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SEEKING A NEW COMPACT Resolution 1906 and the Future of MONUC

In April the Security Council will undertake a mission to the Democratic Republic of the Congo and neighbouring countries. The main issue will be the future role of the UN peacekeeping mission in the DRC and developing a new vision for the mission that will help to build a new compact that is acceptable to both the DRC government and the Council. At the heart of this exercise will be resolution 1906 which the Council adopted in December 2009 to extend the mandate of the mission until the end of May. It is a long and complex text.

At such a delicate time, and given that there is such an intricate mandate and very short deadlines, it seemed that this would be a good time to provide policy makers with an in-depth analysis of resolution 1906, what it really says and the various obligations it imposes on all the different actors, as well as an assessment of the status of implementation of each obligation at press time.

Background

Over the ten years since the UN Organization Mission in the DRC (MONUC) was first established, its mandate has evolved to reflect the progress achieved: foreign armies have left the DRC; an internal peace process backed by the UN has ended major violence in most parts of the country; dozens of armed groups have been dismantled and reintegrated; and in 2006 the first democratic elections were held since the country's independence in 1960. However, violence has persisted in the eastern part of the DRC, often involving foreign combatants on the DRC territory, including the Forces démocratiques de libération du Rwanda, or FDLR (fugitive Rwandans responsible for the 1994 genocide) and the Lord's Resistance Army, or LRA (a vicious militia from northern Uganda responsible for crimes against humanity).

Recognising that most of the DRC is now in a post conflict reconstruction and peacebuilding phase, the Secretariat is currently developing an overall integrated strategy for the UN system in the DRC for the coming three years. This integrated strategic framework, once finalised, could lead to a significant refocussing of the UN presence in the DRC away from peacekeeping and is a key factor in the current review of MONUC's mandate.

MONUC was established by resolution 1279 of 30 November 1999. It followed the Lusaka Ceasefire Agreement which brought an end to a war in the DRC involving not only militia groups within the DRC but also the armed forces of the DRC, Burundi, Zimbabwe, Namibia, Angola, Rwanda and Uganda. Initially authorised at strength of 500 military observers, resolution 1291 of 24 February 2000 increased MONUC's

troop level to 5,537 military personnel and mandated MONUC to:

- monitor the implementation of the ceasefire agreement;
- liaise with all parties' military forces;
- verify disengagement and redeployment of the parties' forces: and
- facilitate humanitarian assistance and human rights monitoring.

Subsequently, MONUC became focused on the internal peace process in eastern DRC with a mandate focused on preventing the reemergence of the conflict.

Today MONUC has an authorised strength of up to 19,815 military personnel, 760 military observers, 391 police personnel and 1,050 personnel of formed police units. Its mandate involves protecting civilians, carrying out disarmament, demobilisation and reintegration (DDR) and disarmament, demobilisation, repatriation, resettlement and reintegration (DDRRR) activities, supporting security sector reform (SSR) initiatives led by the DRC government and a wide range of related tasks to improve the underlying conditions for peace, better protection of human rights, extract children from armies and protect women and children.

Protection of civilians has been a mandated task of MONUC since resolution 1291. MONUC was authorised under Chapter VII of the Charter to take necessary action including the use of force to protect UN personnel and



facilities and to protect civilians under imminent threat of physical violence.

In October 2004, MONUC also received authorisation to support operations led by Forces armées de la République Démocratique du Congo (FARDC) in eastern DRC against foreign-armed groups, in particular the FDLR (S/ RES/1565).

The protection aspect of the mandate was strengthened in resolution 1592 of 30 March 2005, which authorised MONUC to use "all necessary means" to ensure the protection of civilians.

Resolution 1756 of 15 May 2007 divided the mandate into four main categories:

- protection of civilians, humanitarian personnel and UN personnel and facilities;
- territorial security of the DRC;
- disarmament and demobilisation of foreign and Congolese armed groups (DDRRR and DDR); and
- SSR.

In December 2007 in resolution 1794 the Council emphasised for the first time that MONUC must give priority to protection of civilians when making decisions regarding the use of its available capacity and resources.

Beginning on 28 August 2008, violence intensified in eastern DRC. The forces of renegade general Laurent Nkunda and the Congrès national pour la défense du peuple (CNDP) commenced widescale hostilities between FARDC and the CNDP. The humanitarian impact on the civilian population was immense. On 20 November 2008 the Council adopted an emergency resolution authorising a temporary increase in troops to enhance MONUC's capacity to protect civilians. During the hostilities and in accordance with its mandate.

MONUC sought to support the efforts of the FARDC to repel the CNDP and secure major population centres. However, in the face of the major CNDP offensive, FARDC forces abandoned joint positions held with MONUC. Some retreating FARDC elements even targeted MONUC. All belligerents, including the FARDC, perpetrated serious human rights abuses. Congolese protesters attacked the UN Headquarters in Goma in late October because of what they saw as insufficient protection for themselves and support for Congolese government forces.

Following authorisation for the temporary troop increase, MONUC's mandate was revised in resolution 1856 of 22 December 2008 to better focus on protection of civilians. Resolution 1856 ordered MONUC to:

- protect civilians, humanitarian personnel and UN personnel and facilities;
- carry out DDR and DDRRR;
- train and mentor FARDC in support for SSR; and
- secure the territorial security of the DRC.

MONUC Cooperation with DRC Armed Forces

MONUC has faced widespread criticism for its support of the FARDC, elements of which have committed, and continue to commit, serious human rights violations in operations against the FDLR and more recently against the CNDP and the LRA. Following the crisis in eastern DRC in the second half of 2008— and the performance of the FARDC-resolution 1856 authorised MONUC to conduct unilateral operations to disrupt the military capability of illegal armed groups in eastern DRC. The resolution also

clarified the conditions under which MONUC could support the FARDC. Support was to be provided to operations led by and jointly planned with FARDC brigades in accordance with international humanitarian, human rights and refugee law. Earlier guidance from the Council in resolutions was weaker: operations should be planned jointly with MONUC and in accordance with international humanitarian, human rights and refugee law.

The process of DDR, while helpful in reducing the threat of violence from some militia groups, has resulted in the integration of former warlords and rebels into the FARDC. These elements have resulted in a growing culture of impunity and also the perpetuation of new war crimes by FARDC units. Recognising this, the Council in resolution 1906 reiterated that support from MONUC to the FARDC is strictly conditioned on FARDC's compliance with international humanitarian, human rights and refugee law and on effective joint planning of these operations. The resolution also introduced the concept of the "conditionality" of MONUC's support to the FARDC linked to respect of human rights. The Council called upon MONUC to withdraw support from FARDC units accused of serious violations of international humanitarian, human rights and refugee law. In this regard, the resolution noted that MONUC has developed a policy that sets out the conditions under which the mission can provide support to FARDC units and asks the Secretary-General to establish an appropriate mechanism to regularly assess the implementation of this policy.

Also, reiterated in resolution 1906 is the call to create a vetting mechanism for the FARDC and the national security forces to ensure that persons associated with violations of international humanitarian law and human rights abuses are excluded from being integrated into government forces. The Council first highlighted the government's need to consider whether candidates' past actions violated international humanitarian law and human rights in resolution 1756 of 15 May 2007. Later, in resolution 1794 of 21 December 2007, the Council called upon the government to establish a vetting mechanism. Such a mechanism has yet to be fully developed and implemented.

Resolution 1906 also signals a shift in MONUC's cooperation with the FARDC on joint military operations away from purely disarming local and foreign armed groups towards holding territories cleared of armed groups and helping the government restore its authority in these territories. This addresses the UN's assessment that recent military operations have disrupted and somewhat dispersed the forces of the Rwandan armed opposition group, FDLR, and weakened their control of population centres. Now, there is a growing need to hold ground and protect civilians from reprisal attacks.

The resolution also addresses the threat posed by the continued activity of the LRA in the region. Military operations launched in December 2008 by the DRC, Uganda and South Sudan have dispersed the previously more consolidated LRA elements from the DRC, however, smaller groups of rebels continue to operate in the DRC, as well as South Sudan and the Central African Republic. The LRA continues to attack, loot and burn villages and abduct and kill civilians in Orientale province of the DRC. The Secretary-General's

December 2009 report on MONUC states that UN peacekeeping and special political missions in the area are taking measures to share information, conduct analysis and coordinate responses to the LRA challenges in the region. The Secretary-General encourages the Council to take steps to harmonise the mandates of the various affected missions in order to permit more concerted action. Resolution 1906 requests that the Secretary-General enhance cooperation and information-sharing between UN missions in the region. In its 17 November 2009 press statement on the LRA, the Council also called on UN missions in the region to coordinate strategies for, and information on, the protection of civilians. Historically, the Council has requested that the Secretary-General ensure that regional missions coordinate activities by sharing information, pooling logistical and administrative resources and coordinating implementation of national DDRRR programmes. The Secretary-General's December 2009 report on the DRC confirms that UN peacekeeping and political missions in the region are indeed sharing information, conducting analysis and coordinating responses to the LRA challenges. Those coordination efforts include relevant national security forces, the report added. Resolution 1906 also calls on governments of the Great Lakes Region to coordinate their efforts to address the LRA.

