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Security Council

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Security Council mission visit to the Democratic Republic of the Congo, 4-8 May 2000

I. Introduction

1. By his letter dated 24 April 2000 (S/2000/344), the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to the Democratic Republic of the Congo. Following consultations among the members, it was agreed that the composition of the mission was as follows:

United States of America (Ambassador Richard Holbrooke – Head of Mission)

France (Ambassador Jean-David Levitte)

Mali (Ambassador Moctar Ouane)

Namibia (Ambassador Martin Andjaba)

Netherlands (Ambassador A. Peter van Walsum)

Tunisia (Ambassador Saïd Ben Mustapha)

United Kingdom of Great Britain and Northern Ireland (Ambassador Jeremy Greenstock).

2. The terms of reference of the mission are annexed to document S/2000/344.

3. The Security Council mission left New York on 2 May, called on the Minister for Foreign Affairs of Belgium in Brussels on 3 May and, from 4 May onwards, visited the Democratic Republic of the Congo, Zambia, Zimbabwe, Rwanda and Uganda. During its visit, the mission met with President Laurent-Désiré Kabila, President Frederick J. T. Chiluba, President Robert G. Mugabe, President Paul Kagame and President Yoweri Kaguta Museveni, as well as with the leaders of the two factions of the Congolese Rally for Democracy (RCD), RCD-Goma and RCD-Kisangani; Congolese members of civil society, religious leaders and representatives of political parties; the Political Committee established by the Lusaka Agreement; and the Joint Military Commission. Three members of the mission, the Permanent Representatives of Namibia, the Netherlands and the United Kingdom, visited Kananga, a possible deployment site for the next phase of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC).

II. Activities of the Security Council mission

4. The Security Council mission conducted the following meetings and activities during its visit.

Meeting with President Kabila

5. On 4 May, shortly after their arrival in Kinshasa, the members of the mission met with President Kabila. After explaining the purpose of the mission's visit, Ambassador Holbrooke noted the progress that had been made since the Security Council had devoted the month of January 2000 to the problems of Africa, including the disengagement agreement signed at Kampala on 8 April, the mini-summit held at Kinshasa on 9 April and the mini-summit held at Algiers on 30 April. President Kabila's attendance during the Council's series of meetings in New York had done much to advance that progress, said Ambassador Holbrooke.

6. The ambassadors made the following points in their interventions to the President. As and if the Secretary-General, in accordance with paragraph 5 of

resolution 1291 (2000), determined that the conditions for deployment existed, the full support and cooperation of the Government would be needed. The Security Council would also expect the Government to offer its full support to the neutral facilitator of the inter-Congolese dialogue, Sir Ketumile Masire, and to facilitate United Nations humanitarian efforts to assist the many tens of thousands of displaced persons and victims of the fighting. The Security Council mission urged the President to agree to an exchange of prisoners of war, to be facilitated by the International Committee of the Red Cross (ICRC). It was time for the Democratic Republic of the Congo to choose between peace and war, continued the members. If it chose peace, the international community would render all possible assistance, but it was up to the Government of the Democratic Republic of the Congo to play its part. Ways in which it could do so included extending guarantees of security and full freedom of movement and access to MONUC and making adjustments as necessary to the official exchange rate and currency controls.

7. In his response, President Kabila stated that the visit of the Security Council team was an event of unusual importance and significance for the Democratic Republic of the Congo. His Government was committed to peace, and he promised his full cooperation with efforts to restore it. Indeed, added the President, cooperation between his Government and MONUC was now very good, thanks to his appointment of a Commissioner responsible for relations with MONUC. Formerly, there had been a certain amount of mistrust arising from the appearance of double standards, since the Council had moved more swiftly to react to the crisis in East Timor than it had in Africa, said the Head of State.

8. President Kabila, expressing concern over the fragility of the ceasefire, called for the speedy deployment of the second phase of MONUC. His Government would interpose no obstacle to that deployment. His Government would also continue to facilitate humanitarian access, as long as prior notification was received.

9. The President expressed some reservations concerning the facilitation programme for the national dialogue which, he said, had been drawn up without adequate consultation and reference to the timetable contained in the Lusaka Agreement. President Kabila stressed that the inter-Congolese dialogue was an exercise designed primarily for the participation of the Congolese people. Nevertheless, he said he was prepared to assist the neutral facilitator.

