

**Security Council**

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Letter dated 27 October 2005 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that the members of the Security Council have decided to send a mission to Central Africa from 4 to 10 November 2005. The mission will be led by Ambassador Jean-Marc de La Sablière of France. The members of the Council have agreed on the terms of reference of the mission, which are annexed hereto.

Following consultations with the members, it has been agreed that the composition of the mission is as follows:

Ambassador Jean-Marc de La Sablière (France), head of mission
Ambassador Abdallah Baali (Algeria)
Ambassador Alberto D'Alotto (Argentina)
Ambassador Simon Bodéhoussè Idohou (Benin)
Ms. Irene Vida Gala (Brazil)
Mr. Cheng Jingye (China)
Ambassador Ellen Margrethe Løj (Denmark)
Ambassador Adamantios Th. Vassilakis (Greece)
Ambassador Kenzo Oshima (Japan)
Ambassador Lauro L. Baja (Philippines)
Ambassador Mihnea I. Motoc (Romania)
Ambassador Alexander V. Konuzin (Russian Federation)
Mr. Justin McKenzie Smith (United Kingdom of Great Britain and Northern Ireland)
Ambassador Augustine P. Mahiga (United Republic of Tanzania)
Mr. William J. Brencick (United States)

I should be grateful if you could have the present letter and its annex circulated as a document of the Security Council.

(Signed) Mihnea I. **Motoc**
President of the Security Council

Annex to the letter dated 27 October 2005 from the President of the Security Council addressed to the Secretary-General

[Original: French]

[26 October 2005]

Security Council mission to Central Africa, 4 to 10 November 2005

General elements

1. The mission will underscore the importance of the resources committed by the United Nations to peacekeeping in the Democratic Republic of the Congo and Burundi and the need for a clear, unequivocal commitment on the part of national and regional actors.
2. It will emphasize the unity of the Security Council. It will recall the Council's attachment to respect for the sovereignty, territorial integrity and political independence of all the States in the region.
3. Peace in Africa's Great Lakes region has never been so close.
4. The mission will stress the importance of achieving sustainable peace and security and stability for all countries in the region. It will welcome the efforts already made by countries in the region to resolve their differences through peaceful dialogue and consultations and the establishment of confidence-building measures and mechanisms, and will encourage them to continue to do so.
5. The success of the transition in Burundi is an encouraging sign for the whole region.
6. All that has been achieved will be jeopardized, however, if the Congolese transition is not completed by the 30 June 2006 deadline.
7. The international community's investment in the organization of free elections open to all in the Democratic Republic of the Congo is unprecedented.
8. The Council will be especially vigilant with regard to those who might seek to obstruct the transition process, particularly those who might act in violation of the arms embargo in the Democratic Republic of the Congo or refuse to participate in the processes of disarmament, demobilization and reintegration or disarmament, demobilization, reintegration and repatriation or resettlement and the integration of the armed forces of the Democratic Republic of the Congo.
9. The Council has condemned the violations of international humanitarian law and human rights committed in the Democratic Republic of the Congo. The parties and Governments concerned must ensure, inter alia by arresting persons for whom an arrest warrant has been issued by the International Criminal Court, that those responsible for such violations are brought to justice and that human rights and international humanitarian law are respected.
10. The Council remains vigilant with regard to cases of sexual abuse committed by United Nations personnel. The mission will welcome the action taken by the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) and the United Nations Operation in Burundi (ONUB) to investigate allegations of such abuse, whatever the category of personnel involved, and to

institute preventive measures, notably through training. It will reaffirm the zero-tolerance policy, the need for troop-contributing States to take the necessary disciplinary and judicial measures and the need to attend fully to the victims.

11. The mission will examine, with the Special Representatives of the Secretary-General to the Democratic Republic of the Congo and Burundi and with officials of the United Nations Children's Fund, the question of children in armed conflict, *inter alia* in the context of the implementation of resolution 1612 (2005).

Democratic Republic of the Congo

12. The transition must culminate in the holding of free elections by 30 June 2006. There is no alternative scenario.

13. The Council has made an exceptional effort to assist the electoral process by increasing the logistical and human resources of MONUC.

14. It fully supports the work of the Independent Electoral Commission.

15. The Council has noted the significant progress made: the voting on a balanced Constitution and the smooth conduct of the voter registration process.

16. This progress is not enough, however:

- The electoral law must be considered by Parliament without delay
- An increased effort will have to be made by the transitional authorities, with the support of the International Committee for Support to the Transition and the international financial institutions, in the area of governance
- Army and police training efforts must be stepped up; participants in the transition process must, without delay, resume sending former combatants to *centres de brassage*, as provided for in the second phase of the plan for integrating the army
- Implementation of the disarmament, demobilization and reintegration programme must be accelerated

17. All protagonists of the transition process must contribute to it.

18. The Council will not accept any questioning of these objectives.

19. Everyone must continue to ensure that no support is given to those in the Democratic Republic of the Congo who do not share this objective.

20. The international community has devoted huge efforts to trying to solve the problem of the presence of armed groups in the Democratic Republic of the Congo.

21. The strengthening of MONUC in the Kivus has made it possible to limit the capacity of the Forces démocratiques de libération du Rwanda (FDLR) to cause harm, as well as to prevent further incursions on Rwandan soil.

22. The Council is determined to step up the pressure on the foreign armed groups present in the eastern part of the Democratic Republic of the Congo, in conjunction with the initiatives being taken within the framework of the tripartite process.

23. Cooperation with the group of experts responsible for verifying compliance with the arms embargo is an obligation for all States.

24. The Council supports the efforts to form integrated brigades of the Congolese army in order to increase the military pressure on FDLR.

25. The Council has also recommended a number of measures (customs control and air traffic control, in particular), both nationally and regionally, to improve monitoring of the embargo.