Resolution 1906 reaffirms MONUC's role in monitoring the implementation of sanctions in cooperation with the Group of Experts and to seize or collect arms and any related materiel in breach of the arms embargo.

A new role for MONUC is also included. As part of security sector reform,

MONUC is assigned for the first time to coordinate the efforts of the international community, in cooperation with the government.

In an attempt to provide a better focus for MONUC's mission during the limited mandate period of five months, resolution 1906 downsized the mandate by omitting several elements of its previous mandate. These included MONUC's longer-term role in promoting national reconciliation and internal political dialogue and good governance. (Reference to MONUC support to Congolese authorities in preparation for elections was also omitted although under resolution 1797 of 30 January 2008 MONUC is authorised to assist the Congolese authorities in organising, preparing and conducting local elections.) It was envisaged that these elements would be reintroduced at a later stage.

Drawdown of MONUC Forces

The concept of a strategy for a drawdown of MONUC is not new and has been a source of controversy in the Council in the past. Proposals for reductions, often motivated by countries interested for fiscal reasons in reducing peacekeeping costs, led to vigorous opposition by traditional supporters of the DRC. In 2007, resolution 1756 produced a compromise and requested that the Secretary-General submit to the Council a report containing benchmarks and an indicative timetable for the gradual drawdown of MONUC. Benchmarks were included in his report of 14 November 2007 (S/2007/671). Later, resolution 1856 of 22 December 2008 requested the Secretary-General to inform the



Council about the development of a strategic work plan with appropriate benchmarks to measure and track progress on the implementation of MONUC's mandate. In March 2009 the Secretary-General reported that the benchmarks outlined in his November 2007 report remained broadly valid. (In his March 2010 report (S/2010/164) the Secretary-General reiterates that the 14 November 2007 benchmarks remain valid.) On 16 February 2010 MONUC officials briefed Council experts on the emerging strategic work plan, the integrated strategic framework, and its four key elements: addressing conflict; stabilising conflictaffected areas; consolidating peace

across the DRC; and making development viable. Resolution 1856 also requested the Secretary-General to present recommendations on the progressive handover of tasks related to the strengthening of democratic institutions and the rule of law from MONUC to the UN country team and bilateral and multilateral partners in western DRC.

The Secretary-General reported to the Council in March 2009 that the country team and other partners were not in a position to take over all the tasks performed by MONUC due to limited resources (S/2009/160). On 5 March 2010 the head of UN Peacekeeping, Alain Le Roy, briefed the Council in a

closed session following his visit to Kinshasa and discussions with the government on the reconfiguration of MONUC. While it seems the UN was planning a drawdown of MONUC over a three year period based on the implementation of benchmarks and critical tasks drawn from the integrated strategic framework-and agreement had been reached with the government on these critical tasks-the DRC made a request for a first withdrawal of troops to occur by 30 June 2010 and complete withdrawal by August 2011. Le Roy said troops could begin to withdraw from western DRC in June 2010, but a much longer period was required for critical tasks to be completed in the east. He

Breakdown of the obligations imposed in resolution 1906 organised according to the various actors addressed by the resolution, along with analytical comment

Actor Addressed in Resolution 1906	Texted Operational Paragraphs in Resolution 1906	Summary of Obligations Imposed
DRC	OP3: Urges the Government of the DRC to establish sustainable peace in the eastern part of the country, to effectively protect the civilian population, to develop sustainable security sector institutions which fully respect the rule of law, and to ensure respect for human rights and the fight against impunity by strengthening the capacity of the judicial and correctional systems	Establish sustainable peace in the eastern DRC Effectively protect civilians Develop security sector institutions which fully respect the rule of law Ensure respect for human rights. Combat impunity through strengthened capacity of judicial and correctional systems
	OP11: Demands that the Government of the DRC, in furtherance of resolution 1888 (2009), immediately take appropriate measures to protect civilians, including women and children, from violations of international humanitarian law and human rights abuses, including all forms of sexual violence; urges the Government of the DRC to ensure the full implementation of its "zero-tolerance policy" with respect to discipline and human rights violations, including sexual and gender-based violence, committed by elements of the FARDC and further urges that all reports of such violations be thoroughly investigated, with the support of MONUC, and that all those responsible be brought to justice through a robust and independent process	Immediately take measures to protect civilians—including women and children—from violations of international humanitarian law (IHL) and human rights abuses, including all forms of sexual violence Ensure the implementation of the "zero-tolerance policy" on human rights violations, including sexual and gender-based violence committed by elements of the FARDC Investigate all reports of violations with the support of MONUC and ensure that all those responsible be brought to justice

further said withdrawal of MONUC should not occur while fighting with the FDLR was ongoing and the LRA were active in the east. However, the UN would not want to stay against the will of the government.

The Secretary-General in his March 2010 report to the Council recommends the Council authorise in May the immediate withdrawal of up to 2,000 MONUC troops by 30 June 2010 and to limit the military role of MONUC to the Kivus and Orientale provinces and Kinshasa. The Secretary-General argues the focus of international assistance in the provinces that have enjoyed sustained stability should be on peace consolidation, protection of human rights and making sustainable development viable. Discussions are continuing between the UN and the government on the withdrawal timeline and the Council visit will play an important role in these discussions.

There seems to be a broad consensus that the DRC government will not be capable by 2011 of ensuring security in the east. A key issue is how the Council responds responsibly but sensitively to Kinshasa's call for an August 2011 MONUC withdrawal given the acute security, human rights and stability issues. It also seems that part of the problem could be the absence of a clearly articulated peacebuilding strategy for the UN presence in the DRC. As the Council prepares to take decisions on the future of MONUC, an important question is whether there is a need to give higher priority to a common peacebuilding strategy led by the UN to coordinate among international partners and the DRC government on big picture peacebuilding issues including SSR. An option for the Council is to perhaps recast the mandate into two parts so that there is one part focussing on the UN mission delivery of integrated peacebuilding tasks in the country as a whole and a second part dealing with the military dimension but limited solely to the east of the country.

Analytical Comments	Implementation and Developments
This paragraph foreshadows the obligations to be created under the resolution and reiterated throughout the operational paragraphs.	
Ensuring the exclusion of those persons associated with violations of IHL and human rights abuses, as outlined in OP32 , is integral to implementing the zero-tolerance policy. This process of vetting FARDC elements should particularly address sexual and gender-based violence. On 5 July 2009 DRC President Joseph Kabila announced a "zero-tolerance" policy in the military regarding human rights violations, including sexual and gender-based violence. Unit commanders and troops were reminded it was their duty to respect human rights and protect populations. Officers were to assume full responsibility for maintaining discipline, and would be held responsible for any criminal acts committed by subordinates.	According to an 8 March 2010 Human Rights Council's (HRC) joint report by seven UN experts (A/HRC/13/63), impunity remains pervasive, especially with regard to crimes committed by powerful figures in the security forces. The joint report also noted the initiation against officers and soldiers of the FARDC of a number of trials, some resulting in convictions. On 13 February, the Operational Military Court in North Kivu sentenced five FARDC soldiers to death for murder, another to 20 years imprisonment for rape and two soldiers to five years imprisonment for arbitrary arrest.



Actor Addressed in Resolution 1906	Texted Operational Paragraphs in Resolution 1906	Summary of Obligations Imposed
DRC		
	OP15: Calls upon the Government of the DRC to continue to work with MONUC, the Monitoring and Reporting Mechanism and other relevant actors to finalise the elaboration of an action plan to release children present in FARDC and to prevent further recruitment	Finalise an Action Plan to release children present in FARDC and to prevent further recruitment of children In addition to the obligation in OP15, the DRC is bound pursuant to resolutions 1539 (2004) and 1612 (2005) to finalise an "action plan".
	OP25: Calls upon the Governments of the DRC and the neighbouring states to remain engaged in the process of demobilisation and repatriation of disarmed foreign combatants and their dependents	Demobilise and repatriate disarmed foreign combatants and their dependents
	OP26: Urges the Governments of the DRC and Rwanda to work together and to agree on a clear set of end-state objectives on the FDLR, in the framework of a multidimensional approach	Develop objectives on eradicating the FDLR, in cooperation with the Government of Rwanda