10. On the question of the illegal exploitation of the natural resources of the Democratic Republic of the Congo, a subject now being considered in the Security Council, President Kabila criticized the international community for failing to condemn the presence of uninvited foreign troops in the Democratic Republic of the Congo and accused Rwanda, Uganda and Burundi of paying for weapons with diamonds taken from his country. It was up to the Council to put a stop to this activity through peaceful means.

11. In response to comments by the mission, the President also promised to examine the question of the exchange rate and currency controls in order to ensure the most effective use of the funds of MONUC and the United Nations agencies operating in the Democratic Republic of the Congo. The mission stressed the importance of this issue to the United Nations, citing its budgetary implications.

Signing of the status-of-forces agreement

12. Immediately following their meeting with President Kabila, the members of the mission witnessed the signing of the status-of-forces agreement by the Special Representative of the Secretary-General, Ambassador Kamel Morjane, and the Minister for Foreign Affairs of the Democratic Republic of the Congo, Yerodia Abdoulaye Ndombasi. At the request of the mission, the ceremony was held at the presidential palace in the presence of President Kabila.

Luncheon with heads of United Nations agencies

13. At a luncheon with the heads of United Nations agencies operating in Kinshasa, Ambassador Holbrooke raised a number of points. These included the need to take precautions against the spread of HIV/AIDS, the subject of several Security Council resolutions, including resolution 1291 (2000). Ambassador Holbrooke said he was deeply disturbed that no steps had been taken to alert MONUC military personnel to the dangers of AIDS despite the undeniable involvement of United Nations peacekeeping troops in the spread of AIDS. He said that a plan must be prepared immediately, coordinated with each troop-contributing country and the

Department of Peacekeeping Operations and made public. Ambassador Holbrooke further noted that the number of internally displaced persons in the Democratic Republic of the Congo far exceeded the number of refugees, and that mechanisms must be put in place to ensure the delivery of assistance to all war-affected populations.

Meeting with Congolese civil society, religious groups and political parties

14. On 5 May the members of the Security Council mission met in Kinshasa with representatives of civil society, religious groups and political parties. The main points of view that emerged from these discussions with the Congolese participants included their insistence on a democratic political structure for the Democratic Republic of the Congo, without privilege for those who had resorted to armed force; support for the Lusaka Agreement and the inter-Congolese dialogue (though varying opinions were expressed as to the proper venue for the dialogue); the need for the rapid deployment of phase II of MONUC; deep concern at the way in which the country's natural resources were being exploited; the infringement of the human rights of members of the unarmed opposition and innocent civilians; concern over the renewed fighting in Kisangani between Ugandan and Rwandan troops; the need to disarm, demobilize, reintegrate and resettle the armed groups identified in the Lusaka Agreement; humanitarian concerns; and the prospects for the future.

Visit to Kananga

15. Three members of the team — Ambassador Andjaba, Ambassador van Walsum and Ambassador Greenstock — visited Kananga, which has been identified as one of four possible sites for the deployment of a MONUC battalion. The delegation met with the Governor of the Province of Kasaï Occidentale,. Claudel André Lubaya, MONUC military observers, the local UNICEF representative and other officials for an exchange of views. During their brief tour of the city, members of the mission were struck by the great warmth of their reception by the citizens and by their clear desire for peace.

Meeting with the Joint Military Commission

16. Upon arrival in Lusaka on the evening of 5 May, the Security Council mission met with the members of the Joint Military Commission. Despite the preparations that had been made, including the provision of air transportation, and the guarantees of full security that had been provided, the Commission had not met in Kinshasa as had originally been proposed.

17. The acting Chairman of the Joint Military Commission, General T. J. Kazembe, stressed the great difficulties the Commission had faced since its inception, including the lack of funding and logistical support, and reported briefly on its achievements. Members of the Commission also voiced a number of complaints concerning the way the Commission had been depicted in the second report of the Secretary-General to the Security Council on MONUC (S/2000/330). General Kazembe said the Commission's role had been portrayed in a misleading manner. He cited parts of the report dealing with the development of the disengagement plan, the role of MONUC in convening Commission meetings, the proposal for the convening of meetings once the Commission had located in Kinshasa and the reference to the absence of the Chairman, General Lallali. The Joint Military Commission, he said, hoped for the speedy deployment of MONUC and the smooth progress of the inter-Congolese dialogue.

18. Members of the Joint Military Commission representing Zimbabwe, Uganda, RCD-Goma and RCD-Kisangani, the Democratic Republic of the Congo and Angola then raised points concerning the mandate of MONUC to intervene in the fighting in Kisangani; the fact that the acquisition of the resources to carry out their mandate, rather than location in Kinshasa, was their first priority; the climate of hostility to the rebels created by inflammatory propaganda broadcast on radio by the Government; and the need for the Congolese parties to discuss their affairs among themselves "without patrons".

