and France; [S/PV.8873](#), Mexico, Viet Nam and Estonia; [S/PV.8918](#), France, United States and Viet Nam.

¹⁰⁰ See [S/PV.8813](#), China, Kenya (speaking also on behalf of the Niger, Saint Vincent and the Grenadines and Tunisia), India, Mexico, Estonia, Russian Federation and Ireland. See also [S/2021/1032](#).

for its implementation.¹⁰¹ Several Council members also pointed to the need to ensure the participation of civil society, including women and youth, in the process of reconfiguration of the United Nations presence in the Democratic Republic of the Congo.¹⁰² Furthermore, regarding the Force Intervention Brigade, several Council members welcomed its reinforcement and noted its role in supporting the implementation of the mandate of MONUSCO.¹⁰³

At the end of the year, on 20 December 2021, the Council unanimously adopted resolution [2612 \(2021\)](#). Acting under Chapter VII of the Charter, the Council extended the mandate of MONUSCO and the Force Intervention Brigade for an additional period of one year until 20 December 2022.¹⁰⁴ The Council reiterated the strategic priorities of MONUSCO, mandating it to focus on protecting civilians and supporting the stabilization and the strengthening of State institutions and key governance and security reforms.¹⁰⁵ The Council also welcomed the United Nations Strategy for peace consolidation, conflict prevention and conflict resolution in the Great Lakes region as well as its action plan and urged MONUSCO to work with the Office of the Special Envoy for the Great Lakes to seek political solutions to stop the cross-border flows of armed combatants, arms and natural resources that threatened peace and stability in the Democratic Republic of the Congo.¹⁰⁶ The Council also authorized MONUSCO to take all necessary measures to carry out its mandate and requested the Secretary-General to immediately inform the Security Council were MONUSCO to fail to do so.¹⁰⁷ Concerning the Mission's exit strategy, the Council welcomed the transition plan on the basis of the Joint Strategy on the progressive and phased drawdown of MONUSCO endorsed by resolution [2556](#)

¹⁰¹ See [S/PV.8873](#), France, Ireland, United States, Kenya (speaking also on behalf of Niger, Saint Vincent and the Grenadines and Tunisia), Democratic Republic of the Congo; [S/PV.8918](#), Mexico, United States, Norway, India, Russian Federation and United Kingdom.

¹⁰² See [S/PV.8813](#), Mexico, Ireland; [S/PV.8873](#), Ireland, United Kingdom, Norway and Mexico; [S/PV.8918](#), Norway, Ireland and Estonia.

¹⁰³ See [S/PV.8813](#), United States, Estonia, United Kingdom and France; [S/PV.8873](#), France, United Kingdom, Russian Federation; [S/PV.8918](#), United States, Russian Federation and United Kingdom.

¹⁰⁴ Resolution [2612 \(2021\)](#), para. 22.

¹⁰⁵ *Ibid.*, para. 24. For more information concerning the mandate of MONUSCO, see part X, sect. I. For further information on past mandates of MONUSCO, see *Repertoire, Supplements 2010-2011, 2012-2013, 2014-2015, 2016-2017, 2018, 2019 and 2020*.

¹⁰⁶ Resolution [2612 \(2021\)](#), para. 26. For more information about the situation in the Great Lakes region, see part I, sect. 3.

¹⁰⁷ Resolution [2612 \(2021\)](#), para. 27. For further information concerning the decisions of the Council relating to Article 42 of the Charter, see part VII, sect. IV.A.

(2020).¹⁰⁸ In addition, the Council called upon MONUSCO to work closely with the United Nations country team to identify ways to address gaps in capabilities to prepare for the exit of MONUSCO and underscored the need to progressively transfer MONUSCO's tasks to the Government, the United Nations country team and other relevant stakeholders.¹⁰⁹

In 2021, Council members also heard briefings and deliberated on the work of the Committee established pursuant to resolution [1533 \(2004\)](#). Further to the final report of the Group of Experts on the Democratic Republic of the Congo concluding that armed groups continued to operate with near impunity in eastern parts of the country,¹¹⁰ on 29 June 2021, the Council unanimously adopted resolution [2582 \(2021\)](#). By this resolution, the Council renewed until 1 July 2022 the sanctions measures set out in resolution [2293 \(2016\)](#) and extended until 1 August 2022 the mandate of the Group of Experts on the Democratic Republic of the Congo set forth in resolution [2360 \(2017\)](#).¹¹¹ In 2021, the Chair of the Committee established pursuant to resolution [1533 \(2004\)](#) provided briefings to the Council before and after his visit to the Democratic Republic of the Congo. On 5 October 2021, he provided an overview of the work of the Committee for the previous 12 months and explained that the purpose of the visit to the country was to gather first-hand accounts of the effective implementation of the sanctions measures in place.¹¹² Further to the Chair's briefing, only the representatives of Ireland, China and the Democratic Republic of the Congo addressed the issue of sanctions. The representative of Ireland focused on the Group of Experts and noted that her country looked forward to the lifting of any restraints on the appointment of experts to the Committee. The representative of China said that as the drawdown of MONUSCO continued, the Government would gradually assume the main responsibility for maintaining national security and stability and the Council had to actively respond to its concerns regarding the adjustment of sanctions measures to avoid their negative impact on the country's capacity-building in the area of security. The

¹⁰⁸ Resolution [2612 \(2021\)](#), para. 48.