Analytical Comments	Implementation and Developments
Resolution 1820, adopted on 19 June 2008, affirmed that sexual violence can significantly exacerbate situations of armed conflict, reiterated the Council's demand for the complete cessation by all parties to conflict of acts of sexual violence and demanded all parties to conflict to take appropriate measures to protect civilians from all forms of sexual violence. This included taking measures such as enforcing appropriate military disciplinary measures, training troops in prohibition of sexual violence and vetting candidates for security forces. These obligations were also reiterated in resolution 1888 (2009) on women, peace and security.	FARDC commanders, Innocent Zimurinda and Bosco Ntaganda, face serious accusations of human rights violations yet continue to serve in the FARDC. An arrest warrant from the International Criminal Court has been outstanding against Ntaganda since April 2008.
The responsibility of the Government of the DRC to ensure security and protect civilians with respect for the rule of law, human rights and IHL has been addressed in previous resolutions on the DRC, including resolutions 1856 and 1857 of December 2008.	
The Secretary-General's list of armed forces that recruit children and use child soldiers includes several armed groups in the DRC, including the FDLR, LRA, CNDP and Mai-Mai groups in North and South Kivu, among others. These groups are required to submit action plans on halting the recruitment and use of children.	In 2009 MONUC facilitated the release of over 2,000 children from the force. MONUC continued to follow-up with FARDC on the development of an action plan to prevent the recruitment and use of children by the force and to facilitate their release. The formal action plan to release remaining children has reportedly been developed by the government, but is yet to be finalised
The March 2010 HRC joint report by seven UN experts recommended that the government and FARDC cooperate in elaborating an action plan on stopping the recruitment and use of child soldiers. The experts noted that this action plan should entail specific measures to prevent recruitment and use of children, identify and release all children associated with the armed forces and ensure access for child protection actors for ongoing monitoring and verification. Cross-border frameworks of cooperation and information exchange must be established and enhanced to address these concerns, both among UN actors and NGOs and between governments.	and therefore FARDC remains on the Secretary-General's list of groups which recruit children. The HRC experts' March 2010 joint report states that new recruitment of children by integrated FARDC troops continues. Between January and October 2009 there were reportedly 107 cases of new recruitment by FARDC. An additional 127 cases were attributed to the Coalition of Congolese Patriotic Resistance (PARECO), 29 to FDLR and 22 to unidentified armed groups. In addition to the recruitment of children, the report notes that FARDC and armed groups continue to be cited for other grave child rights violations, including the direct involvement of children on the front lines, the killing and maiming of children and sexual violence.
	Integration of children into the forces through the <i>brassage</i> process—the process of assimilating militiamen into a single national army—continues due to lack of proper screening. The release of children present within FARDC has been frequently obstructed.
This involves enhancing cooperation and information and capacity-sharing between states in the region.	In his 30 March report, the Secretary-General noted that in 2009 a total of 3,751 FDLR elements were voluntarily repatriated to Rwanda by MONUC. Of these, 1,564 were foreign combatants, including 42 children and 2,187 were dependents. A further 93 former combatants were repatriated to Burundi and Uganda and 21 to CAR and the Sudan between January and early December 2009.
These objectives should involve: • the liberation of territory held by the FDLR and restoring state authority in cleared areas;	The rapprochement between the DRC and Rwanda has been a significant development and opens new possibilities for addressing the continued presence of the FDLR in eastern DRC. The Council strongly supported this rapprochement. On their May



Actor Addressed in Resolution 1906	Texted Operational Paragraphs in Resolution 1906	Summary of Obligations Imposed
DRC		
	OP29: Reiterates the primary responsibility of the Government of the DRC regarding the reform of its security sector, and encourages the Government of the DRC, working in cooperation with MONUC and other international partners, to build a core, well vetted, multi-ethnic force, whose size, composition and structure should be developed by the Government, with the support of MONUC, with a view to strengthening the capacity, discipline and professionalism of the FARDC	Build a core, well vetted, multi-ethnic force Ensure that this force be well vetted, disciplined and multi-ethnic
	authorities, with the support of MONUC, to establish an effective vetting mechanism, in accordance with international standards, for the FARDC and the national security forces, to ensure the exclusion of those persons associated with violations of international humanitarian law and human rights abuses and to trigger the judicial process against such persons where appropriate	Establish a vetting mechanism for the FARDC and the national security forces This mechanism should: • be in accordance with international standards; • ensure the exclusion of those persons associated with violations of IHL and human rights abuses; and • trigger the judicial process against such persons where appropriate.
	OP33: Encourages the Government of the DRC, with the support of MONUC, to ensure that armed groups newly integrated into the FARDC are deployed throughout the country and not restricted to their regions of origin	Deploy armed groups newly integrated to the FARDC throughout the country and not to their regions of origin

Analytical Comments	Implementation and Developments
the participation of all FDLR members in DDR or DDRRR processes, as appropriate; and the use of appropriate legal action against FDLR members where necessary. The UN has developed a multidimensional strategy, including non-military actions, for addressing the security threat posed by the FDLR. Included in this strategy is assisting the DRC and Rwanda in defining objective goals in the resolution of the FDLR issue and enhancing DDRRR efforts, including through an information campaign involving the DRC, Rwanda and MONUC.	2009 trip to the DRC and Rwanda the Council encouraged Presidents Kabila and President Kagame to enhance their cooperation. Further encouraging this rapprochement is a key objective of the upcoming April 2010 visits to the DRC and Rwanda.
The security situation permitting, once established, the core force of professional soldiers will progressively assume MONUC's security responsibilities.	In his 30 March report, the Secretary-General noted that the FARDC faces structural weaknesses and a lack of capacity which hinders the government's ability to adequately protect its citizens and stated that the FARDC "remains an amalgamation of unvetted, untrained former militia groups". The Government of the DRC has developed the army reform plan to address these problems. The plan, which was presented to international partners on 26 January, is being reviewed by parliament. It involves strengthening the FARDC by reorganising its territorial and operational chains of command, includes three phases and foresees a total force of 141,000.
This obligation is closely related to OP29 which also encourages the vetting process. This seems to involve strict and universal standards for vetting throughout the territory, which will entail coordinating all vetting efforts. A comprehensive vetting process would be an integral component of any protection of civilians strategy for the DRC.	The 8 March 2010 HRC joint report notes trials have been initiated against officers and soldiers of FARDC, some resulting in convictions. The HRC experts also reported that overall, impunity remains pervasive, especially with regard to crimes committed by powerful figures in the security forces. Command responsibility was rarely the subject of investigation by military prosecutors. Commanders continued to protect soldiers against investigations and deliberately obstruct the course of justice. The report stated that, "the Government appears unwilling to create structures to identify and remove perpetrators of human rights violationsThe Government explicitly rejected recommendations to establish an effective human rights vetting mechanism during the Human Rights Council's universal periodic review".
A main objective of the process known as <i>brassage</i> to shift FARDC units with local loyalties and interests away and promote a more professional integrated army. Newly integrated units are to be posted away from the locations where their members previously operated and replace FARDC units that have not yet undergone this process. Failure to undergo the <i>brassage</i> process is a particular problem in eastern DRC where easy access to mining sites is maintained and exploited. As long as soldiers can exploit mining communities for lucrative resources, many will find the option of demobilisation unattractive.	The Secretary-General noted in his December 2009 report that ethnic agendas continue to be carried forward by some newly integrated armed group elements.



Actor Addressed in Resolution 1906	Texted Operational Paragraphs in Resolution 1906	Summary of Obligations Imposed
DRC	OP34: Urges the Government of the DRC to expeditiously adopt legislation related to the reform of the FARDC, the High Defence Council and the status of the FARDC military personnel by the Parliament, as well as the legislation on police reform, urges further the Government of the DRC to ensure progress in their implementation within the timeframe of this resolution, and urges further still the adoption of a comprehensive national strategy for the security sector on the whole territory	Adopt legislation related to: the reform of the FARDC; the High Defence Council and the status of the FARDC military personnel by the Parliament; and police reform Adopt a comprehensive national strategy for the security sector on the whole territory
	OP35: Requests that the Government of the DRC, with the support of MONUC and other international partners, ensure appropriate conditions for the FARDC, including attributing ranks to the newly integrated elements, ensuring salary payments and equipments and providing barracks	Ensure appropriate conditions for the FARDC, including: attributing ranks to the newly integrated elements; ensuring salary payments and equipments; and providing barracks
MONUC	resolution, MONUC, working in close cooperation with the Government of the DRC, shall have the following mandate, in order of priority: (a) Ensure the effective protection of civilians, humanitarian personnel and UN personnel and facilities, in accordance with paragraph 3 (a) to (e) and 4 (c) of resolution 1856 (2008) and paragraphs 7 to 18 below; (b) Carry out enhanced activities of disarmament, demobilisation and reintegration (DDR) of Congolese armed groups and of disarmament, demobilisation, repatriation, resettlement and reintegration (DDRRR) of foreign armed groups, including as set out in paragraphs 19 to 28 below and paragraphs 3 (n) to 3 (p) of resolution 1856 (2008); (c) Support the security sector reform (SSR) led by the Government of the DRC, including as set out in paragraphs 29 to 38 below.	Ensure the protection of civilians, humanitarian personnel and UN personnel and facilities Carry out DDR of Congolese armed groups and of DDRRR of foreign armed groups Support the SSR led by the Government of the DRC
	OP6: Authorises MONUC to use all necessary means, within the limits of its capacity and in the areas where its units are deployed, to carry out the tasks of its mandate listed in paragraph 3 (a) to (e) of resolution 1856 (2008) and paragraphs 9, 20, 21 and 24 below	Use force if necessary to fulfil obligations under OP9, 20, 21 and 24 of this resolution

