



Security Council

Sixty-seventh year

Provisional

6866th meeting

Tuesday, 20 November 2012, 7.50 p.m.

New York

President: Mr. Hardeep Singh Puri (India)

Members:

Azerbaijan	Mr. Sharifov
China	Mr. Wang Min
Colombia	Mr. Osorio
France	Mr. Araud
Germany	Mr. Eick
Guatemala	Mr. Rosenthal
Morocco	Mr. Loulichki
Pakistan	Mr. Masood Khan
Portugal	Mr. Vaz Patto
Russian Federation	Mr. Ilichev
South Africa	Mr. Mashabane
Togo	Mr. Menan
United Kingdom of Great Britain and Northern Ireland	Mr. Parham
United States of America	Ms. Rice

Agenda

The situation concerning the Democratic Republic of the Congo

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The meeting was called to order at 7.50 p.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning the Democratic Republic of the Congo

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of the Democratic Republic of the Congo and Rwanda to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2012/858, which contains the text of a draft resolution submitted by Colombia, France, Germany, Morocco, Portugal, South Africa, Togo, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Azerbaijan, China, Colombia, France, Germany, Guatemala, India, Morocco, Pakistan, Portugal, Russian Federation, South Africa, Togo, United Kingdom of Great Britain and Northern Ireland and United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 2076 (2012).

I now give the floor to the representative of the Democratic Republic of the Congo.

Mr. Ngwej (Democratic Republic of the Congo) (*spoke in French*): It is an honour for me to address the Security Council on behalf of Mr. Joseph Kabila Kabange, President of the Democratic Republic of the Congo, whom I am representing at this meeting, and on behalf of the entire Congolese people and its Government.

At the outset, I express my deep pleasure in seeing you, Sir, presiding over the Security Council this month. You represent India, a country with which the Democratic Republic of the Congo maintains long-

standing relations characterized by reciprocal esteem and respect. Since my country attained to international sovereignty, India has always stood at our side in the defence of our territorial integrity. I take this opportunity to commend your predecessor, Ambassador Gert Rosenthal, Permanent Representative of Guatemala, and to thank him for his outstanding leadership of of the Council last month.

I also thank you, Sir, for having agreed to convene this important meeting of the Security Council on the situation in the Democratic Republic of the Congo, particularly in the light of the humanitarian tragedy currently unfolding in and around Goma as a consequence of the aggression by regular troops of the Rwandan army.

Let me furthermore pay well-deserved tribute to Secretary-General Ban Ki-moon for his good offices and his commitment to the quest for peace and security around the world in general, and in particular for his personal involvement in restoring lasting peace to the Democratic Republic of the Congo.

The accelerating deterioration of the situation in the province of North Kivu began on 15 November following the attacks launched on positions of the Forces armées de la République démocratique du Congo (FARDC) by troops of the regular Rwandan army. These included three battalions of the Rwandan Defence Forces (RDF), commanded by General Ruvusha, and two RDF special forces units, including a heavy artillery unit commanded by Rwandan General Gatama Kashumba.

In the view of many observers on the ground, the so-called military success of the 23 March Movement (M-23) in Goma was rather surprising. Unlike the debacle suffered by the attackers since 15 November in the areas of Kibumba and Kazizi along the border with Rwanda, the operations that led to the fall of Goma benefited from remarkable planning, abundant resupply, and in particular night-vision equipment. This is materiel that, unlike Rwanda, neither the FARDC nor the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) have in their arsenals. Even air defence equipment was used against combat helicopters of the Forces armées de la République démocratique du Congo and MONUSCO. Rwandan territory has been used systematically as a theatre for manoeuvres to circumvent the Forces armées

de la République démocratique du Congo in order to conquer new territory on the road to Goma.

There is no need for us at this juncture to go into detail about other evidence of Rwanda's involvement in the war around Goma. There is a great deal of such evidence, and it is well documented. In that respect, how can we describe this humanitarian tragedy without concluding that the situation has only exacerbated human suffering, the loss of human life, massive violations of human rights, the rape of women, the forced recruitment of children, widespread population displacements, extortion of property, the breakdown of economic and trade activity, and the growing number of Congolese refugees. In brief, the situation is one of widespread insecurity and a major humanitarian crisis.

We hereby request the Security Council to reaffirm and uphold the purposes and principles of the Charter of the United Nations, of which it is the guarantor, and particularly to most firmly condemn Rwanda and the assaults on human rights and international humanitarian law perpetrated by its troops on Congolese territory. The Council must demand that Rwanda put an immediate end to its aggression and withdraw all its troops from the city of Goma and the territory of the Democratic Republic of the Congo. It must insist on a cessation of all forms of violence and activity that could destabilize and undermine the authority of the Congolese State. It must support the efforts of the Government to restore and strengthen State authority in the eastern part of the country, and implement targeted sanctions against all leaders of M-23 and Rwandan officers cited in the mid-term report of the United Nations group of experts.