26. The Council has noted with satisfaction the creation by the Congolese authorities of a focal point to ensure the proper application of the embargo.

27. The mission will reiterate the Council's readiness to support the efforts of the transitional authorities to combat impunity in the Democratic Republic of the Congo.

28. The Council is determined to consider individual sanctions against those who violate the arms embargo in the Democratic Republic of the Congo.

Burundi

29. The success of the transition augurs well for the future of Burundi and that of the region as a whole.

30. This success was achieved through dialogue, sharing and consensus, a path that Burundi must continue to follow.

31. The international community will remain heavily involved in Burundi: the renewal of the mandate of ONUB on 1 December (and its adjustments to the progress of the political process) and the creation of the Forum of Partners will be an illustration of this involvement.

32. It will be the Forum's task to:

- Support the Burundi authorities in implementing the reforms provided for in the Arusha Agreement
- Mobilize international assistance for the reconstruction of Burundi

33. Improvement in the security situation must be consolidated.

34. The disarmament, demobilization and reintegration programme must be completed, including the effective reintegration of former combatants.

35. The Forces nationales de libération (Palipehutu-FNL), which pose a threat to the security of Burundi and of the region as a whole, must join the peace camp without delay. The international community supports the regional initiative to that end.

36. The Council encourages the Burundi authorities to work with the Special Representative of the Secretary-General to put in place a mechanism for ending impunity and promoting reconciliation.

Rwanda

37. The mission will welcome the positive contribution of Rwanda to the success of the transition process in Burundi.

38. The stabilization of the Great Lakes region is in Rwanda's interest. The Council encourages the Government of Rwanda to continue to cooperate with its neighbours to that end, particularly in the framework of the tripartite process.
39. The holding by 20 June 2006 of free elections open to all in the Democratic Republic of the Congo will be decisive for restoring lasting peace in the region.
40. Everyone must continue to ensure that no support is given to those in the Democratic Republic of the Congo who do not share this objective.
41. The international community has devoted huge efforts to trying to solve the problem of the presence of armed groups in the Democratic Republic of the Congo.
42. The strengthening of MONUC in the Kivus has made it possible to limit the capacity of FDLR to cause harm, as well as to prevent further incursions on Rwandan soil.
43. The Council is determined to step up the pressure on the foreign armed groups present in the eastern part of the Democratic Republic of the Congo, in conjunction with the initiatives being taken within the framework of the tripartite process.
44. The Council supports the efforts to form integrated brigades of the Congolese army in order to increase the military pressure on FDLR.
45. The Council has welcomed with satisfaction the measures taken by the Government of Rwanda, with the support of the international community, to repatriate FDLR members returning to Rwanda, in conformity with the applicable norms of international law and respecting the rights and freedoms of the human person. It encourages the Government to give more publicity to its commitments.
46. Cooperation with the group of experts responsible for verifying compliance with the arms embargo is an obligation for all States.
47. The Council has also recommended a number of measures (customs control and air traffic control, in particular), both nationally and regionally, to improve monitoring of the embargo.
48. The Council is determined to consider individual sanctions against those who violate the arms embargo in the Democratic Republic of the Congo.

Uganda

49. The Council pays tribute to the decisive role of Uganda in the success of the transition process in Burundi.
50. The stability of the entire Great Lakes region is in the interest of Uganda. Coordination between capitals, particularly in the framework of the tripartite process, is a step in the right direction and must be intensified.
51. The success of the transition would be threatened were the elections in the Democratic Republic of the Congo not to take place by 30 June 2006.
52. No support must be given to those who do share this objective.
53. The Council is concerned at the continuing tensions in the Ituri district and wonders about the outside support received by the militias responsible for the situation.

54. Cooperation with the group of experts responsible for verifying compliance with the arms embargo is an obligation for all States.

55. The Council has also recommended a number of measures (customs control and air traffic control, in particular), both nationally and regionally, to improve monitoring of the embargo.

56. The Council is determined to consider individual sanctions against those who violate the arms embargo in the Democratic Republic of the Congo.

57. The disarmament and repatriation of the Allied Democratic Forces/National Movement for the Liberation of Uganda must be taken into account within the framework of the tripartite dialogue. If necessary, MONUC could, to the extent permitted by its current mandate, provide assistance to the process.

58. The Council remains concerned at the grave humanitarian situation resulting from the persistence of the conflict in northern Uganda.

59. The mission will discuss with the Ugandan authorities ways and means of resolving this conflict, including implementation of the amnesty law for members of the Lord's Resistance Army who are not responsible for the most serious violations of human rights and international humanitarian law, in the context of recent attempts at negotiation and the proceedings instituted by the International Criminal Court to bring to justice those responsible for serious violations of human rights and international humanitarian law.

60. The Council has called upon the States of the region to increase their cooperation with a view to halting the activities of illegal armed groups, reiterated its attachment to the sovereignty of States and emphasized that any threat or use of force against the territorial integrity of a State is contrary to the purposes and principles set out in the Charter of the United Nations.

United Republic of Tanzania

61. The Council pays tribute to the stabilizing role of the United Republic of Tanzania in the Great Lakes region. It is grateful to it for having given shelter to several hundreds of thousands of refugees in recent years.

62. The success of the transitional process in Burundi is encouraging for the region as a whole.

63. This success must be consolidated by solving the problem of FNL. The Council fully supports the mediation undertaken by the Government of the United Republic of Tanzania.

64. The conditions and modalities for the orderly return of the many Burundian and Congolese refugees in the United Republic of Tanzania to their countries of origin must be reviewed in order to be able to speed up the return flows observed in recent months. The Council is gratified that the authorities have cooperated constructively with the Office of the United Nations High Commissioner for Refugees and neighbouring countries to this end.