Analytical Comments	Implementation and Developments
A comprehensive national strategy should address various issues which contribute to instability such as the need for DDR and DDRRR, the proliferation of small arms and light weapons and the illicit trade in natural resources.	According to 30 March the Secretary-General's report, draft organic laws pertaining to the reform of the FARDC, the High Defence Council and the status of FARDC military personnel and police reform have been submitted by the Government and will be reviewed in a parliamentary session which began in mid-March.
This should be done with the support of MONUC and other international partners.	The 30 March report of the Secretary-General noted that an inadequate budget, a lack of equipment and garrisons and major weaknesses in the salaries system continue to contribute to FARDC indiscipline. The FARDC, MONUC, the UK, the International Organization for Migration (IOM) and the EU Mission of Assistance for SSR are currently evaluating a total of 25 sites for military barracks in eastern DRC. In South Kivu, UNDP and the IOM have been rehabilitating accommodation facilities in Camp Saio for approximately 3,000 FARDC soldiers.
	The EU Mission of Assistance for SSR undertook a census in early 2009 of 17,587 armed group elements newly integrated into FARDC. Based on this information, a system for ensuring the regular payment of these elements will be established.
While clearly outlining MONUC's role here, this resolution reaffirms that the primary responsibility for ensuring security and protecting civilians falls with the Government of the DRC, as outlined in OP3.	
The aspect of mandate prioritisation is not a new feature to MONUC—this appeared in the previous mandate under resolution 1856. During the negotiations on the draft of the current resolution, there were discussions on the prioritisation of the three elements of MONUC's mandate. While ultimately there was agreement on the current prioritisation, some Council members were of the view that SSR should have been given higher priority.	
The authorisation under Chapter VII of the UN Charter to "use all necessary means," authorises the use of a full range of military force and to act as robustly as the situation calls for. However, the obligation is limited by the wording "within the limits of its capacity and in the areas where its units are deployed".	
OP20 reiterates this authorisation by stating that MONUC "undertake all necessary operations to prevent attacks on	



Texted Operational Paragraphs in Resolution 1906	Summary of Obligations Imposed
OP7: Emphasises that the protection of civilians, as described in paragraph 5 (a), must be given priority in decisions about the use of available capacity and resources, over any of the other tasks described in paragraph 5 (b) and (c)	Prioritise the protection of civilians in decisions about the use of capacity and resources, over any of the other tasks described in OP5 of this resolution
OP8: Recalls that the protection of civilians requires a coordinated response from all relevant mission components and encourages MONUC to enhance interaction, under the authority of the Special Representative of the Secretary- General, between its civil and military components at all levels and humanitarian actors, in order to consolidate expertise on the protection of civilians	Enhance interaction between civil and military components at all levels and humanitarian actors
OP9: Requests MONUC to build on best practices and extend successful protection measures on protection piloted in North Kivu, in particular the establishment of Joint Protection Teams, Early Warning Centres, communications liaisons with local villages and other measures, to other areas, particularly South Kivu	Build on best practices and extend successful protection measures that have been piloted in North Kivu, particularly in regards to establishing: i joint protection teams; early warning centres; and communications liaisons with local villages and other measures, to other areas, particularly to South Kivu
OP14: Encourages MONUC to enhance its interaction with the civilian population to raise awareness and understanding about its mandate and activities and to collect reliable information on violations of international humanitarian law and human rights abuses perpetrated against civilians	Enhance interaction with civilians to: raise awareness and understanding about MONUC's mandate and activities; and collect reliable information on violations of IHL and human rights abuses perpetrated against civilians
	OP7: Emphasises that the protection of civilians, as described in paragraph 5 (a), must be given priority in decisions about the use of available capacity and resources, over any of the other tasks described in paragraph 5 (b) and (c) OP8: Recalls that the protection of civilians requires a coordinated response from all relevant mission components and encourages MONUC to enhance interaction, under the authority of the Special Representative of the Secretary- General, between its civil and military components at all levels and humanitarian actors, in order to consolidate expertise on the protection of civilians OP9: Requests MONUC to build on best practices and extend successful protection measures on protection piloted in North Kivu, in particular the establishment of Joint Protection Teams, Early Warning Centres, communications liaisons with local villages and other measures, to other areas, particularly South Kivu OP14: Encourages MONUC to enhance its interaction with the civilian population to raise awareness and understanding about its mandate and activities and to collect reliable information on violations of international humanitarian law and

Analytical Comments	Implementation and Developments
civilians and disrupt the military capability of armed groups that continue to use violence in that area."	
This is a reaffirmation of OP5 which lists protection of civilians as MONUC's first priority.	
This also reaffirms resolution 1894 (2009) on protection of civilians which "stresses that mandated protection activities must be given priority in decisions about the use of available capacity and resources, including information and intelligence resources, in the implementation of mandates."	
This may entail developing and implementing a regimented process of information and capacity sharing between mission components on all issues pertaining to the protection of civilians.	A UN system-wide strategy on the protection of civilians in the DRC was developed in the third quarter of 2009 to coordinate responses to protection issues. The key elements of the strategy include: • harmonising the gathering and analysis of data and analysing the impact of military operations against civilian populations; • anticipating, preventing and mitigating protection risks to civilians, including IDPs; • establishing accountability mechanisms for combating impunity, and improving access to assistance, justice, rehabilitation and redress for victims; and • promoting the rule of law, building the capacity of the military justice system and supporting the restoration of state authority, including within the framework of the UN Security and Stabilization Support Strategy (UNSSSS).
MONUC established Joint Protection Teams (JPTs) in early 2009. JPTs are made up of members of MONUC's civil affairs, human rights, political affairs, and child protection divisions and are deployed to MONUC field bases for up to five days at a time. Their mandate is to develop a greater understanding of local dynamics in the area, create links between MONUC and local populations, and act as an early warning mechanism by seeking to predict threats and suggesting courses of action to MONUC leadership. JPTs can also work to separate children from armed groups, mediate disputes between non-integrated armed groups and the FARDC or the local population, provide protection advice for MONUC officers at their bases and discuss possible protection responses in the event of violence. By December 2009, MONUC had organized more than 65 JPTs.	
_	In his 30 March report the Secretary-General noted that effective communication with the Congolese population remains a major challenge. MONUC conducts daily community outreach, dissemination and broadcast activities throughout the country. Radio Okapi, the joint project of MONUC and Fondation Hirondelle, enjoys the largest audience of any country-wide radio network in the DRC.
	On 24 October 2009, MONUC and the DRC Ministry of Foreign Affairs launched an information campaign to enhance social leader's awareness of DRC's status as a member of the UN and the UN's role in supporting government efforts to solve its basic problems. The UN estimated that the campaign would reach 4,800 direct participants. Millions of others would be reached through media coverage.



Actor Addressed in Resolution 1906	Texted Operational Paragraphs in Resolution 1906	Summary of Obligations Imposed
MONUC	OP20: Underlines that MONUC shall deter any attempt at the use of force to threaten the Goma and Nairobi processes from any armed group, particularly in the eastern part of the DRC, and undertake all necessary operations to prevent attacks on civilians and disrupt the military capability of armed groups that continue to use violence in that area	Deter attempts to threaten the Goma and Nairobi processes from any armed group, particularly in the eastern DRC Prevent attacks on civilians Disrupt the military capability of armed groups that continue to use violence in the eastern DRC
	OP21: Requests MONUC, working in close cooperation with the Government of the DRC, to continue its coordination of operations with the FARDC brigades deployed in the eastern part of the DRC, premised on the protection of civilians as a priority, on operations being jointly planned with these brigades, and in accordance with its Policy Paper referenced in paragraph 23 below, with a view to: (a) Disarming foreign and Congolese armed groups in targeted areas in order to ensure their participation in the DDRRR and DDR process; (b) Holding the territories cleared of armed groups in order to ensure the protection of civilian populations; (c) Helping the Government of the DRC to restore its authority in these territories, in particular in the eastern part of the DRC, areas freed from armed groups and key mining areas; (d) Carrying out enhanced efforts to prevent the provision of support to armed groups, including support derived from illicit economic activities and illicit trade in natural resources	Coordinate operations with FARDC brigades deployed in the eastern DRC and ensure operations are premised on the protection of civilians as a priority and are jointly planned Ensure operations are in accordance with its Policy Paper referenced in OP23 of this resolution, with a view to: • disarming foreign and Congolese armed groups in targeted areas to ensure their participation in the DDRRR and DDR processes; • holding territories cleared of armed groups in order to ensure the protection of civilian populations; • helping the Government of the DRC to restore its authority in these territories, in particular in the eastern DRC, areas freed from armed groups and key mining areas; and • enhancing efforts to prevent the provision of support to armed groups, including support derived from illicit economic activities and illicit trade in natural resources
	OP22: Reiterates, consistent with paragraphs 3 (g) and 14 of resolution 1856 (2008) that the support of MONUC to FARDC-led military operations against foreign and Congolese armed groups is strictly conditioned on FARDC's compliance with international humanitarian, human rights and refugee law and on an effective joint planning of these operations, decides that MONUC military leadership shall confirm, prior to providing any support to such operations that sufficient joint planning has been undertaken, especially regarding the protection of	Ensure that support to FARDC-led operations is conditioned on compliance with IHL, human rights and refugee law and on an effective joint planning or these operations Confirm joint planning has been undertaken, especially regarding the protection of the civilians Intercede with the FARDC command if elements or a unit receiving MONUC support are suspected of having committed grave violations of such laws