19. In response, Ambassador Greenstock said that the resolutions made clear the Council's overall responsibility for ensuring that all fighting in the Democratic Republic of the Congo must cease. Ambassador Levitte said that it was the right and duty of the United Nations to intervene to help stop the fighting in Kisangani, not least because it had caused the deaths of a number of Congolese civilians. The Security Council mission agreed that MONUC should bring reports of inflammatory language and hostile

propaganda to the attention of the Government and seek to end such broadcasts.

Meeting with President Chiluba

20. The Security Council mission met with President Chiluba on 6 May. The President stated that in addition to the implementation of the disengagement plan of 8 April, two things were required: the full and immediate deployment of phase II of MONUC, in order to ensure that a vacuum of power was not created, and the success of the inter-Congolese dialogue. In this connection, the President stated that the neutral facilitator suffered from a shortage of funds.

21. Ambassador Holbrooke praised President Chiluba's leadership which, he hoped, would make "Lusaka" a synonym for peace in Africa in the same way that "Dayton" had come to be equated with peace in Bosnia. Ambassador Holbrooke, speaking on behalf of the Security Council, expressed his deep concern at the situation in Sierra Leone, and his hopes for the swift release of the Zambian soldiers there unharmed.

22. Ambassador Holbrooke said that the deployment of MONUC and the progress of the inter-Congolese dialogue went hand in hand. MONUC, an observer mission, could not succeed unless progress was made in political reconciliation among the parties.

23. President Chiluba said the fighting in Kisangani was regrettable, but not strictly a violation of the ceasefire, in that the countries concerned were nominally allies. He had called President Kagame and was still trying to reach President Museveni to prevail upon them to desist from further fighting.

24. Ambassador Andjaba, Ambassador Ouane and Ambassador Ben Mustapha affirmed the admiration they and the Security Council felt for the leadership shown by President Chiluba in the resolution of the conflict in the Democratic Republic of the Congo. President Chiluba expressed his appreciation to the Security Council for focusing attention on the HIV/AIDS issue in Africa and on peacekeeping in January 2000.

25. The perfect time to deploy in the Democratic Republic of the Congo was now, added the President. He urged the Security Council team to make a positive report to the Council and to the Secretary-General. Without rapid deployment, there was a risk that the fragile ceasefire would start to unravel. This would also involve more support for the neutral facilitator.

Meeting with the Political Committee

26. On 6 May, the Security Council mission met in Lusaka with the Political Committee chaired by the Ugandan Minister of State for Foreign Affairs for Regional Cooperation, Amama Mbabazi. The Chairman expressed gratification at the attention the international community was now devoting to the problem of the Democratic Republic of the Congo. The ceasefire was still holding and the agreement of 8 April was being implemented. The disengagement plan should be carried out when MONUC effected its deployment. The position of the Political Committee was that MONUC should deploy as soon as possible.

27. The meeting agreed to discuss the inter-Congolese dialogue, MONUC deployment and, for the first time, the disarming, demobilization, reintegration and resettlement of the armed groups identified in the Lusaka Agreement.

28. The members of the mission stressed the need for progress in political reconciliation in the Democratic Republic of the Congo if the ceasefire was to be consolidated. The inter-Congolese dialogue alone represented the views of the Congolese people, who wanted peace in order to lead a normal life. The task of the neutral facilitator was to assist the Government and people of the Democratic Republic of the Congo to do so, with the cooperation of the Government. The mission was actively pursuing the question of funding for Sir Ketumile Masire, who had made a very positive impression on the Security Council during his recent visit to New York.

29. Ambassador Holbrooke then summarized the three options for the venue of the inter-Congolese dialogue, namely, Kinshasa, the Democratic Republic of the Congo outside the capital, or another African capital.

30. The Congolese parties represented on the Political Committee then stated their various preferences on the venue. The Movement for the Liberation of the Congo (MLC) wished it to be held in either Gaborone or Nairobi; RCD-Goma requested a neutral location; RCD-Kisangani said a venue should be proposed by Sir Ketumile Masire in consultation with the Congolese parties. Foreign Minister Ndombasi, while pointing out that there was no security problem in Kinshasa, and stressing the role of the recognized Government of the Democratic

Republic of the Congo, had no objection in principle to holding the dialogue in Kisangani. (The subsequent agreement between Rwanda and Uganda to withdraw their forces from Kisangani and for MONUC to deploy there has given rise to suggestions that the dialogue might be held there.)