In order to dissipate the climate of instability prevailing in the province of North Kivu, the Democratic Republic of the Congo calls for open dialogue in good faith with Rwanda in order to resolve their ongoing security problems. We also call for the good offices of the United Nations to facilitate that dialogue.

Furthermore, we would like to see greater involvement on the part of MONUSCO in terms of resources, force strength and logistics, so as to meet more effectively the demands of peacekeeping in the eastern part of the Democratic Republic of the Congo.

Now that the responsibility of Rwanda has been clearly established in the destabilization of the Democratic Republic of the Congo, in mass human rights violations and in the humanitarian tragedy afflicting the people of North Kivu, it is up to the Council to

take the following action. First, in the light of the acts committed by Rwanda, it should state that the recurring attitude of this neighbouring country with regard to the Democratic Republic of the Congo constitutes a serious and persistent violation of the principles enshrined in the Charter of the United Nations in its Articles 1, 2, 6 and 39; a serious threat to international peace and security in the subregion; and a series of proven acts of aggression under Article 39 of the Charter.

Secondly, it should state that once again Rwanda has circumvented the sacrosanct principle enshrined in paragraph 4 of Article 2 of the Charter, which calls on States Members of the Organization to refrain in their international relations from resorting to the threat or the use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.

Thirdly, the Council should state that Rwanda is a Member of the United Nations and recall that, in accordance with Article 6 of the Charter, a Member that persistently violates the principles of the Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council.

Lastly, the Council should ascertain all the consequences of Rwanda's behaviour and take whatever steps are necessary to restore peace and security in North Kivu.

In conclusion, the Democratic Republic of the Congo reiterates its openness to dialogue with the true protagonist, Rwanda. Nevertheless, the Democratic Republic of the Congo will no longer settle for easy arrangements of the sort that, for three years, have always produced the same effects with the same consequences. The Democratic Republic of the Congo now demands an open, frank debate that could guarantee lasting peace in the interests of all the peoples of the region.

The President: I now give the floor to the representative of Rwanda.

Mr. Nduhugirehe (Rwanda) (*spoke in French*): I would also like to congratulate you, Sir, upon your assumption of the presidency of the Security Council.

Rwanda had planned to speak tomorrow during the debate on the Democratic Republic of the Congo Sanctions Committee, but the adoption of resolution 2076 (2012) this evening and the statement just made

by the representative of the Democratic Republic of the Congo have forced us to take the floor now.

Let us recall events. The ceasefire decided upon at the International Conference on the Great Lakes Region (ICGLR) had held for three months when it was brought to an end by attacks that Rwanda immediately condemned. We condemned the resumption of fighting and asked both parties to cease hostilities and respect the decisions of the ICGLR.

Several times since the fighting resumed, Rwanda has suffered rocket and mortar attacks originating in the Democratic Republic of the Congo. Those attacks resulted in two deaths and more than seven injured. We raised those incidents with our Congolese colleagues, and the first reaction from the Forces armées de la République démocratique du Congo was to accept and acknowledge that shots had been fired from Congolese territory, to apologize and to promise that it would not happen again. That was the first reaction. Subsequently, we read newspaper reports that the spokesperson of the Democratic Republic of the Congo Government had said that the attacks of mortar fire from that country had not taken place and that Rwanda was firing on its own population to justify intervention. That was the second version. Then the third version, which we read in the letter submitted by the Permanent Representative of the Democratic Republic of the Congo, is that it was Rwanda that fired mortar shots into the Democratic Republic of the Congo. We would therefore now like to ask the Security Council to condemn those attacks from the Democratic Republic of the Congo against a State that is not a party to the conflict.

This very day, Rwanda, together with our friends from the Democratic Republic of the Congo, is

participating in an ICGLR meeting in Kampala in an attempt to resolve the situation. Rwandan President Paul Kagame, President Kabila of the Democratic Republic of the Congo and Ugandan President Museveni will meet tomorrow to discuss the situation. If we have learned one thing during this war and the fall of Goma it is that so-called military solutions are failures. Military solutions will not work. What is needed is dialogue, but not a dialogue between the wrong people. The dialogue needs to be among the Congolese parties — among those who are fighting in the Democratic Republic of the Congo. Our position is therefore that it is high time for the two parties to sit down at a table to have a dialogue and find a peaceful solution to the conflict.

We would like to draw the attention of the international community to the fact that decisions leading to sanctions are counterproductive on the ground. We therefore appeal to the Security Council and other international actors to work for further dialogue so that we can bring to an end once and for all the war raging in the eastern part of the Democratic Republic of the Congo, as it is also having effects on our country. Rwanda stands ready to participate in that effort in the context of the ICGLR, as well as to cooperate with the agencies of the United Nations to assist refugees and other persons in distress.

Rwanda refutes the accusations of the Democratic Republic of the Congo and calls for dialogue as the only route that could lead to a lasting solution to the conflict.

The President: The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Council will remain seized of the matter.

The meeting rose at 8.10 p.m.