Analytical Comments	Implementation and Developments
This paragraph is closely linked to OP6 in that it reaffirms MONUC's authority to employ use force if necessary to protect civilians.	
The Nairobi Agreement was signed in November 2007 between the governments of DRC and Rwanda and made provision for the forceful repatriation of the FDLR. It also provides for normalisation of relations between Congo and Rwanda, disarmament of Rwandan Hutu rebels in Congo—including some perpetrators of the 1994 genocide—and ending Rwandan support to Congolese Tutsi insurgent Laurent Nkunda.	
The Goma Agreement was signed on 23 January 2008 by the government and the various armed groups active in eastern DRC, including Nkunda's CNDP. The agreement addressed the ceasefire, disarmament and demobilisation of combatants, humanitarian and human rights issues and the legal and political guarantees of the agreement. Whereas the Nairobi Agreement emphasised forceful demobilisation, the Goma agreement focused on a ceasefire and voluntary demobilisation and integration.	
This paragraph is closely related to OP22 and OP23. The Policy Paper referred to states that MONUC will not participate in or support operations with FARDC units if there are substantial grounds for believing that such units will violate IHL, human rights or refugee law. It also states that MONUC will only support operations that comply with IHL, human rights and refugee law, and will participate only in operations that are jointly planned. On the basis of the policy laid out in the Policy Paper, MONUC should immediately intercede with the FARDC command if the Mission has reason to believe that elements of a unit receiving its support are committing grave violations. It will suspend support for a unit if the FARDC takes no action against those responsible or if the elements of the unit nevertheless continue to commit violations. Both the military and human rights components of MONUC are expected to closely monitor FARDC conduct and the application of this conditionality policy. The task of helping to hold territories cleared of armed groups and helping the government to restore its authorities is new for MONUC.	MONUC's policy laid out in the policy paper entered into effect in November 2009. January 2010 saw the start of a newly coordinated joint FARDC-MONUC operation, Amani Leo. This operation focuses on several key objectives, the most immediate priority being the protection of civilian populations with special attention focused on children and women. Amani Leo's objectives also include holding territory liberated from armed groups and helping restore state authority. The Operation will also simultaneously maintain military pressure on the FDLR through targeted interventions to further disrupt the group's command and prevent it from regrouping to threaten populations or retake territory. On mining areas, the HRC's March 2010 joint report noted that "mines in the Kivus have not been demilitarized and continue to be exploited by armed groups, especially the FARDC". There are reports that civilians are still being subjected to forced labour, extortion and illegal taxation, and that sexual exploitation of women and girls is rife in these mining areas.
Language on FARDC's compliance has been significantly strengthened and the introduction of conditionality is new. Previously the Council emphasised FARDC operations should be jointly planned with MONUC and in accordance with IHL, human rights and refugee law. It is understood that the DRC was unhappy with the inclusion of the conditionality language in the resolution. China supported the DRC in its position, but ultimately agreed to its inclusion.	On 17 December 2009, MONUC initiated joint planning with the FARDC and screened and cleared commanders from 18 battalions to participate in joint operations and to receive logistical support from MONUC. On 1 November 2009 MONUC suspended its support for a FARDC unit found to have targeted and killed at least 62 civilians, including women and children, between May and September in the Lukweti area of North Kivu. Investigations conducted by other human rights organisations indicate that as many as 270 civilians may have been killed over this period.



Actor Addressed in Resolution 1906	Texted Operational Paragraphs in Resolution 1906	Summary of Obligations Imposed
MONUC	the civilian population, <i>calls upon</i> MONUC to intercede with the FARDC command if elements of a FARDC unit receiving MONUC's support are suspected of having committed grave violations of such laws, and if the situation persists, <i>calls upon</i> MONUC to withdraw support from these FARDC units	Withdraw support from FARDC units suspected of having committed grave violations
	OP24: Urges MONUC, in close cooperation with other partners, including the World Bank and UN Development Programme (UNDP), to contribute further to the implementation of DDR of Congolese combatants and their dependents, with particular attention to children, by monitoring the disarmament process and providing, as appropriate, security in some sensitive locations, as well as supporting reintegration efforts pursued by the Congolese authorities in cooperation with the UN Country Team and bilateral and multilateral partners	Implement DDR of Congolese combatants and their dependents, with particular attention to children, by: • monitoring the disarmament process • providing security in some sensitive locations; and • supporting the reintegration efforts of the Congolese authorities in cooperation with the UN Country Team and bilateral and multilateral partners
	OP25: Urges MONUC to enhance its support to the voluntary demobilisation and repatriation of disarmed foreign combatants and their dependents	Support DDRRR of foreign combatants and their dependents
	OP28: Urges MONUC, in accordance with paragraph 3 (j) of resolution 1856 (2008), to consolidate and assess, jointly with the Government of the DRC, its pilot project of bringing together all State services in five trading counters in North and South Kivu in order to improve the traceability of mineral products	Consolidate and assess the pilot project of bringing together all state services in five trading counters in North and South Kivu in order to improve the traceability of mineral products
	OP30: Requests MONUC, in cooperation with the Congolese authorities, to coordinate the efforts of the international community, including all bilateral and multilateral actors working in this field, on security sector reform issues	Coordinate the efforts of the international community on security sector reform

Analytical Comments	Implementation and Developments
This obligation is to be fulfilled in cooperation with the UN Country Team and bilateral and multilateral actors and will involve close engagement with UN agencies in DRC such as UNDP, UNICEF and the UN Refugee Agency (UNHCR).	The Secretary-General reported in December 2009 that more than 6,027 ex-combatants were demobilised as part of the second phase of the national DDR program, while more than 7,506 elements chose to integrate into the army during the fourth quarter of 2009. The World Bank financing of \$50 million for the DDR Programme is scheduled to conclude in June 2010, with ex-combatants having received their benefits by December 2009.
This support should involve: • monitoring DDRRR processes; • providing security in sensitive locations; • cooperating with the Congolese and neighbouring governments on repatriation and reintegration efforts; and • coordinating with UNHCR on civilian returns, UNICEF with regards to demobilised children and other relevant UN organisations in neighbouring countries, as appropriate.	In late February, MONUC conducted a two-day training of trainers workshop in Goma on DDRRR; 18 sensitisers and screeners completed the program which was aimed at building and enhancing capacity. In his 30 March report the Secretary-General noted that there has been an increased rate of voluntary participation in DDRRR by FDLR elements. The Secretary-General also reported that in 2009, a total of 3,751 FDLR elements, including 42 children, were voluntarily disarmed and repatriated to Rwanda by MONUC.
OP3 of resolution 1856 obligates MONUC to "use its monitoring and inspection capacities to curtail the provision of support to illegal armed groups derived from illicit trade in natural resources." The trading counters are intended to centralise mineral trading and subject it to greater government oversight. Centralisation will help MONUC to provide security at these key locations and ensure legal trade activities in terms of the sale and purchase of minerals. Controlling the trade will help curb the financing of conflict through illegal trade. Establishing state control will also help to combat smuggling and help ensure that the people of the DRC benefit from the revenues generated from mining in the Kivus. Certificates will be issued by the Mining Authority to control exports and ensure that mineral resources can be traced. The project is part of the Government's stabilisation programme for eastern DRC (STAREC), supported by the International Strategy for Security and Stabilization launched in 2009	Within the framework of UNSSSS—which aims to reduce insecurity and prepare the conditions for a gradual withdrawal of MONUC from the eastern DRC—the government, MONUC and partners agreed to establish, as a pilot project, five trading counters in North and South Kivu to bring together all state services involved in the ore business, in order to improve traceability and provide counters closer to mining areas. In October 2009, MONUC and the country's Ministry of Mines organized joint missions to visit key mining sites in order to assess the security situation. In addition, MONUC and the PNC continued to carry out random checks at Goma and Bukavu airports.
This coordination role is a new element to MONUC's mandate. To fulfil this obligation MONUC should further engage in activities such as information-sharing, mapping activities and resources and conducting monitoring of activities.	On 23 September 2009 in Kinshasa, MONUC hosted the first ambassadorial-level meeting on security sector reform, which brought together a range of key international partners. Participants agreed to hold regular senior- and technical level meetings on SSR under the Mission's leadership in order to facilitate



Actor Addressed in Resolution 1906	Texted Operational Paragraphs in Resolution 1906	Summary of Obligations Imposed
MONUC		
	training, including in the area of human rights, international humanitarian law, child protection and the prevention of gender-based and sexual violence, to the FARDC, including to the integrated brigades deployed in the eastern part of the DRC, as part of broader international efforts to support security sector reform	Provide military training to the FARDC, including to integrated brigades deployed in the eastern DRC. This should include training on: IHL; human rights; child protection; and prevention of gender-based and sexual violence.
	OP36: Requests MONUC to assist in ensuring the parties to the 23 March Agreements fulfil their commitments and accelerate the implementation of all aspects of the Agreements by helping with the integration of the armed groups and the establishment of mechanisms for resolving local disputes as foreseen in those Agreements	Assist parties to the 23 March Agreements in fulfilling their commitments and accelerate the implementation of all aspects of the Agreements Assist with the integration of the armed groups and the establishment of mechanisms for resolving local disputes
	to continue their support to extend State authority in the DRC, in particular within the framework of the Government's STAREC and the UNSSSS, with a particular emphasis on strengthening democratic institutions and building effective rule of law capacity, including justice and corrections	Continue support to extend State authority in the DRC, in particular within the framework of the STAREC and UNSSSS Emphasise strengthening democratic institutions and building rule of law capacity, including the areas of justice and corrections

Analytical Comments

MONUC, in cooperation with the DRC government, should coordinate the activities of key actors such as the EU and World Bank and bilateral actors such as the US Agency for International Development (USAID), UK Department for International Development and the governments of Angola, Belgium, France and South Africa, among others. Such actors are working on various issues pertinent to SSR, such as:

- · Police reform;
- · Rule of law institutions;
- DDR:
- · Gender issues; and
- · Transitional Justice.