31. In a discussion of the process of disarmament, demobilization, reintegration and resettlement, it emerged that there was little agreement on the scale of the problem. A rough provisional figure of some 15,000 members of armed groups existed, but the members of the groups were very hard to identify (others put the number as low as 3,000 or as high as 30,000). In the view of Ambassador Holbrooke, the process was absolutely critical to securing a lasting peace in the Democratic Republic of the Congo, especially in the east. More accurate data had to be collected.

32. The Chairman noted that all parties had stated their readiness to proceed to an exchange of prisoners of war.

33. Ambassador Levitte stated his intention, subject to the views of the Security Council as a whole, to invite the Political Committee to meet in New York during the French presidency, in the month of June, probably in the middle of the month.

Meeting with President Mugabe

34. Upon arrival in Harare on 6 May, the Security Council mission met with President Mugabe. Ambassador Ouane briefed the President on the mission's discussions the previous day with Congolese civil society, religious leaders and representatives of political parties in the context of the inter-Congolese dialogue. On the basis of that meeting, it appeared that the overwhelming majority of their interlocutors preferred to hold the dialogue within the Democratic Republic of the Congo, whether in Kinshasa or not, rather than in another African capital. Security conditions were an important factor, however, as was a high level of support from the international community for the involvement of the unarmed opposition.

35. Ambassador Ben Mustapha stated that there appeared to be no consensus on where the inter-Congolese dialogue should be held. At the meeting of the Political Committee held in Lusaka that morning, there had appeared to be agreement on the need to hold the dialogue as soon as possible, in parallel with MONUC deployment, and without foreign "patrons".

36. Ambassadors Levitte, Holbrooke and Greenstock told President Mugabe their impressions of the meetings held over the last two days with the Congolese parties in Kinshasa and Lusaka.

37. In his response, President Mugabe said it was time for the United Nations to deploy, or else the situation in the Democratic Republic of the Congo would deteriorate. The President then confirmed the understanding of the Security Council members as to the origin of the situation in Kisangani. His explanation for the deterioration in relations between Uganda and Rwanda paralleled that of President Chiluba.

38. In President Mugabe's opinion, the political dialogue was at this juncture less important than MONUC deployment, since the conflict remained uppermost in people's minds and the rebel groups were essentially the creation of Uganda and Rwanda.

39. Ambassador Andjaba briefed the President on the meeting with the Joint Military Commission held the previous night. President Mugabe noted that Rwanda did not feel safe, and that no security arrangement in Kinshasa would satisfy them. He raised the possibility of co-locating the Commission with MONUC within the Democratic Republic of the Congo but outside Kinshasa, perhaps in Lubumbashi. The President did not see why a delay in locating the Commission in Kinshasa should slow down the deployment of MONUC.

40. The President also agreed with Ambassador Andjaba that the illegal exploitation of the natural resources of the Democratic Republic of the Congo was wrong. In exchange for its support, said the President, Zimbabwe had entered into an agreement with the Government of the Democratic Republic of the Congo to work a mine which had, however, not yet yielded any diamonds. His Government would extend its full cooperation to any expert panel created by the Security Council, including in the areas of the Democratic Republic of the Congo under its control.

Meeting with President Kagame (7 May)

41. In his opening remarks, Ambassador Holbrooke informed President Kagame that the Carlsson report on the role of the United Nations in the 1994 genocide had recently been discussed in depth by the Security

Council. All members had accepted the report's sobering conclusions. It was also recognized that the Lusaka Agreement took account of Rwanda's legitimate security concerns.

42. Raising the question of the fighting in Kisangani, Ambassador Holbrooke noted that the United Nations had publicly attributed responsibility to Uganda. After relating the background to the situation in Kisangani, President Kagame proposed that both Rwandan and Ugandan forces should withdraw from the city under United Nations supervision, and that MONUC should at once deploy there in accordance with the concept of operations approved by the Security Council.

43. The Security Council mission then invited the Rwandan Head of State to consider withdrawing some of his forces from the territory of the Democratic Republic of the Congo, pointing out that a large proportion of the Rwandan Patriotic Army was now operating beyond its own borders. Its presence caused resentment in certain parts of the Democratic Republic of the Congo, which was against Rwanda's interests. Some of its members had been accused of serious human rights violations. Such violations had been reported throughout the Democratic Republic of the Congo, noted President Kagame.