¹⁰⁹ *Ibid.*, para. 51.

¹¹⁰ For the final report, see letter dated 10 June 2021 from the Group of Experts on the Democratic Republic of the Congo addressed to the President of the Security Council ([S/2021/560](#)).

¹¹¹ See resolution [2582 \(2021\)](#), paras. 1, 2 and 5. For more information on the mandate of the Committee and the Group of Experts, see part IX, sect. I.B.

¹¹² See [S/PV.8873](#).

representative of the Democratic Republic of the Congo recalled the requests made by President Tshisekedi Tshilombo to lift the advance notification requirements concerning the shipments of arms or related materiel for the country’s armed forces and to impose “harsh and exemplary sanctions on all mafia networks” that engaged in the illegal exploitation of the country’s mines. On 6 December 2021, the Chair of the Committee established pursuant to resolution [1533 \(2004\)](#) provided an overview of his visit to the Democratic Republic of the Congo from 6 to 10 November 2021.¹¹³ In his briefing, the Chair noted that in addition to gathering information about the effective application of the sanctions, the purpose of the visit was also to explore the possibility of holding consultations with the Government of the Democratic Republic of the Congo and with the representatives of MONUSCO, the diplomatic community and civil society groups in order to guarantee the full application of sanctions measures.

Table 1
Meetings: The situation concerning the Democratic Republic of the Congo

<i>Meeting and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decisions and vote (for-against-abstaining)</i>
S/PV.8807 29 June 2021	Letter dated 10 June 2021 from the Group of Experts on the Democratic Republic of the Congo addressed to the President of the Security Council (S/2021/560)	Draft resolution submitted by France (S/2021/605)	Democratic Republic of the Congo		One Council member (China), Democratic Republic of the Congo	Resolution 2582 (2021) 15-0-0 (adopted under Chapter VII)
S/PV.8813 7 July 2021	Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo		Democratic Republic of the Congo	Special Representative of the Secretary-General and Head of MONUSCO, Deputy Head of the Laboratory of Medical Biology at Ngaliema Clinic in Kinshasa	12 Council members ^a , all invitees	

¹¹³ See [S/PV.8918](#). For further information on the mission, see part I, sect. 30.

	(MONUSCO) (S/2021/587)				
S/PV.8873 5 October 2021	Report of the Secretary- General on MONUSCO (S/2021/807)	Democratic Republic of the Congo	Special Representative of the Secretary- General and Head of MONUSCO, Coordinator of Voice of Congolese Women	13 Council members, ^b all invitees	
S/PV.8918 6 December 2021	Report of the Secretary- General on MONUSCO (S/2021/987)	Democratic Republic of the Congo	Special Representative of the Secretary- General and Head of MONUSCO, member of the African Women Leaders Network	13 Council members, ^c all invitees	
S/PV.8936 20 December 2021	Report of the Secretary- General on MONUSCO (S/2021/987)	Draft resolution submitted by France (S/2021/1063)			Resolution 2612 (2021) 15-0-0 (adopted under Chapter VII)

^a China, Estonia, France, Ireland, India, Kenya (spoke also on behalf of Niger, Saint Vincent and the Grenadines and Tunisia), Mexico, Norway, Russian Federation, United Kingdom, United States and Viet Nam.

^b China, Estonia, France, Ireland, India, Kenya (spoke also on behalf of Niger, Saint Vincent and the Grenadines and Tunisia), Mexico, Niger (spoke in capacity as Chair of the Committee established pursuant to resolution [1533 \(2004\)](#)), Norway, Russian Federation, United Kingdom, United States and Viet Nam.

^c China, Estonia, France, Ireland, India, Kenya (spoke also on behalf of Niger, Saint Vincent and the Grenadines and Tunisia), Mexico, Niger (spoke in capacity as Chair of the Committee established pursuant to resolution [1533 \(2004\)](#)), Norway, Russian Federation, United Kingdom, United States and Viet Nam.

Table 2
Videoconferences: The situation concerning the Democratic Republic of the Congo

<i>Videoconference date</i>	<i>Videoconference record</i>	<i>Title</i>	<i>Decision and vote (for-against-abstaining) and record of written procedure</i>
30 March 2021	S/2021/316	Letter dated 1 April 2021 from the President of the Security Council addressed to the Secretary-General and the Permanent Representatives of the members of the Security Council	