Implementation and Developments

improved coordination and the development of a common vision in support of national efforts in this area.

The DRC government seems reluctant for MONUC to play a coordinating role in SSR.

MONUC and partners are providing training on specialised sexual-violence judicial procedures to FARDC officers, as well as to judges, lawyers and detention personnel.

From 16 to 20 March, MONUC held a training of trainers workshop for 27 senior FARDC officers on military leadership, military justice and IHL. The training was organised in collaboration with the DRC Ministry of Defence and with the support of the US Department of Defence's International Institute for Legal Studies.

In February and March MONUC provided training to six hundred Congolese police personnel in Kinsangani on child rights and protection. The officers were members of several police branches: judicial, security, road traffic and maintenance; and restoration of public order. They were officers, subofficers and agents from the districts of Tshopo, Haut-Uélé, Bas-Uél é and Kinsangani.

On 23 March 2009, the Government of the DRC signed separate peace agreements with the CNDP, the North Kivu armed groups and the South Kivu armed groups. The rebel groups agreed to convert their movements from military to political ones, and the Government agreed to work toward integrating rebel soldiers and officials into the FARDC, PNC and national and local political and administrative units.

According to the Secretary-General's 30 March report MONUC and the UN Country Team continue to assist the parties in the day-to-day implementation of the 23 March agreements, under the framework of the International Security and Stabilisation Support Strategy for eastern DRC. In light of the planned closure of the Office of the Secretary-General's Special Envoy on the Great Lakes region in Nairobi, MONUC's officers in Goma and Bukavu are recommended to assume responsibilities for supporting and monitoring the implementation of the Agreements. Overall implementation of the Agreements remains slow and the implementation of several key provisions remains pending.

STAREC is an initiative of the DRC government which is supported by the international community. Its objectives include consolidating security in post-conflict areas, restoring the authority of the state, helping displaced people return home and supporting local community economies.

UNSSSS for eastern DRC aims to reduce insecurity and prepare the conditions for a gradual withdrawal of MONUC. The key areas of focus for UNSSS are security, political, state authority and the return and reintegration of refugees and IDPs. UNSSSS is coordinated by the Integrated Office of the UN under the direction of the Special Representative of the Secretary-General. Operation Amani Leo, which commenced in January 2010 represents a new phase of operations against the FDLR utilising the strategy of "clear, hold and build". The operation consists of limited, jointly planned missions that focus on clearing identified areas in which FDLR elements are attempting to regroup and on removing the group's remaining leadership; holding the cleared key areas; and assisting the Congolese authorities in establishing legitimate, credible and civilian state authority in areas from which FDLR has been dislodged, including building the necessary institutional capacities and infrastructure under UNSSSS.

MONUC has supported efforts to extend State authority, including through the deployment of national police elements to areas where the FDLR have been dislodged. The next phase of operations aims at the eventual demilitarisation and control of mining areas.



Actor Addressed in Resolution 1906	Texted Operational Paragraphs in Resolution 1906	Summary of Obligations Imposed
MONUC		
UN Country Team	OP39: Requests MONUC and the UN Country Team to continue their support to extend State authority in the DRC, in particular within the framework of the Government's STAREC and the UNSSSS, with a particular emphasis on strengthening democratic institutions and building effective rule of law capacity, including justice and corrections	Continue support to extend state authority in the DRC, in particular within the framework of the STAREC and UNSSSS Emphasise strengthening democratic institutions and building rule of law capacity, including the areas of justice and corrections
Secretary-General	OP2: Requests the Secretary-General to conduct a strategic review of the situation in the DRC and MONUC's progress toward achieving its mandate, taking into account the Integrated Strategic Framework for the UN presence in the country, to further develop the existing benchmarks for this purpose, and to determine, in close cooperation with the Government of the DRC and MONUC's troopcontributing countries (TCCs) and police-contributing countries (PCCs), the modalities of a reconfiguration of the mandate of MONUC, in particular the critical tasks that need to be accomplished before MONUC can envisage its drawdown without triggering a relapse into instability, and to report to the Security Council with recommendations by 1 April 2010;	Conduct a strategic review of the situation in the DRC and MONUC's progress towards its mandate by: • taking into account the Integrated Strategic Framework for the UN; • further developing benchmarks for this purpose; and • determining how the MONUC mandate can be reconfigured and identifying tasks to be completed to enable MONUC's drawdown Submit a written report to the Security Council with recommendations by 1 April 2010
	OP12: Requests the Secretary-General to continue to fully investigate the allegations of sexual exploitation and abuse by civilian and military personnel of MONUC, and to take the appropriate measures set out in the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13)	Investigate allegations of sexual exploitation and abuse by civilian and military personnel of MONUC Take the appropriate measures outlined in the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse
	OP13: Requests the Secretary-General to ensure that technical support is provided, in predeployment and in theatre, to MONUC's TCCs and PCCs to include guidance and training for military and police personnel on the protection of civilians from imminent threat and appropriate responses, including on human rights, sexual violence and gender issues	Ensure that technical support is provided to MONUC'S TCCS and PCCS This support should include guidance and training for military and police personnel on the protection of civilians from imminent threat and appropriate responses, including on human rights, sexual violence and gender issues.
	OP16: Requests the Secretary-General to enhance cooperation and information-sharing between UN missions in the region on all issues related to regional security threats	Enhance cooperation and information-sharing between UN missions in the region on all issues related to regional security threats

Analytical Comments	Implementation and Developments
	As part of UNSSSS, in the fourth quarter of 2009, MONUC supported the deployment of some 300 PNC elements to seven police stations in North Kivu and of another 480 to targeted areas in South Kivu and Ituri. During this time, a total of 120 border police were also deployed.
	See above sections on OP39
Resolution 1756 (2007) requested that the Secretary-General submit to the Council a report containing benchmarks and an indicative timetable for the gradual drawdown of MONUC. These benchmarks were included in the Secretary-General's report of November 2007 (S/2007/671). Resolution 1794 of 21 December 2007 requested that the Secretary-General further develop these benchmarks and report regularly to the Council on the progress made in this regard, including on the application of the UN integrated missions planning process. Resolution 1856 (2008) requested the Secretary-General to inform the Council on the development of a strategic workplan with appropriate benchmarks to measure and track progress on the implementation of MONUC's mandate. According to the	The Secretary-General dispatched a multidisciplinary technical assessment mission (TAM) to the DRC from 22 February to 5 March to further develop the existing benchmarks and to determine, in cooperation with the DRC government and MONUC's TCCs and PCCs, the modalities of a reconfiguration of MONUC's mandate and determining the critical tasks that must be accomplished before MONUC can plan a drawdown. The findings and recommendations of the TAM were included in the Secretary-General's report S/2010/164 of 30 March 2010.
Secretary-General's 30 March 2010 report, the benchmarks outlined in the November 2007 report remained broadly valid at that time. The Secretary-General's bulletin was submitted in compliance with General Assembly resolution 57/306 (2003).	
The report set out data collected on the occurrence of cases of sexual exploitation and abuse within the UN system and on efforts to prevent such acts. It also described the progress made in the development of guidelines and tools to establish a reporting process that is sensitive to the needs of victims and towards the promotion of a culture in which sexual exploitation and abuse are not tolerated.	
TCCs must be provided technical support and training before and during deployment. They must be trained in UN military procedures and international standards, particularly International Human Rights Instruments, IHL and the UN Code of Conduct.	DPKO conducts predeployment visits to countries contributing military and police personnel in order to give training on protection of civilians, including on human rights, sexual violence and gender concerns. In theatre, the MONUC Force Commander conducts regular sensitisation training on these issues.
On 17 November 2009 the Council issued a press statement on the LRA which called on UN missions in the region, namely MONUC, the UN Mission in the Sudan, the AU-UN Hybrid Operation in Darfur, the UN Peace-Building Office in CAR and the UN Mission in CAR and Chad to coordinate strategies for, and information on, the protection of civilians, in light of attacks by the LRA—which is a major security concern for the region.	In his November 2009 final briefing to the Council, Special Envoy to the Great Lakes Region Olusegun Obasanjo reported that immediately after the November 2008 Nairobi summit concerted rounds of consultation with regional heads of State began. He reported that over the course of his mandate he made a total of thirty visits to ten heads of state in the region.