44. President Kagame expressed willingness to consider such a step if all other belligerents did the same. Discussion then turned to the creation of a bridging mechanism designed to permit the parties to reduce their military exposure in a mutually balanced way, since it had emerged from the talks the mission had held that all of them wanted to do so. In this context, President Kagame pointed out the importance of the inter-Congolese dialogue in building confidence and strengthening security, and called on the Security Council to support it.

45. As a result of further discussion, the two sides agreed to issue a joint declaration of the Government of Rwanda and the Security Council delegation. In the declaration, the Government of Rwanda stated that it was prepared to move quickly to implement a phased withdrawal in accordance with the disengagement plan of 8 April as MONUC deployment got under way, and to discuss the immediate release to the care of ICRC of all prisoners of war. The Government fully supported Sir Ketumile Masire. Both the Government and the Security Council mission agreed on the need to disarm, demobilize, reintegrate and resettle members of the non-signatory armed groups, particularly the ex-Rwandan Armed Forces and Interahamwe, and to accelerate regional and international discussions aimed at resolving this issue. The Government and the Security Council mission agreed that the recent fighting in Kisangani, though deplorable, did not necessarily represent a threat to the Lusaka Agreement. The two sides agreed on the urgent need to dispatch military observers to Kisangani to help ensure that no further such incidents occurred.

Meeting with the Congolese Rally for Democracy-Goma

46. On 7 May, following its meeting with President Kagame, the Security Council mission met with representatives of RCD-Goma. The Security Council delegation expressed its serious concern over the fighting in Kisangani between the Uganda People's Defence Forces and the Rwandan Patriotic Army.

47. The Council delegation informed the RCD-Goma representatives of the declared willingness of President Museveni and President Kagame to end the fighting and pursue a peaceful resolution, as well as their request that MONUC should deploy additional military observers in Kisangani to supervise the cessation of fighting between the two parties. MONUC was ready to carry out the required reinforcement and to contribute to the stabilization of the situation.

48. While concurring with the idea, RCD-Goma objected to the proposal that MONUC should fly directly from Kinshasa to Kisangani without transiting through Goma. The Security Council mission categorically rejected the conditions posed by RCD-Goma in obliging MONUC flights to transit through Goma. It also referred to the status-of-forces agreement that had just been signed between MONUC and the Government of the Democratic Republic of the Congo and which allows for simple notification of MONUC flight plans instead of authorization requests as required previously. RCD-Goma eventually accepted that notification was sufficient.

49. The meeting also focused on several issues relating to the implementation of the Lusaka Ceasefire Agreement, notably the venue of the inter-Congolese dialogue, the location of the Joint Military Commission with MONUC in Kinshasa and the possibility of a special meeting of the Political Committee to be

convened around mid-June in New York during the French presidency of the Security Council.

50. On the issues of the inter-Congolese dialogue and location of the Joint Military Commission at Kinshasa, the RCD-Goma representatives rejected Kinshasa on security grounds. However, RCD-Goma would agree with other locations within the Democratic Republic of the Congo, notably Kisangani, Kananga and Mbuji-Mayi, as possible venues for the inter-Congolese dialogue or for the Joint Military Commission and MONUC to be co-located.

51. Ambassador van Walsum raised the Mwenga incident, in which 15 women were reportedly buried alive. Mr. Ilunga's response was one of the most astonishing heard by the mission: (a) the allegation was not true; (b) it only concerned three women; and (c) the other side did it too ("Kabila tue des dizaines de gens à Kinshasa tous les jours"). Ambassador van Walsum, supported by the entire delegation, firmly declared this response to be unacceptable. Members of the delegation stated that they would continue to pursue this issue and demanded more information, warning that they would ask the Security Council and other organizations to continue to search for the facts. (Later, the mission agreed that, while many other incidents of this sort had been reported, and that they should all be investigated, this one was so particularly odious that it demanded their particular attention.)

Meeting with President Museveni

52. Much of the meeting with President Museveni, which was held outside Kampala on 8 May, was devoted to following up the discussions the mission had had with President Kagame the day before in Kigali concerning the demilitarization of Kisangani.

53. During the talks with President Museveni, the mission consulted President Kagame about a statement that was subsequently released at the close of the talks with President Museveni. Ambassador Holbrooke subsequently briefed President Kabila and President Mugabe, who viewed the development favourably.