Actor Addressed in Resolution 1906	Texted Operational Paragraphs in Resolution 1906	Summary of Obligations Imposed
Secretary-General		
	OP23: Notes the development by MONUC of a Policy Paper setting out the conditions under which the Mission can provide support to FARDC units, and requests the Secretary-General to establish an appropriate mechanism to regularly assess the implementation of this Policy	Establish a mechanism to regularly assess the implementation of the Policy Paper outlining the conditions under which the mission can provide support to FARDC units
	OP38: Requests the Secretary- General to report without delay any failure on the part of all parties to cooperate fully with the operations of MONUC and ensure the security of as well as unhindered and immediate access for UN and associated personnel in carrying out their mandate, throughout the territory of the DRC	Report the failure of any parties to cooperate fully with MONUC Ensure that parties facilitate the security of, as well as unhindered and immediate access for, UN and associated personnel throughout the territory of the DRC.
	OP40: Requests the Secretary-General to provide a briefing on the implementation of the system-wide protection strategy and a progress report on the Integrated Strategic Framework to the Security Council and TCCs and PCCs by 16 February 2010;	Provide a briefing on the implementation of the system-wide protection strategy and a progress report on the Integrated Strategic Framework to the Security Council and TCCs and PCCs by 16 February 2010
	OP41: Requests further the Secretary-General to	Provide a full report on the situation in the DRC
	provide a full report on the situation in the DRC and on MONUC's activities by 1 April 2010 in order to prepare the strategic review as set out in paragraph two of this resolution, and that this full report should include: (a) Specific information on the challenges of MONUC's role in the protection of civilians, an assessment of existing protection mechanisms, in particular the measures described in paragraphs 8, 9, 11, 12 and 13 of this resolution, and assessment of special measures for protection from sexual violence; (b) Assessment of the implementation of the Policy Paper setting out the conditions of MONUC's	 and on MONUC's activities by 1 April 2010 This full report should include: Specific information on: the challenges of MONUC's role in the protection of civilians; an assessment of existing protection mechanisms, in particular the measures described in paragraphs OP8, 9, 11, 12 and 13 of this resolution; and an assessment of special measures for protection from sexual violence. Assessment of the implementation of the Policy Paper setting out the conditions of MONUC's

Analytical Comments	Implementation and Developments
	In his December 2009 report, the Secretary-General reported that UN peacekeeping and political missions in the area are taking measures to share information, conduct analysis and coordinate responses to the LRA challenges in their mission areas, including with relevant national security forces. He also encouraged the Council to consider taking steps to harmonise the mandates of the various affected missions in order to permit more concerted action, including in support of the protection of civilians.
MONUC's obligations on conditional support to FARDC are outlined in OP21 of this resolution.	In his 30 March report, the Secretary-General states that he intends to send an interagency mission to assess the implementation of the Conditionality Policy and will, in his next report, include their findings and advice on the assessment mechanism.
MONUC and the UN country team have begun the development of an overarching strategy for the UN system in the DRC in the form of the Integrated Strategic Framework (ISF) which is expected to be finalised in early 2010 in consultation with the government and key stakeholders. The framework will incorporate the UN systemwide strategy for the protection of civilians and a multidimensional strategy for addressing the issue of FDLR. It will also take into consideration a plan for the successful completion of military operations against FDLR, LRA and the residual armed groups in Ituri, as well as for SSR; an outline of the UNSSSS, including additional resources required and a plan for supporting local elections. The framework will also incorporate the plan to implement the comprehensive strategy on combating sexual violence in the DRC.	On 16 February MONUC officials in Kinshasa briefed Council experts in a closed meeting via video conference on the ISF and on MONUC's protection strategy. The ISF identifies four key UN strategic goals in the DRC: addressing conflict; stabilising conflict-affected areas; consolidating peace; and initiating a viable development process. On each of these elements, tasks critical to achieving success have been identified along with the commitments made by the government and the necessary configuration of the UN system to support the ISF. Consultations between MONUC and the government on the draft ISF are ongoing. On the protection strategy, Council members were briefed on its key objectives, which included improving information databases, improving coordination to better identify current and future risks, improving access to justice and promoting the rule of law.
	S/2010/164 dated 30 March 2010 was provided to Council members.



Actor Addressed in Resolution 1906	Texted Operational Paragraphs in Resolution 1906	Summary of Obligations Imposed
Secretary-General	support to FARDC as described in paragraphs 22 and 23 of this resolution; (c) Information on the further deployment and use of the additional capabilities authorized by resolution 1843 (2008); (d) Assessment of the progress in the security sector reform (SSR), including the effectiveness of the training measures set out in paragraph 31 of this resolution	 Information on the further deployment and use of the additional capabilities authorised by resolution 1843. Assessment of the progress in the SSR, including the effectiveness of the training measures set out in OP31 of this resolution.
	OP43: Requests the Secretary-General to ensure that MONUC's concept of operation and rules of engagement are regularly updated to bring them fully in line with the provisions of this resolution and to report on this to the Security Council and TCCs	Ensure that MONUC's concept of operation and rules of engagement are regularly updated to be brought in line with the provisions of this resolution Report on this to the Security Council and TCCs
	OP44: Requests the Secretary-General, through his Special Representative for the DRC, to continue to coordinate all the activities of the UN system in the DRC	Continue to coordinate all the activities of the UN system in the DRC through the SRSG
Special Representative of the Secretary-General	OP18: Requests the Special Representative of the Secretary-General to identify women's protection advisers (WPAs) among MONUC's gender advisers and human rights protection units in line with MONUC's comprehensive strategy against sexual violence;	Identify women's protection advisers among MONUC's gender advisers and human rights protection units in line with MONUC's comprehensive strategy against sexual violence
All Armed Groups	OP15: Demands that all armed groups, in particular the FDLR and LRA, immediately stop recruiting and using children and release all children associated with them	Immediately stop recruiting and using children Immediately release all associated children
	OP19: Demands that all armed groups, in particular the FDLR, the LRA and other foreign armed groups immediately lay down their arms and demands further that the Congolese armed groups present themselves without any further delay or preconditions to Congolese authorities and MONUC for DDR, and that the foreign armed groups similarly present themselves to Congolese authorities and MONUC for DDRRR	Immediately lay down arms To Congolese armed groups: Present themselves without any further delay or preconditions to Congolese authorities and MONUC for DDR To foreign armed groups: Present themselves without any further delay or preconditions to Congolese authorities and MONUC for DDRRR

Analytical Comments	Implementation and Developments
	MONUC's concept of operation and rules of engagement were last updated in February 2009.
This provision is in line with resolution 1888 (2009) on women,	At the time of writing, WPAs had not been identified for the DRC.
peace and security which: Decides to include specific provisions, as appropriate, for the protection of women and children from rape and other sexual violence in the mandates of UN peacekeeping operations, including, on a case-by-case basis, the identification of WPAs among gender advisers and human rights protection units, and requests the Secretary-General to ensure that the need for, and the number and roles of WPAs are systematically assessed during the preparation of each UN peacekeeping operation.	
Language on child recruitment was given much higher priority in resolution 1906 than in previous resolutions. The Secretary-General's list of armed forces that recruit children and use child soldiers includes several armed groups in the DRC, including the FDLR, LRA, CNDP and Mai-Mai groups in North and South Kivu, among others. These groups are thus required to submit action plans on halting the recruitment and use of children.	In 2009 MONUC documented 848 newly recruited children, including 52 girls, to armed groups including the FDLR, LRA, CNDP and PARECO. The HRC's March report noted that in the territories of Masisi, North Kivu, and Kalehe, South Kivu, there were a considerable number of children within the FARDC ranks, and there were instances of re-recruitment of children already reunited with their families in key strategic zones such as Ngungu. It is believed that hundreds of children remain in armed groups despite commitments made by many such groups to address this issue.
	Special Representative of the Secretary-General Alan Doss reported on 16 December 2009 that October and November had seen significant numbers of surrenders and candidates for voluntary repatriation from both the FDLR and LRA. From the beginning of the year and until mid December, more than 1,400 FDLR combatants had surrendered. This figure is roughly three times higher than in previous of years.
	Doss reported that there are also a growing number of LRA combatants surrendering—the most important of which has been the surrender of Charles Arop who commanded operations at the time of the Christmas massacre at Faradje in 2008.