54. In the statement, the Government of Uganda and the Government of Rwanda stated that they were ready to withdraw their forces currently deployed in and around Kisangani to a distance to be agreed between them in detailed negotiations to be held without delay under the auspices of MONUC/the Joint Military Commission. The results of these negotiations would be reported to the Political Committee at its next meeting, to be held before the end of May 2000.

55. The Government of Uganda, the Government of Rwanda and the Security Council mission together recommended to the Special Representative of the Secretary-General that MONUC should deploy at the earliest possible opportunity to Kisangani, to exercise neutral control over the demilitarized zone around the city and airports of Kisangani, once the parties concerned had withdrawn.

56. The Security Council mission reaffirmed its strong support for the entire Lusaka Agreement and called the attention of the Lusaka signatories to their obligation to implement the Lusaka Agreement in all its aspects, and in this context required all the parties to respect this agreement of the Governments of Uganda and Rwanda to demilitarize Kisangani and to take no action in any circumstances which would violate the demilitarized zone.

Meeting with the Movement for the Liberation of the Congo

57. Despite having received an invitation from the Security Council mission to meet with its members in Kampala, the leader of MLC, Jean-Pierre Bemba, did not appear, citing logistical difficulties.

Meeting with the Congolese Rally for Democracy-Kisangani

58. The mission met with Professor Ernest Wamba dia Wamba and his delegation at Entebbe airport to update him on developments. Mr. Wamba dia Wamba gave his views on the tension in Kisangani and on the need for urgent progress on the inter-Congolese dialogue which, in his view, should not be held in Kinshasa.

III. Principal issues arising during the visit of the Security Council mission

Military and security situation

59. The ceasefire agreed by the parties in Kampala as part of the disengagement plan of 8 April largely continued to hold during the visit of the Security Council mission to the Democratic Republic of the Congo and neighbouring countries. However, the visit

was marked by serious outbreaks of fighting at Kisangani between Rwandan and Ugandan troops, despite urgent efforts at the highest level to secure a ceasefire.

60. Although the Council mission noted the widespread view that, strictly speaking, the fighting in Kisangani did not represent a direct threat to the implementation of the Lusaka Agreement or the agreement of 8 April, it was nevertheless a very disturbing development. Approximately 100 Congolese civilians had reportedly been killed or injured in the fighting.

61. The acceptance by President Kagame and President Museveni of a proposal to withdraw their forces from Kisangani in a mutual and balanced manner under United Nations supervision, and for the rapid deployment of MONUC units in the city, has helped to ease a significant source of local tension which hampered the Lusaka peace process and caused many deaths and injuries among the local population, as well as extensive property damage. The two Heads of State are to be commended for their concurrence with the proposal, and MONUC must move swiftly to take advantage of the opportunity once they have implemented it.

62. The Security Council mission accepted that the disarmament, demobilization, reintegration and resettlement of the armed groups, including the ex-Rwandan Armed Forces and Interahamwe militia, was an essential element in restoring confidence in the eastern part of the Democratic Republic of the Congo. Unless it was resolved, it would be very difficult to restore the rule of law or ensure the security of borders in the eastern Democratic Republic of the Congo. Partly in view of the intractability of the problem, very little thought had been devoted to its resolution, though a working group of the Joint Military Commission had drawn up a preliminary paper. Much more needed to be done to address this troubling question.

Implementation of the Lusaka Ceasefire Agreement and the relevant resolutions of the Security Council

63. The signing of the status-of-forces agreement reflected a major improvement in relations between MONUC and the Government of the Democratic Republic of the Congo, especially in the light of personal undertakings made to the mission by the Head of State at their meeting on 4 May. The removal of administrative obstacles to the expansion of MONUC should greatly facilitate its speedy deployment. Indeed, without exception, all the mission's interlocutors urged the deployment of phase II of MONUC as soon as possible.

64. The agreement in principle of the Political Committee to meet in New York at the invitation of the Security Council under the presidency of France in June 2000 could also serve as a stimulus to the peace process. The Security Council mission appreciated the contributions the Political Committee was making, under able chairmanship, to the implementation of the Lusaka Ceasefire Agreement, most notably through its adoption on 8 April of the disengagement plan.

65. Less progress was apparent in the effort to move the Joint Military Commission to Kinshasa. It was clear that some members of the Commission had no intention of meeting in Kinshasa, let alone locating there, whatever undertakings or arrangements to ensure security were made. Furthermore, the Commission continued to be beset by leadership, organizational, financial and administrative problems, notwithstanding the significant contributions made by a number of donor countries, including Zambia, and the energetic efforts of the acting Chairman, General Kazembe. There was general consensus, however, subject to the decision of the Secretary-General, that the deployment of MONUC could proceed independently of efforts to secure the location of the Commission in Kinshasa, much as this remains desirable, and as is called for in resolution 1291 (2000).

66. With each of its interlocutors, the Security Council mission brought up the question of the release of prisoners of war, as called for by the Lusaka Agreement. All parties expressed themselves in favour of proceeding with this step, which would build confidence and serve humanitarian ends. The Security Council mission looked forward to further practical progress in this direction with the help of ICRC.

Inter-Congolese dialogue

67. The Security Council mission noted the reservations expressed by President Kabila in connection with the programme of work proposed by Sir Ketumile Masire, but also his undertaking to assist the neutral facilitator. It had clearly emerged from all the consultations the mission had conducted that

progress in the inter-Congolese dialogue, in conjunction with the deployment of MONUC and the implementation of the other military aspects of the Lusaka Ceasefire Agreement, represented the two paths to lasting security in the country.

68. There was no consensus among the Congolese parties as to the venue of the dialogue, though most participants expressed a preference for holding it on Congolese territory, whether in the capital or elsewhere. The Security Council mission took the view that this was a matter to be resolved by the Congolese parties, with the facilitation of Sir Ketumile Masire. But in view of the overwhelming desire of the Congolese people for peace, as demonstrated during the visit of some Security Council members to Kananga and the meetings held with representatives of civil society, religious groups and representatives of political parties, protracted discussions over the venue of the dialogue should not be allowed to delay the launching of the talks as expeditiously as possible.

IV. Observations and recommendations

69. The ceasefire inaugurated by the agreement of 8 April, which began on 14 April, though inevitably fragile, is an important basis for future peacemaking and must not be given up lightly. The Kisangani incident and reported violations in Equateur Province were deplorable, but did not represent breakdowns between the parties to the conflict in the Democratic Republic of the Congo. Still, urgent follow-up work is necessary. Since the deployment of phase II of MONUC, if authorized, would take several further weeks to exert even a preliminary effect, interim military observation needs to be reinforced quickly, including by the establishment of direct communication between MONUC headquarters and field commanders, and combined with constant political monitoring and contacts at high level. Verified disengagement may be possible in a few areas, but cannot reach a comprehensive stage until and unless phase II of MONUC is up to strength on the ground.

70. The requirement for a professional ceasefire monitoring and verification force as mandated in resolution 1291 (2000) is self-evident. Each of the five Presidents consulted on this visit was unequivocal in his appeal for rapid deployment, and apprehensive about the sustainability of the ceasefire without it. The desperation of the Congolese people, whose suffering the mission could for the most part only imagine, clearly demands an international response. But the deployment of MONUC could be executed only in the most difficult of logistic circumstances, at great expense and with the goodwill of the belligerent parties. While the immediate protection of peacekeepers would have to be assured, MONUC would not be in a position to exercise any consistent military control of violations.

71. The Secretary-General's decision on deployment will therefore be complex. The mission is acutely conscious, in the current circumstances of peacekeeping in Africa and elsewhere, of the risks bound to be faced by those contributing observers and protection forces. There are lessons to be learned from the Sierra Leone tragedy about the deployment of peacekeepers before a conflict has run its course. The need for security to be assured as deployments begin and the immediate availability of reinforcements are two of the most important. Equally, the development of a culture of stability and economic growth in Africa cannot be achieved without a partnership between Africans and the international community on conflict resolution; and the judgement of the United Nations on a peacekeeping operation in the Democratic Republic of the Congo will inevitably be seen in that context. **The developments in Sierra Leone inevitably cast a shadow over the mission to the Democratic Republic of the Congo, but the situation in the Democratic Republic of the Congo has its own unique characteristics, and the peacekeeping operation there must be judged on its own merits. Sierra Leone should not be allowed to cloud the international community's responsibility in the Democratic Republic of the Congo and its capacity to make a real difference there**.

72. The leaders of the region have to share the responsibility for returning the Democratic Republic of the Congo to stability. The mission recommends that the Secretary-General, before he makes his final decision, should speak to each of the Lusaka parties at the highest level, seeking their unequivocal commitment to assist the proposed deployment of phase II of MONUC, testing their commitment to the maintenance of the ceasefire and asking for their firm undertaking, in writing, to support phase II on the ground in every way possible. The tensions which exist among the parties, and between certain of the parties and the United Nations, as the mission itself observed,

have to be contained by the political leaderships, who remain ultimately accountable.