Actor Addressed in Resolution 1906	Texted Operational Paragraphs in Resolution 1906	Summary of Obligations Imposed
Parties to 23 March Agreement	OP36: Calls upon all the parties to the 23 March Agreements to fulfil their commitments and accelerate the implementation of all aspects of, the Agreements	Fulfil commitments and accelerate implementation of all aspects of, the Agreements
All Parties	OP38: Demands that all parties cooperate fully with the operations of MONUC and that they ensure the security of as well as unhindered and immediate access for UN and associated personnel in carrying out their mandate, throughout the territory of the DRC	Cooperate fully with MONUC Ensure the security of, and unhindered and immediate access for, UN and associated personnel in carrying out their mandate, throughout the DRC.
Rwanda	OP26: Urges the Governments of the DRC and Rwanda to work together and to agree on a clear set of end-state objectives on the FDLR, in the framework of a multidimensional approach	Develop objectives on eradicating the FDLR, in cooperation with the government of the DRC
All States in the Great Lakes Region	OP16: Calls upon the governments of the Great Lakes region to coordinate their efforts to address the threat posed by the LRA and strongly encourages enhanced regular information-sharing about the LRA in this respect, with MONUC and other UN Missions in the areas where the LRA is threatening the population	Coordinate efforts to address the threat posed by the LRA Enhance regular information-sharing about the LRA in this respect, with MONUC and other UN Missions in the areas where the LRA is threatening the population

Analytical Comments Implementation and Developments On 23 March 2009, the Government of the DRC signed separate In his 30 March report the Secretary-General noted that, peace agreements with the CNDP; the North Kivu armed groups; while some progress has been made, implementation of the and the South Kivu armed groups. The rebel groups agreed to Agreements remained slow. He reported that three former armed convert their movements from military to political ones, and the groups—the CNDP, PARECO, and Mouvement d'union pour la Government agreed to work toward integrating rebel soldiers développement national—completed the transformation into and officials into the FARDC, PNC and national and local political political parties. Also, the transformation of four other armed and administrative units. groups was in the process of finalisation at that time. The Secretary-General reported several key provisions of the agreements remain unimplemented. The CNDP and former armed groups have expressed their concern that the government did not reward their political integration, as they had not been included in the government's 19 February cabinet reshuffle. The Secretary-General further reported that CNDP elements continue to maintain parallel administrations and tax collection posts in parts of North Kivu. Also, little progress has been made to integrate armed groups into the proximity police force in the Kivus. In his November 2009 final briefing to the Council, the Special Envoy to the Great Lakes Region, Olusegun Obasanjo, also reported that some of the important provisions of the agreements that remain unimplemented include: the establishment of a national reconciliation mechanism, including local reconciliation committees in the Kivus; reforms to electoral law; reforms in the area of good governance; and the proper control of natural resources. On 4 April a MONUC peacekeeper and two UN contractors were shot dead by insurgents who attacked the capital of Equateur province, Mbandaka, first striking at the governor's mansion and national assembly before temporarily occupying the airport. MONUC helped the national army recapture the airport. It was reported that "a couple of dozen" insurgents were involved in the attack. These objectives involve: • the liberation of territory held by the FDLR and restoring State authority in cleared areas; • the participation of all FDLR members in DDR or DDRRR processes, as appropriate; and • the use of appropriate legal action against FDLR members where necessary. The UN has developed a multidimensional strategy, including non-military actions, for addressing the security threat posed by the FDLR. Included in this strategy is assisting the DRC and Rwanda in defining objective goals in the resolution of the FDLR issue and enhancing DDRRR efforts, including through an information campaign involving the DRC, Rwanda and MONUC. On 17 November 2009 the Council issued a press statement on On 9 and 10 February, the Chiefs of Defence Staff of the DRC the LRA in which members of the Security Council expressed and Uganda met in Kinshasa to assess progress on operations deep concern at the direct and serious threat the activities of the against the LRA and agreed to intensify their efforts to target LRA pose to the civilian population, the conduct of humanitarian LRA commanders. operations and regional stability. On 18 February MONUC organised a meeting in Kampala, In the statement members of the Council commended the states Uganda on targeted sensitisation programming and reintegration

support regarding LRA combatants. The governments of Sudan

in the region for their increased cooperation, welcomed the joint



Actor Addressed in Resolution 1906	Texted Operational Paragraphs in Resolution 1906	Summary of Obligations Imposed
All States in the Great Lakes Region		
	that any military actions against armed groups are carried out in accordance with international humanitarian, human rights and refugee law, and that they take appropriate measures to protect civilians and reduce the impact of military actions upon the civilian population, including through regular contacts with and early warning of the civilian population	Ensure that military actions against armed groups are in accordance with IHL, human rights and refugee law and that they take appropriate measures to protect civilians Reduce the impact of military actions upon the civilian population, including through regular contact with and early warning on security situations and potential threats to civilian populations.
	OP25: Calls upon neighbouring States to remain engaged in the process of voluntary demobilisation and repatriation of disarmed foreign combatants and their dependents	Remain engaged in the process of voluntary DDRRR of foreign combatants and their dependents
All States	OP27: <i>Urges</i> all States to take appropriate legal action against FDLR leaders residing in their countries, including through effective implementation of the sanctions regime established by resolution 1533 (2004) and renewed by its resolution 1896 (2009)	Take appropriate legal action against FDLR leaders in their countries Use sanctions as authorised by the Council
	OP28: Urges all States, especially those in the region, to take appropriate steps to end the illicit trade in natural resources, including if necessary through judicial means, and, where necessary, to report to the Security Council	Take appropriate steps to end illicit trade in natural resources, including through the effective use of judicial means Report to the Council, where necessary
All Member States	OP42: Commends the contribution of TCCs and PCCs and donors to MONUC and calls on Member States to pledge and contribute the remaining helicopters, air capabilities, intelligence assets and other force enablers required for the Mission	This is not so much an obligation as it is an appeal for members to pledge and contribute the remaining helicopters, air capabilities, intelligence assets and other force enablers required by MONUC.

Analytical Comments	Implementation and Developments
efforts they have made to address the serious threat posed by the LRA, and encouraged them to cooperate fully with the UN and share information with UN operations in the region, in order to make every possible effort to ensure the protection of civilians, in particular women and children.	and Uganda participated, as well as representatives from the UNDP, UNICEF and the World Bank.
This reiterates the obligation outlined in OP1 of resolution 1894 (2009) on protection of civilians in armed conflict which:	
Demands that parties to armed conflict comply strictly with the obligations applicable to them under IHL, human rights and refugee law, as well as to implement all relevant decisions of the Security Council and in this regard, urges them to take all required measures to respect and protect the civilian population and meet its basic needs.	
This includes taking action against fundraising activities, arms trafficking and the dissemination of propaganda.	On 20 September 2009 Grégoire Ndahimana, a high-level FDLR figure indicted by the ICTR for his role in the 1994 genocide, was handed over to the court following his arrest in eastern DRC by the Congolese army on 10 August. This was followed in November 2009 by the arrest in Germany of Ignace Murwanashyaka, the chairman of the FDLR, and his Deputy, Straton Musoni. This was the first time that FDLR leaders had been indicted for crimes committed by the group in the DRC.
The latest Group of Experts report made the following recommendations: • that the Council request member states to clarify the due diligence obligations of companies under their respective jurisdictions which operate in DRC mineral trading sector; • that states request companies to adopt codes of conduct detailing the procedures adopted to prevent indirect support to non-governmental armed groups through the exploitation of natural resources; and • that the Council and the Sanctions Committee request states in the region to immediately publish their full import and export statistics for gold, cassiterite, coltan and wolframite and centralise them in a body chaired by an independent auditor mandated to verify any statistical anomalies.	Regional responses to illicit minerals transfers in the Great Lakes region were discussed during the International Conference on the Great Lakes Region's Constitutive Meeting of the Committee against the Illegal Exploitation of Natural Resources, which took place in Gisenyi from 30 September to 2 October 2009. Representatives from the DRC, Uganda, Rwanda, Burundi, Tanzania, Zambia, Kenya and CAR attended. The DRC Sanctions' Group of Experts reviewed many of the presentations made at that meeting and their latest report indicates that they "found none of the Democratic Republic of the Congo's neighbouring countries to be transparent on the issue of who their major operators and traders were in the minerals sector, but rather focused on domestic legislation and theoretical traceability schemes."
	Of the additional capabilities authorised by resolution 1843 (2008) four helicopters have been pledged of the 18 authorised and one aircraft has been pledged of the two C-130 aircrafts requested.



Actor Addressed in Resolution 1906	Texted Operational Paragraphs in Resolution 1906	Summary of Obligations Imposed
Security Council	OP1: Decides to extend the deployment of MONUC until 31 May 2010, with the intention to extend it further at that date for twelve months, <i>authorises</i> the continuation until that date of up to 19,815 military personnel, 760 military observers, 391 police personnel and 1,050 personnel of formed police units, and <i>stresses</i> its intention to consider in the subsequent resolution assessing and adjusting the mandate and to remain strongly committed to contributing to the long-term stability of the DRC	Extend the deployment of MONUC until 31 May 2010, with the intention to extend it further at that date for twelve months Assess and adjust the mandate in the subsequent resolution.
	OP4: Recognises the interrelated nature of the effective protection of civilians, reduction and removal of the threat of armed groups, and comprehensive and sustainable security sector reform, and underlines that efforts made in each of these key areas contributes significantly and with complementarity both to the aim of improving the humanitarian situation and to the strategic objective of peace and stability in the DRC	
	OP45: Decides to remain actively seized of the matter	

Analytical Comments	Implementation and Developments
The five month extension of MONUC's mandate was unusual and signals the willingness to both look closely at MONUC's performance and to adjust the mandate in a significant manner in relatively near future.	
The Council will review the recommendations included in the report of the Secretary-General of 30 March with the modalities of a reconfiguration of the mandate and look at the aspects which are critical to be accomplished before MONUC's drawdown can be envisaged without triggering a relapse into instability.	
The Council commits to remaining actively involved.	



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