73. In the event of a positive decision by the Secretary-General, it is essential for the Lusaka and United Nations processes to interact effectively. The core structure for ceasefire monitoring, as ordained in resolution 1291 (2000), has to be MONUC and the Joint Military Commission working jointly from a co-located headquarters. The location of the headquarters is for those concerned on the ground to establish. While Kinshasa must remain the natural choice in time, it may be too early in the process of deconfliction and reconciliation for the Joint Military Commission to join MONUC there in the immediate future. One of the principal regional centres may therefore be a better temporary choice at this stage. It was evident to the mission from their contacts that "co-location", for several of the parties, meant something quite different from sharing a combined headquarters building; it meant going to Kinshasa. The city chosen therefore requires a decision by the Political Committee.

74. The military activity in and around Kisangani during the course of the mission's journey, in clear breach of the ceasefire of 14 April, has been condemned by the Security Council. The mission was pleased to play a role in promoting the joint declaration on the demilitarization of Kisangani issued by the Governments of Uganda and Rwanda on 8 May. But implementation, as always, is the only true test, and disturbing reports of fresh shelling and apparently hostile troop movements have already been received. This agreement needs immediate and forceful follow-up action by the Special Representative of the Secretary-General and by MONUC. As one of the most important of the regional centres of the Democratic Republic of the Congo, the city could have a significant role in the peace process. The mission, before it left the region, urged the Special Representative to explore quickly whether a demilitarized Kisangani, under the temporary authority of MONUC in the earliest stages of its deployment, could provide the parties with secure, neutral facilities for future political and military exchanges. The mission used its contacts with the parties to promote this proposal, which will bear fruit if they are committed to the consolidation of the ceasefire and the step-by-step implementation of the Lusaka process.

75. The mission was left in no doubt of the fundamental importance of establishing a national dialogue on the future of the Democratic Republic of the Congo. Without a political track, the parties will inevitably focus on the military track. All the Lusaka signatories the mission met, but even more emphatically the representatives of the Congolese civil, political and religious communities who were not associated with the use of armed force, placed emphasis on the need for vigorous and legitimate political activity. The mission concluded that follow-up on this central aspect should be urgently pursued. Sir Ketumile Masire's facilitation needs immediate access to funds and the unequivocal support, in particular, of all the Lusaka signatories. The mission hopes that the facilitator, with the assistance of the Special Representative of the Secretary-General and the active backing of the Security Council, will address the question of the venue for the first stages of the dialogue with renewed vigour, especially if the demilitarization of Kisangani proceeds as planned. The appointment at an early date of a senior adviser to the neutral facilitator based in Kinshasa, who should be francophone, could be helpful in this regard. The mission believes that a compromise on the venue question should be reached before the Political Committee visits New York in June 2000. Kinshasa is the natural eventual home of the political process; but the mission recommends that an interim solution, possibly Kisangani, could be explored and that Kinshasa could be re-examined at a later date, when confidence between the parties has grown.

76. The Lusaka requirement for a disarmament, demobilization, reintegration and resettlement programme, without which no sustained cessation of the conflict will be possible, has now been broached by the mission with the parties. The issue should be taken forward in New York in June, with prior preparation by the parties and by MONUC. The mission recognizes the need for time and the most substantial deployment of peacekeeping forces, beyond phase II of MONUC, for this purpose, but work must be done now on the details, so that the parties can be confident that the whole structure of Lusaka is being given attention.

77. The mission raised the question of the illegal exploitation of the resources of the Democratic Republic of the Congo in their exchanges and made it clear that the Security Council would return to addressing this problem. None of the external parties to the conflict claimed a long-term interest in remaining on the territory of the Democratic Republic of the

Congo in either a military or an economic context. The mission recommends the early establishment of an expert panel by the Security Council to take this matter forward.

78. At the mission's instigation, particular parties offered to take steps to exchange prisoners of war. The Security Council should urge ICRC to renew its approaches to turn this expressed willingness into practical results.

79. All the members of the Security Council mission to the Democratic Republic of the Congo express their gratitude to the leaders and Governments in the countries they visited for their hospitality and responsiveness. They pay tribute to the determined and courageous work of the Special Representative of the Secretary-General, Ambassador Kamel Morjane, to the Force Commander, Major General Mountaga Diallo, and to their military and civilian personnel. They express their warm appreciation to the United Nations teams on the ground in each of the locations they visited for their professional and logistical support and to the Secretariat staff who accompanied them for their sustained helpfulness in often difficult circumstances.